



Debates

WEEKLY HANSARD

Legislative Assembly for the ACT

TENTH ASSEMBLY

21 March 2023

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Tuesday, 21 March 2023

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Tuesday, 21 March 2023

MR ACTING SPEAKER (Mr Parton) (10.01): Members:

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

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

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

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

Legislative Assembly—unparliamentary language Statement by Acting Speaker

MR ACTING SPEAKER: Members, the Speaker has a statement that she wished me to share with you at the commencement of this sitting:

At the commencement of this second sitting week of 2023, and following some concerns raised towards the end of the first sitting week of 2023, I wanted to remind members about the need to be mindful about the use of unparliamentary language and imputations against members.

Standing order 54 requires that members not use offensive words against any member of the Assembly, and standing order 55 states that all imputations of improper motives and personal reflections on members will be considered highly disorderly.

Standing orders 56 and 57 set out the responsibilities of the Speaker in relation to offensive words, and I would remind members that if they think such words have been used, they should draw it to the attention of the Speaker at the earliest opportunity.

If members follow these standing orders, it will assist in having the chamber operate smoothly and effectively.

Justice and Community Safety—Standing Committee Report 13

MR CAIN (Ginninderra) (10.03): I present the following report:

Justice and Community Safety—Standing Committee—Report 13—*Inquiry into the Road Safety and Crimes Legislation Amendment Bills 2022*, dated 22 February 2023, together with a copy of the extracts of the relevant minutes of proceedings.

These were circulated to members pursuant to standing order 254C.

I move:

That the report be noted.

The report makes seven recommendations. The committee recommends that the Road Safety Legislation Amendment Bill 2022 pass the Assembly, and the Crimes Legislation Amendment Bill 2022 also pass the Assembly.

On behalf of the committee, I would like to thank everyone who contributed to the inquiry. I thank the other committee members, Dr Paterson and Mr Braddock. I thank the secretariat for their consistently professional support.

I commend the report to the Assembly.

Question resolved in the affirmative.

Public Accounts—Standing Committee Report 12

MRS KIKKERT (Ginninderra) (10.05): I present the following report:

Public Accounts—Standing Committee—Report 12—*Inquiry into the Work Health and Safety Amendment Bill 2022*, dated 1 March 2023, together with a copy of the extracts of the relevant minutes of proceedings.

These were circulated to members pursuant to standing order 254C.

I move:

That the report be noted.

This is the 12th report of the Standing Committee on Public Accounts for the 10th Assembly. The committee received four submissions and held a public hearing on 2 February 2023. The committee heard from the Office of the Legislative Assembly, WorkSafe ACT and the ACT government.

The committee made four recommendations as part of its inquiry. The recommendations include: that the Assembly pass the Work Health and Safety Amendment Bill 2022 with amendment, and that the Assembly pass the Speaker's amendment.

For the record, I would like to read the Speaker's amendment:

Clause 4
Proposed new section 273A (2) and (3)
Page 2, line 15—

insert

- (2) Nothing in this Act limits any power, privilege or immunity given under the Self-Government Act, section 24 to—
 - (a) the Legislative Assembly; or
 - (b) a committee of the Legislative Assembly; or
 - (c) a member of the Legislative Assembly.
- (3) Without limiting subsection (2), nothing in this Act gives the regulator or anyone else exercising a function under this Act the power to prohibit or otherwise interrupt a proceeding of the Legislative Assembly or any of its committees.

The committee has recommended these amendments for the Assembly to take heed of and accept. On behalf of the committee, I would like to thank those who contributed to the committee's inquiry and the hearing, and those who made a submission to the inquiry.

I commend the report to the Assembly.

Question resolved in the affirmative.

Report 16

MRS KIKKERT (Ginninderra) (10.08): I present the following report:

Public Accounts—Standing Committee—Report 16—*Inquiry into the Appropriation Bill 2022-2023 (No 2) and Appropriation (Office of the Legislative Assembly) Bill 2022-2023 (No 2)*, dated 16 March 2023, together with a copy of the extracts of the relevant minutes of proceedings.

I move:

That the report be noted.

The Public Accounts Committee examined Appropriation Bill 2022-2023 (No 2), and Appropriation (Office of the Legislative Assembly) Bill 2022-2023 (No 2). The committee held one public hearing on 8 December 2022 and heard evidence from the Treasurer and Treasury officials.

The committee made five recommendations as part of its inquiry, including that the government publish in its budget review: an update on the cost-of-living statement; a year-to-date update on the actual infrastructure and spend versus budget estimates for that financial year; and a year-to-date update on the actual number of blocks released for single dwelling and public unit dwellings under its land release program for that financial year.

On behalf of the committee, I would like to thank those who contributed to the committee's inquiry. I commend the report to Assembly.

Question resolved in the affirmative.

Petitions

The following petitions were lodged for presentation:

Transport—ANU bus services—petition 2-23

By Ms Clay, from 1237 residents:

To the Speaker and Members of the Legislative Assembly for the Australia Capital Territory

Reason for this Petition

The following residents of the ACT draw the attention of the Assembly to the public transport deadzone on ANU campus.

For the 3700+ students who will be living in an on-campus residential hall this year, their public transport options are dire. For many, they face over an hour of travel to and from civic for groceries and commuting. At a time when students are already stretched thin through skyrocketing rents, stagnant wages, and a full time load of study, such extra time burdens mean skipping meals. Or it makes it harder to hold down the kind of job required for students to survive. This particularly affects those with specific dietary requirements, such as those who need halal, vegetarian or kosher food which may be hard to find without travelling around the city.

Additionally, ANU is one of the least safe campuses for SASH in the country, and being forced to walk back through a dimly lit sparse campus on a night out does nothing to help those matters. Having a safe, public, alternative to running the gauntlet of making their way back to safety would be very valuable for the most vulnerable people on campus.

It would be a huge improvement in student welfare, equity, and safety, to restore a bus line that could transport on-campus students to and from civic, joining them up with the existing bus network.

Your petitioners, therefore, request the Assembly to restore a bus route from Daley Rd to Civic.

Municipal services—Casey—petition 3-23

By Ms Orr, from 701 residents:

To the Speaker and Members of the Legislative Assembly for the Australia Capital Territory

The following residents of the ACT draw the attention of the Assembly to the following issues of concern to Casey residents:

The suburb of Casey, and surrounding areas, has grown considerably with roads, public amenity, public transport, and community infrastructure all needing investment to cope with this growth.

The major roads servicing the area (Gungahlin Drive, Horse Park Drive, and Clarrie Hermes Drive) slim down to one-lane each way as they converge around Casey—creating a hotspot for car-accidents and near misses with pedestrians.

Congestion, vehicle accidents and near-misses (including with pedestrians) are common, particularly during peak commute and school drop-off/pick up times, around St John Paul II College, The Grove (Retirement Village), the Nichols District Playing fields, Gold Creek High School, and the Casey Group Centre.

A residential development planned for the Casey group centre is likely to be approved, bringing a further 200 units and 500 more residents to an area already facing pressure.

The many footpaths and shared paths servicing Casey are too narrow.

Bus based public transport is grossly inadequate, especially on weekends.

There is a lack of clarity from the ACT Government on the future purpose of the remaining parcels of land in the area, there is no plan to deliver a much needed indoor-sports centre for Gungahlin, earmarked in the original Concept Plan for Casey.

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

1. Develop and commit to a timeframe to fully duplicate Gungahlin Drive, Horse Park Drive, and Clarrie Hermes drive; including interim measures to ease road congestion by converting the existing single-lane roundabouts to dual-lane.
2. Survey the share paths and footpaths in and around the Casey Group Centre and widen them where necessary - particularly at the northern end of Kingsland parade, and the on Gungahlin drive that joins The Grove (Retirement Village) with Casey Group Centre.
3. Provide improved public transport options including greater frequency of local bus services (especially on weekends) and investigate providing light rail to the Casey group centre.
4. Develop and implement a process to provide Gungahlin (and ACT) residents with a way of meaningfully interacting on community issues where those issues span multiple ACT Government Directorates.
5. Commit to a proper community consultation process when it comes to planning and decisions regarding the remaining parcels of land in the area.

Pursuant to standing order 99A, these petitions, having more than 500 signatories, were referred to the Standing Committee on Planning, Transport and City Services.

Schools—Monash Primary School oval—petition 27-22

By Mr Parton, from 131 residents:

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

The following residents of the ACT draw the attention of the Assembly to the condition, and need for replacement, of the Monash Primary School oval.

The education directorate has agreed with the Monash School Board that the oval does need replacing. They however have not committed funding or a time frame for funding to replace it. The oval was established well over a decade ago and despite several thousands of dollars a year from our small public-school budget being spent on upkeep, it is in dire need of replacing. These types of ovals we understand should be replaced every 10 years, to a cost of between \$250,000-\$500,000. You can see that this is beyond what our school can afford.

Lighting for after school hours use was not also provided during initial construction. This, and due to the poor surface quality, the school has been unable to rent the space for income to go towards upkeep or replacement, nor to give the community a place for recreation and sport within our local area.

Signs of the oval needing replacement:

1. The underlay is made of small plastic beads or fragments which end up in children's shoes and clothing on a daily basis.
2. This loss from the subsurface is making the turf uneven and over 350 local parents are concerned it may become unsafe. Trips on the surface cause grazes to skin. The beads get into eyes that can need to be flushed with water. When kids run on it you can see the plastic beads get airborne during the vibration and flicking of feet.
3. These plastic bead like objects also wash down into school grounds and down drains with every rain fall, adding plastic pollution to our waterways, and making considerable work for our building services officers (BSOs) to clean up.
4. Due to inadequate drainage under the oval, when it rains the water washes off the area downhill and washes away the tanbark from our playgrounds, adding further costs to the school and the directorate to replace it. Another cost is the time to the BSOs who must clear the drains of muddy tanbark after every rainfall. which recently has been nearly every week. After a particularly heavy rain it took two BSOs 3 days to clean up.
5. Considering where the water goes; into the lovely upgraded wet land area in north west Tuggeranong Lake; it is sad to think how much plastic is entering the ecosystem.

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

1. Provide priority funding for the replacement of the Monash Primary School oval space.
2. Include lighting infrastructure so that the school may be able to obtain some income from renting that area to the local community for sports and

recreation. This is with the aim that we may be able to meet the upkeep or replacement in future, as much as possible with minimal dependence on the directorate.

3. Ensure that adequate drainage is included to avoid damage to remaining school infrastructure.

Seniors—retirement villages—petitions 38-22 and 08-23

By Mr Pettersson, from 207 residents and 64 residents, respectively:

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

The following residents of the ACT draw the attention of the Assembly. Presently in the ACT, as is elsewhere in all other jurisdictions in Australia, there is no entity that exists where a resident of a Retirement Village who has a problem with the Village operator that has not been resolved, can go to seek a solution. The 2012 ACT Retirement Village Act has provision for a complaint to be lodged with ACT Civil & Administrative Tribunal (ACAT). ACAT can then investigate the complaint, which can take many months to resolve. In the process, after the Hearings at ACAT, it may need to go to the Supreme Court for finalisation. This is a complex, time-consuming and potentially very expensive process. So much so there have only been three complaints to ACAT since 2012. The first has an unknown result, the second lodged in 2015, resulted in substantial compensation being paid to the complainant. The third lodged by myself on behalf of a fellow resident of The Grove Retirement Village, Ngunnawal, was discontinued after Lendlease agreed to rectify the problem, which was the basis of the complaint, on the eve of a Directions Hearing at ACAT. This whole matter had previously been the subject of a complaint to the Human Rights Commission, which would have ultimately referred the matter to ACAT, but I anticipated that and went directly to ACAT. The fact that so few complaints have been lodged throughout Australia against the operators of Retirement Villages through the equivalent of ACAT is incorrectly seen to indicate there are few problems. In this regard it is important to understand why it is there are so few complaints made to the NSW Civil and Administrative Tribunal (NCAT) and the Office of Fair Trading, given NSW has the largest number of RV residents. It is apparent that elderly residents have very little faith in those bodies or don't have the physical, mental, emotional or technological ability to pursue an issue. These small numbers (erroneously) are taken as a signal that there are few problems in the sector overall. In both NSW and Victoria unsuccessful attempts have been made to set up a Retirement Village Ombudsman over many years. The creation of a Retirement Village Ombudsman in NSW is a promise made by the NSW Opposition in the NSW election to be held in March 2023. The ACT has the opportunity to lead Australia in creating a Retirement Village Ombudsman. It can set the standard for other jurisdictions.

Your petitioners, therefore, request the Assembly to introduce a Bill calling for the creation of a Retirement Village Ombudsman.

Roads—Harrison—petition 41-22

By Mr Braddock, from 167 residents:

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

The following residents of the ACT draw the attention of the Assembly to the safety of Nullarbor Avenue in Harrison.

Nullarbor Avenue in Harrison is a suburban street that includes a school, school zone (Harrison School), playing fields (Harrison playing field 1 and 2), the heritage listed Wells Station farmstead and suburban houses. The street is also in proximity to Mother Teresa Primary School and Mullion Park.

The street was originally a cul-de-sac with the opening of the street to Wells Station Drive. The street is seeing higher and higher use and high speed through traffic. This through traffic poses a safety risk to residents, other vehicle users of the street, including bus services, and the large number of community pedestrians such as school children walking along the street to attend school or sporting events.

The high speed through traffic is also causing extra and unnecessary neighbourhood noise, making it difficult for residents living on the street to cross the road, exit and enter their driveways and park. The speed limit for the street is currently set at 60km/h and is without speed controls at the residential end, nearer to Wells Station Drive. The speed is above the standard for ACT governments priority on better neighbourhoods.

Your petitioners, therefore, request the Assembly to call on the ACT Government to reduce the speed of Nullarbor Avenue to 50km/h (maintaining the 40km/h school zones and no trucks policy) and introduce speed controls to increase safety to the community, better the neighbourhood and reduce through traffic of this residential street.

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

Ministerial responses

The following responses to petitions have been lodged:

Richardson shops—leasing—petition 31-22

By **Mr Barr**, Chief Minister, dated 21 February 2023, in response to a petition lodged by lodged by Ms Lawder on 22 November 2022, concerning Richardson shops.

The response read as follows:

Dear Mr Duncan

Thank you for your letter of 5 December 2022 regarding petition 031-22, lodged by Ms Nicole Lawder MLA. The petition draws the Assembly's attention to the condition of the Richardson Shops, with some having been vacant for an extended period of time. The petition also highlights the concern this is causing some Richardson residents.

Support for business owners

While the ACT Government does not provide direct incentives to business owners to occupy privately owned shop fronts, like the Richardson Shops, it has and continues to provide a wide range of supports to businesses. The 2021-22 Budget committed \$475 million in response to the COVID-19 pandemic to support local businesses. This includes wide-ranging initiatives like the Business Support Grants and the Small Business Hardship Scheme, and waivers and reductions of a wide range of Government fees and charges. Further, the Canberra Business Advice and Support Service (CBASS) provides businesses with up to four hours of free, tailored, specialist advice including financial, legal, and advice to help pivot or close a business.

Residential and commercial vacancies

Because the Richardson Shops are privately owned, there are limitations on how the Government can intervene in commercial leasing arrangements. However, there are a number of holding costs for property that disincentivise leaving a property vacant and without income, including the costs of the mortgage and government taxes. The ACT's property taxes are an economic incentive to rent out any property that is not being used. Property owners in the ACT pay General Rates regardless of whether the property is occupied to help fund the essential services and infrastructure all Canberrans rely on, like schools, hospitals, public transport, and community facilities. If a property sits vacant, General Rates are still payable for the property even if these services are not being used. In summary, there are existing economic incentives for ensuring properties are made available to the leasing market where possible.

Condition of Richardson Shops

The ACT Government notes the current condition of Richardson shops, including the loss of the supermarket in recent years and understands the concern this causes local residents. As Richardson Shops are privately owned, including the car parking area, there are limits to what the ACT Government can do to revitalise them. The occupation and use of buildings is governed, in part, under the relevant Crown lease for a site. Access Canberra is responsible for investigating complaints made in relation to non-compliance with Crown leases, which includes issues associated with vacant commercial properties.

The ACT Government has recently contacted the leaseholder of Block 4 Section 454 Richardson to remind them of their obligations to maintain the leasehold, including keeping it in a clean state, under the *Planning and Development Act 2007*. Should members of the community like to report any further incidents or unsafe deterioration of the building's condition, they can lodge a complaint directly to Access Canberra by phone or via the online reporting tool available at www.accesscanberra.gov.au.

City Services also engages in a program of upgrades to shopping precincts across the ACT, where identified public space can be upgraded for improved amenity and to support local businesses and residents. As part of this program a new play space was opened next to the Richardson Shops in late 2020. The upgrades at the Richardson shops playground included elements for swinging, climbing and exploring including skate ledges and ramps, replacement climbing structure, nest swing and a spinner with plenty of space for relaxing under shaded seating areas, new landscaping and rubber softfall for safety.

City Services is only able to do public space upgrades like this on area owned and managed by the ACT Government. While the Richardson shops and the adjoining carpark (Block 4, Section 454) are privately owned, TCCS owns, manages and maintains adjoining Block 12, zoned PRZ1 – Urban Open Space (and in use as a playground), and also Blocks 15, 16 and 17 which are zoned CZ4 Local Centre, but used as unleased open space.

Value of local centres

The ACT Government recognises the important social and economic role played by local centres in our community. The Environment, Planning and Sustainable Development Directorate (EPSDD) is currently undertaking the ACT Planning System Review and Reform project, this includes the preparation of district strategies covering the nine urban districts of the ACT. District strategies are a new level in the planning system that provide greater spatial and policy direction at a district scale.

The draft Tuggeranong District Strategy identifies the Richardson local centre as one of a number of ‘possible’ centres for investigation of appropriate planning and non-planning initiatives to support its viability and role as a community meeting place. Further work will need to be undertaken to confirm the Richardson local centre as a candidate for this investigation, including demographic and economic analysis.

The draft Territory Plan and district strategies, including the Tuggeranong District Strategy, are now out for community consultation and residents can provide input through the yoursay website at: [ACT Planning System Review and Reform Project | YourSay ACT](#).

Further information on the planning review and reform project can be found at the following link. <https://www.planning.act.gov.au/planning-our-city/act-planning-system-review-and-reform/draft-district-strategies>

I trust this information is of assistance.

Development—Chisholm shops—petition 32-22

By **Mr Gentleman**, Minister for Planning and Land Management, dated 14 February 2023, in response to a petition lodged by Ms Burch on 22 November 2022, concerning the KFC development application at Chisholm shops.

The response read as follows:

Dear Mr Duncan

I refer to your letter of 22 November 2022 providing Petition No. 032-22, lodged by Ms Joy Burch MLA, regarding a development application (DA202240583) proposed on Blocks 48 and 49 Section 539, Chisholm.

The ACT Government notes the petition in relation to the proposed development at Blocks 48 and 49 Section 539 Chisholm and notes that the petitioners request the Assembly to oppose the development application. It is noted that petitioners raise concerns regarding the potential economic impacts the development may

have on surrounding businesses, and potential health implications from the food and beverages expected to be served at the proposed restaurant.

The development application for the proposed development was lodged with the independent planning and land authority (the authority) on 9 September 2022.

The scope of works proposed in the application includes:

- demolition of an existing 30 space at-grade car park on the south side of the Chisholm Village Shopping Centre;
- construction of a fast-food restaurant, 6 parking spaces and drive-through access;
- construction of a new Coles supermarket click-and-collect facility;
- commercial signage;
- landscaping;
- new driveway verge crossing, and associated works;
- relocation of existing car wash to a new facility on Block 49 Section 539 Chisholm; and
- lease variation to Block 48 Section 539 Chisholm to increase the permitted gross floor area to 4,159m², and to reduce staff car parking requirements to 6 spaces.

The development application was publicly notified from 20 September 2022 until 12 October 2022.

The authority requested the applicant provide further information in relation to the development application. The applicant has since provided a response which is available for public comment for an extended timeframe between 10 January 2023 and 10 February 2023.

As part of the statutory assessment process, the independent authority must consider all representations that were received during the public notification periods - including relevant matters raised through a petition. I am advised that, to date, Petition No. 032-22 has not been lodged as a representation regarding DA202240583.

The authority must also consider the advice from all entities, including advice received from the Environment Protection Authority (EPA), ACT Health and Transport Canberra and City Services (TCCS).

The development application is currently being assessed by the independent planning and land authority in line with the statutory requirements of the Planning and Development Act 2007 and Territory Plan. There is very limited scope for the Assembly to intervene in decisions made by the independent authority.

I thank the petitioners for raising these concerns with the Assembly and trust this information is of assistance.

Belconnen—Margaret Timpson Park—petition 28-22

By **Mr Gentleman**, Minister for Planning and Land Management, dated 1 March 2023, in response to a petition lodged by Ms Clay on 30 November 2022, concerning Margaret Timpson Park in the Belconnen Town Centre.

The response read as follows:

Dear Mr Duncan

I refer to your letter of 30 November 2022 regarding petition No 28-22 Margaret Timpson Park.

The site identified in the Petition, Block 45 Section 54 Belconnen, is being considered for a potential Demonstration Housing Project site.

As the process regarding the site is under active consideration, there is limited further information that can be provided until this process is finalised. Should the site not progress as part of the Demonstration Housing Project, it will be rescheduled on the Indicative Land Release Program for release by the Suburban Land Agency for future development.

The site has the potential to provide much needed housing close to public transport and the town centre, and meets the ACT Planning Strategy's goal of providing 70 per cent of new residential development within the existing urban footprint and with a focus on centres and transport corridors. Development of the site is consistent with recommendations of the 2016 Belconnen Town Centre Master Plan and the corresponding changes to the Territory Plan (with Variation 342). The rezoning to CZ2 was made to accommodate future redevelopment of the site, with the CZ2 zoning permitting a range of future uses including residential and commercial.

The ACT Government has invested in a number of public realm projects in the Belconnen Town Centre and surrounding vicinity in recent years, including:

- Belconnen Skate Park – a new Skateboard competition half pipe at the Belconnen Skate Park
- Lake Ginninderra path link – a foreshore path link from the Emu Bank commercial area across the front of the Art Centre to Emu inlet
- Belconnen Lakeshore – a feasibility study for widening of the shared path around Lake Ginninderra
- Lake Ginninderra – upgrades to the existing toilet facility and a new toilet facility at John Knight Memorial Park
- Bikeways Stage 1 – the first stage of the Belconnen Bikeway from Coulter Drive in Florey through to the University of Canberra to Haydon Drive via College Street.

Since 2018, the ACT Government has invested \$5.8 million in play spaces across Canberra, including 10 new play spaces, and undertaking upgrades and refreshing 66 existing play spaces. Improvements to existing parks are considered annually.

The ACT Government is working to deliver our current program of improvements and upgrades to recreational spaces across the Territory, including new play spaces in Aranda and Kaleen.

The Government will consider opportunities for new and upgraded play spaces in the Belconnen Town Centre during future stages of our suburban infrastructure

program. Consultation will be undertaken to ensure community needs and priorities are identified and incorporated.

I thank you for referring this petition for my consideration and trust the information clarifies the ACT Government's current position.

Amaroo shops—playground—petition 35-22

By **Mr Steel**, Minister for Transport and City Services, dated 23 February 2023, in response to a petition lodged by Mr Pettersson on 1 December 2022, concerning the installation of a playground at Amaroo shops.

The response read as follows:

Dear Mr Duncan

Thank you for your letter regarding petition 35-22, lodged by Mr Michael Pettersson MLA, regarding the installation of a playground at Amaroo Shops.

The ACT Government continues to invest in new and upgraded facilities across the Canberra region through our record program of suburban infrastructure upgrades. We have a strong track record of listening to the community as we deliver these upgrades, which include new and improved play spaces, sporting facilities, footpaths, seating, lighting and other important suburban infrastructure.

All requests for improvements to Canberra parks and play spaces are assessed and prioritised annually. Play spaces are considered for improvements taking account of factors such as demand, demographics, equity, sustainability, co-location and availability of funding. This process ensures that investments in public spaces are suitably targeted and meet the needs of all Canberrans.

In May 2022, the ACT Government released the ACT Play Space Strategy following community engagement and consultation. The Strategy provides a clear vision, supported by key principles, objectives and actions to guide the future planning, delivery and management of play spaces in the ACT.

It seeks to ensure an equitable, inclusive, diverse and engaging mix of play opportunities across Canberra, to ensure all residents have equitable access to a mix of district, central and local neighbourhood playgrounds.

You may be interested to know that designs for a new Recreation Park in Casey are being finalised and will be released in early 2023. More details can be found at <https://yoursayconversations.act.gov.au/casey-community-recreation-park>.

The ACT Government is also building a new fenced dog park in Franklin to provide more spaces for dog owners in Gungahlin to exercise and socialise their dogs off-leash. More details about this project can be found at <https://yoursayconversations.act.gov.au/franklin-dog-park>

Each year the ACT Government invests in minor play space improvements as part of its safety program. These improvements include minor maintenance, the top up of soft fall and refurbishment of equipment. More information can be found at <https://www.cityservices.act.gov.au/Infrastructure-Projects/programs/playspace-upgrades/completed-playspace-upgrades>

I am advised that there is a playground at Proserpine Circuit located at the opposite end of Alice Street, which is close by to the Amaroo Shops.

At this stage, the ACT Government is working to deliver our current program of improvements and upgrades to recreational spaces across the Territory, including the new Recreation Park in Casey, an upgrade at the Burramarra Avenue play space in Ngunnawal and improvements around Yerrabi Pond.

The Government will consider opportunities for new and upgraded play spaces in Amaroo in future stages of our suburban infrastructure program. Consultation will be undertaken to ensure community needs and priorities are identified and incorporated.

I trust this information is of assistance.

Kippax Fair—parking—petition 39-22

By **Mr Steel**, Minister for Transport and City Services, dated 1 March 2023, in response to a petition lodged by Mrs Kikkert on 30 November 2022, concerning parking at Kippax Fair.

The response read as follows:

Dear Mr Duncan

Thank you for your letter regarding petition 39-22, lodged by Ms Elizabeth Kikkert MLA, regarding parking at Kippax Fair.

ACT Government car parks are being redeveloped at selected locations to meet the vision and objectives of the ACT Planning Strategy. The Government is seeking to promote development of Canberra as a compact and efficient city through increased density in town and group centres, along major transport routes and at other appropriate locations. This will also support Government and community objectives on transport and climate change.

The Section 53 car park was sold in June 2022 to provide for diverse residential and commercial spaces with sustainable features including no gas connections and electric vehicle charging infrastructure.

This car park, which was predominately used by staff at Kippax, had peak use of 29 of 64 spaces when the last parking survey was undertaken in May 2022, showing peak utilisation of less than 50 per cent. Parking spaces that cater for employees or long-stay visitors are typically provided at the periphery of busy centres. Sometimes these long-stay parking spaces are shared with local facilities such as sports facilities, that often have different peak times to shopping areas.

At Kippax Group Centre, there are around 400 long-stay and free parking spaces within close walking distance, including on Moyes Crescent adjacent to the group centre. These car parks experience low utilisation during the week and after hours when the sportsgrounds are not being used.

Transport Canberra and City Services (TCCS) has relocated 16 Park and Ride spaces to Moyes Crescent from the car park on Section 89 opposite Kippax Fair. This has allowed those spaces to be converted to long-stay parking to cater for demand in the group centre car park. TCCS is also investigating lighting and path condition to ensure safe pedestrian access between the group centre and Moyes Crescent.

The Section 89 car park has 117 spaces. It now comprises 95 2-hour and 3-hour parking spaces, 16 unrestricted spaces and six accessible spaces. The peak use of this car park was 84 per cent. The predominant allocation of time restrictions within this car park is important to ensure parking spaces close to the shopping centre for customers and other short-stay visitors. Prioritising close parking for short-stay visitors is a common approach used to support the economic and social function of centres.

These parking changes took effect on Monday, 6 February 2023. The ACT Government is continuing to review parking arrangements at Kippax, including reviewing the layout and location of parking to identify possible opportunities to optimise the number of spaces.

TCCS has installed corflute signs at Kippax which highlight the new parking arrangements. A corflute sign with a map will be installed to show the location of the parking spaces on Moyes Crescent and the new long-stay spaces.

Regarding the reopening of the Section 53 car park pending its redevelopment, the ACT Government is unable to provide public liability insurance to cover privately leased areas. However, the ACT Government would be supportive of Kippax Fair entering into a private arrangement with the new owner to reopen the car park on a temporary basis pending construction works to redevelop the site.

The provision of more parking at the group centre will be considered as part of the future expansion of the shopping centre.

I trust this information is of assistance.

Building—proposed developer licensing scheme—petitions 29-22 and 37-22

By **Ms Vassarotti**, Minister for Minister for Sustainable Building and Construction, dated 14 February 2023, in response to petitions lodged by Mr Pettersson on 22 November 2022, concerning property developer licensing.

The response read as follows:

Dear Mr Duncan

Petition Numbers 029-22 and 037-22: Property Developer Licensing

I refer to your letter of 22 November 2022 regarding Petition no. 029-22 and 037-22, tabled by Mr Pettersson MLA in the Legislative Assembly on 22 November 2022 concerning Property Developer Licensing.

The ACT Government remains committed to introducing property developer regulation within the current parliamentary term to provide greater accountability for property developers within the building and construction industry.

An effective building and construction regulatory system is important for the health, safety, and wellbeing of our community. Confidence in the regulatory system is critical to the economic sustainability of the building and construction industry.

Canberrans should be confident that when they engage with a developer, the developer will be competent, transparent and act ethically. The ACT Government is currently investigating the best measures for achieving greater accountability for property developers within the building regulatory system and for providing consumers with greater information about developments and the developers behind them.

To support the policy development process and investigation of the best measures to achieve the objectives outlined above, the ACT Government has released a comprehensive discussion paper that considers various issues and options. The paper considers the broad range of obligations of a developer, spanning construction, consumer protection, contractual relationships, occupational health and safety, and employment and industrial relations.

The paper focuses on four areas:

- accountability and transparency;
- ethical behaviours and work practices;
- project capacity and capability – financial and operational; and
- building quality and safety.

Detailed consideration of these areas is intended to support measures that address the impact developers have on the quality and safety of design, construction and certification of buildings and other work practices.

Engagement with key stakeholders commenced in December 2022. The paper was used to inform these discussions and seek feedback. A community consultation process commenced on the Yoursay portal on 30 January 2023 and closes on 27 February 2023.

Through a range of forums, the ACT Government has already received feedback about the role and activities of developers, options for regulation and suggestions for matters to be addressed. This feedback informed the development of the paper.

Feedback from the community consultation process and continuing engagement with key stakeholders will inform the government's next steps and future approach to improving consumer and public confidence in developers and developments.

Any future regulation for developers and development activity in the ACT will focus on:

- providing greater accountability for property developers within the building and construction industry;

- holding property developers to account for the matters over which they have influence or control;
- enhancing consumer and public trust and confidence in the building and construction industry, in particular the development process;
- supporting growth of the industry;
- shaping behaviour and supporting a robust, efficient and professional building and construction industry;
- improving the quality of buildings in the ACT;
- avoiding unnecessary regulatory duplication, burden and cost; and
- complementing existing regulatory settings.

A range of options are being considered for the future regulation for developers and development activity, including but not limited to a licensing scheme. In determining the best option for the ACT, the government will consider the specifics of the ACT market, existing regulatory settings in the ACT that apply to developers and lessons learnt from other jurisdictions through the different approaches taken.

The discussion paper and future project updates can be viewed online at <https://yoursayconversations.act.gov.au/> and on the [Build Buy Renovate](#) website.

I trust this response has been helpful and provides advice on the issues raised in Petition No. 029-22 and No. 037-22.

Trees—Bradfield Street, Downer—petitions 20-22 and 36-22

By **Ms Vassarotti**, Minister for Heritage, dated 16 February 2023, in response to petitions lodged by Ms Lee on 22 November 2022, concerning the planting of appropriate trees for Bradfield Street, Downer.

The response read as follows:

Dear Mr Duncan

I refer to your letter of 10 November 2022 regarding Petition no. 20-22 and 36-22, tabled by Ms Elizabeth Lee MLA in the Legislative Assembly regarding Appropriate Trees for Bradfield Street, Downer.

The ACT Government notes the concerns raised in the petition in relation to replacement heritage pine trees at this location.

The Monterey Pine trees along Bradfield Street were planted in the early 1940s as a windbreak to protect the former Commonwealth Scientific and Industry Research (CS&IR) Experiment Station. The pine windbreaks are highly visual components of the former Experiment Station, and define its boundary – along Bradfield, Melba, Frencham and Bonython Streets. The pine windbreaks are of heritage significance and were registered on the ACT Heritage Register on 26 June 1998.

The *Heritage Act 2004* (Heritage Act) requires that registered heritage places are conserved and responsibly managed, for current and future generations. In this instance, the conservation of the windbreaks into the future requires the replacement of trees when they reach their end of life, and requires that

replacement trees be pines planted in a windbreak formation. As windbreaks are characterised by trees planted in a close, staggered pattern and which grow in a uniform way, sectional removal and replacement of trees is the preferred approach to conserve the historic planting pattern.

This approach reflects the Heritage Act requirements, and the national principles of heritage conservation specifically the Burra Charter that was first adopted in Australia in 1979.

The Territory Plan also requires the long-term conservation of the heritage trees along Bradfield Street. A Territory Plan Variation for the subject blocks (DV322) was approved in April 2015, and introduced the following into the Downer Precinct Map and Code: *“Maintaining and enhancing the heritage listed trees and other mature trees on the site, and maintaining public access to the heritage listed stand of pine trees along Bradfield and Melba Streets”*.

In this context, the replanting of pine trees along Bradfield Street is a requirement for Stages 1, 2 and 3 of The Bradfield redevelopments.

DA201731204 for Stages 1 and 2 of the now existing residential development was assessed by the independent ACT planning and land authority (ACTPLA) and was conditionally approved. The removal and replacement of heritage trees was part of the publicly notified and approved development in 2017.

Two reviews were lodged with the ACT Civil and Administrative Tribunal (ACAT) by community members challenging the Authority’s approval of DA201731204. After a successful mediation process, ACAT issued Orders approving the development with additional conditions. These additional conditions did not relate to the species or location of the replacement heritage trees.

DA202138825 for the Stage 3 Goodwin Homes development was approved by ACTPLA in 2022, and the removal and replacement of heritage trees was part of the publicly notified and approved development. In addition, a reconsideration application for stage 3 was lodged and the Authority approved this application on 12 January 2023. The Authority’s decision is capable of review before ACAT subject to the relevant legislative processes.

The independent ACT Heritage Council (Council) provided advice on both development applications in support of the removal and replacement of pine trees along Bradfield Street.

As Monterey Pines are now a declared pest species in the ACT, Council advice for both redevelopments supported the use of Canary Island Pine trees for replacement plantings. These trees have similar form to Monterey Pines at maturity, and will conserve the character of the heritage windbreak.

Concerns about solar access impacts were raised with the Council when some residents of the new development identified their concerns in a letter in October 2021 and in a meeting in November 2021.

In November 2021, those residents also made a submission to the Council proposing changes to the planting outcome, such as using deciduous trees or planting a single row of pine trees in the road reserve. This proposal was assessed by the Council in December 2021, and included input from a conifer

expert. As a result, the Council did not support these changes as they would diminish the heritage significance of a registered place, which contravenes the Heritage Act.

However, in January 2022, the Council did endorse minor amendments to the replanting outcome, to provide for some improved solar access to the new development whilst conserving the heritage windbreak for future generations. These amendments were:

- Support for pruning of pine trees as they mature, to lift their canopies by up to one third of their height; and,
- Movement of the entire windbreak formation approximately three metres north within the block, closer to the street.

These amendments were agreed to by the Council following their consideration of resident concerns, and reflected their genuine effort to find ways to increase solar access to the new development whilst not compromising the heritage conservation outcome. Trees along Bradfield Street have since been planted in this amended location.

The Territory Plan requires solar access into residential developments, and is therefore a consideration by ACTPLA in assessing development applications. This is, however, balanced with tree preservation, which is a significant part of the assessment of proposed developments. The Territory Plan also has other environmental considerations such as water sensitive urban design, erosions and sediment, bushfire and site coverage controls.

While not applicable at the time of approving DA201731204, the Territory Plan now recognises that solar access into dwellings is not to take into consideration of shading and overshadowing caused by vegetation and trees.

In December 2022, I announced I will be undertaking a comprehensive review of the ACT's heritage arrangements. This review will examine the legislation and how the ACT's approach to the conservation and management of heritage compares to best practice in other states and territories. It will examine the functions of the Council and their role as either a decision maker or advisory body. The outcomes of the review will help to guide and inform a potential reform agenda. I intend to provide further information to the Assembly and the public about what we have learned from this review and the government's future plans in response.

While a review has commenced as to how to best manage and protect heritage values in a growing city, decisions of this kind are a matter for both the independent Council and ACTPLA. They make decisions at arm's length from Ministers and Members of the Legislative Assembly. In doing so, the Council and ACTPLA take great care in ensuring proper consideration and assessment of all matters required under the *Heritage Act 2004* and *Planning and Development Act 2007* and subordinate legislation.

Motion to take note of petitions

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

That the petitions and responses so lodged be noted.

Transport—ANU bus services—petition 2-23
Belconnen—Margaret Timpson Park—petition 28-22

MS CLAY (Ginninderra) (10.13): I am really pleased to sponsor the petition from ANUSA representative Skye to restore a bus route to the ANU campus. Skye did a really good job on this issue. It is obviously one that resonates with a lot of people; 1,237 people signed this petition, which is pretty significant in terms of parliamentary petitions. I have heard from people all over the community that the bus network needs improvement. I have real concerns about the pace of development of new bus infrastructure like our depots, our lanes and more. This is particularly concerning when we are talking about services for our campus. We obviously do not want to be encouraging or requiring a lot of our students to be driving. They cannot afford cars; they do not necessarily want cars. They need really, really good bus services.

Many thousands of students live on campus. They need to be able to access frequent, reliable public transport that connects them with the shops, services and the jobs most of these students are working their way through. We have frequent services on Barry Drive, but that is not a short walk for many of the students. It is as far as a one-kilometre walk away from the residential halls and that puts it outside of the typical reasonable distance a lot of us are happy to walk for public transport.

Skye has spoken a lot in this petition and in the media about safety concerns on campus. I think this is an ongoing and real issue. It affects a lot of people in different ways. Women are always concerned about safety. People in our LGBTQIA+ communities are concerned about safety. People of colour, people from different ethnic backgrounds, people with a disability—a lot of people who are on the campus have particular reasons to be worried about safety, and they really, really need a short, simple safe route to get to their bus stop.

I understand the bus service was cut in 2019 and there was a justification given at the time that there was low patronage. We would not necessarily have to ration our bus services in that way if we had more of them. If we kept the same ratio of buses to residents in 2022 that we had in 1990, we would have more buses. We would not have to cut a service just because not many people are using it. Those people who are using it need it. We need to keep that bus for those people.

I understand we have a lot of questions about the government plans. I am hearing a lot in the community at the moment about bus depots and bus services. We are looking forward to getting more clarity on that. I am really hoping that we might get a good response to Skye's petition, to the 1,237 people and the several thousand students on campus who would like this bus service restored.

I also want to check in about another petition I have tabled. This was a petition by Peter Humphries, talking about Belconnen CBD. The petitioners have put in a few suggestions for what they would like to see in Margaret Timpson Park and there are some really great ideas here. I think the bigger issue is that that CBD has had a really high pace of development and we just have not kept pace by providing a school, a playground and green spaces. We have a beautiful area near the lake down there, but we have 10,000 people living in the CBD now and a lot of people with kids.

This comes back to a similar issue as the one Skye was raising. Not everybody can walk a long way. I have asked in the past why can we not have a playground down there, and I have been told people can walk to John Knight Memorial Park. That is 1½ kilometres away. It is a really long way to walk, particularly if you are three years old! Mums and dads and little kids probably are not going to be able to get that far. So it would be really great if we could get some more forward planning in Belconnen CBD and if we could get great engagement with the issues that Peter has raised.

Municipal services—Casey—petition 3-23

MS ORR (Yerrabi) (10.17): I rise to speak to the petition on Casey and surrounding areas. From the outset, I would like to thank Phil, who has worked with his community in Casey and the Casey Region Residents Action Group to put this petition together. It is a very well organised and very enthusiastic grassroots activity. It really speaks to some of the issues the residents have concerns about and I think rightly so. I would also like to thank Phil and the group for the constructive process they have taken through the petition in looking for solutions to the issues they see coming.

I had a great chat with Phil and I asked him if there was anything that he would like put on the record when the petition is tabled? Now I quote what he said:

On behalf of the Casey Region Residents Action Group, I would like to thank MLA Suzanne Orr for your help in sponsoring this petition and listening to the concerns of Casey residents. We have also been thankful for the bipartisan support that various members on all sides of politics for the Yerrabi electorate have shown us during this time. Whether the proposed nine to 11 storey building does become a reality or not, we do hope our concerns in the petition will be addressed with a transparent process and in a timely manner. This includes public transport improvements, pedestrian access improvements and road infrastructure improvements. All will help to make Casey a more welcoming place to live.

I would just like to add to that Casey is a great suburb, up our way in Gungahlin. We know there are some growing pressures there, because it is quite popular, it is quite good. There are a few things we need to address. I have already started a dialogue with the minister. I appreciate his openness to working through these issues. I look forward to working with him and the residents of Casey as we work through the various things that are concerning them in their area.

Seniors—retirement villages—petitions 38-22 and 08-23

MR PETTERSSON (Yerrabi) (10.19): I rise today to thank John and Kay for their hard work in bringing forward this petition regarding an ombudsman for retirement villages. They, alongside the broader retirement villages community, have done an amazing job to collect over 270 electronic and paper signatures in support of the establishment of the retirement villages ombudsman here in the ACT.

I do not want to pre-empt debate and discussion on my motion tomorrow too much, but I think it is important to highlight that retirement village operators hold a trusted position in the community. They are commonly big multinational companies with

millions and billions of dollars backing their day-to-day business. You would think that with this great power comes a sense of great responsibility. But we know that sometimes operators ignore the responsibilities they hold to their residents. On the extreme end of the scale, residents have reported to me serious incidents of elder abuse, both financial and emotional, which have left deep scars on vulnerable members of the senior community. I am also aware of physical threats to residents who speak up.

Other residents have reported to me that the essential amenities they were promised as part of their contracts were never provided or were never maintained. Things like regular social activities, easy access to services or a secure place to call home. These are the very features of retirement villages which attract people to part ways with hundreds of thousands of hard-earned dollars in the first place. Ideally there would be enforceable, accessible recourse available to the vulnerable residents of retirement villages to get these matters sorted out. However, here in the ACT there just is not. Current measures such as the village disputes committee, mediation and ultimately going all the way to the ACT Supreme Court can be confusing, arduous and very expensive. I think our seniors deserve better after a lifetime of hard work. That is why I am so proud to present and support John and Kay's petition in this place today.

Transport—ANU bus services—petitions 2-23

MRS KIKKERT (Ginninderra) (10.21): This morning I wish to speak to the ANU bus route. This morning I also feel an acute sense of *deja vu*. Ms Clay, I can guarantee you that there was no low usage of the bus at the time when the ACT government cut it in 2019. I know this because on this very day four years ago, I tabled a petition signed by a similar number of Canberra residents calling on the Labor-Greens government to reverse its decision to cut the number three bus route which had serviced residents halls on the ANU Campus for 39 years.

As I said then, the university in many ways grew up around this bus route and the assumption that it would continue with student accommodation intentionally constructed along the route so that students would have access to a safe and reliable transport option. Four years ago the residents halls along Daley Road housed 3,274 people. I realise that number has now grown to more than 3,700 students. When I tabled the petition four years ago I pointed out that the student population along Daley Road's 1.5 kilometre length was larger than the populations in most of suburbs in my electorate of Ginninderra. This remains the case. More students live on the ANU campus than there are people in Aranda, Charnwood, Flynn, Fraser, Hawker, Higgins, Lawson, Macquarie, McKellar, Melba, Page, Scullin, Spence, Strathnairn or Weetangera.

The problem of course is that this Labor-Greens government does not care about these students. It does not care that it will take the able-bodied amongst them an hour to walk to Civic and back each time they need to buy something. It does not care that those with disability, those who need to travel to medical appointments and international students face even greater obstacles. It does not care about the safety issues that arise from walking across a dimly lit campus at night.

The decision to slash these students' bus service was taken four years ago with almost no consultation. One poorly advertised feedback session was held on campus in August 2018, with only 30 students attending. The undergraduate association was separately consulted but the postgraduate student association was not, despite more than half of ANU students being postgraduates. Aware of this inexcusable oversight the postgraduate association requested a consultation. I have been told that it followed this government's now familiar pattern: officials showed up, told the students what was going to happen, and then told them it was going to happen whether they liked it or not. We all know how ACT Labor and the Greens responded to the petition that I tabled on behalf of disregarded ANU students four years ago. I suspect we all know how ACT Labor and the Greens will respond to this petition as well.

It has been said that the very definition of insanity is doing the same thing over and over again and expecting different results. ANU students, of course, are not insane. Many of them will not have been in Canberra the last time this was tried. I suspect they will have asked Ms Clay to table this petition on their behalf because they sincerely believe that the Greens support viable public transport options for Canberra's residents. The ACT government's response to their petition will no doubt form a part of their education into how things in this territory actually work! Nevertheless, to use another well-known quote, hope springs eternal! So I am willing to express hope that someday Canberra will have the government it deserves and that ANU will have its bus route back. In the meantime, Mr Acting Speaker, I commend this petition to the Assembly.

Roads—Harrison—petition 41-22

MR BRADDOCK (Yerrabi) (10.26): Nullarbor Avenue in Harrison is a suburban street that includes a school, playing fields, the heritage listed Well Station farmstead and suburban households. It is also in close proximity to Mother Teresa Primary School, childcare and Mullion Park. The street was originally a cul-de-sac. However, with the opening of the street to Well Station Drive it has seen higher and higher use and higher speeds of through traffic. This through traffic poses a safety risk to residents, other vehicle users of the street including bus services and the large number of pedestrians such as school children walking along the street to attend school and sporting events. This traffic is also causing extra and unnecessary neighbourhood noise. It is difficult for residents living on the street to cross the road or pull out of their driveways. The speed limit on the street is currently set at 60 kilometres per hour, and the street is without speed controls at the residential end. The speed is above the standards set for the government's priority on better neighbourhoods.

This petition calls on the ACT government to reduce the speed on Nullarbor Avenue to 50 kilometres per hour, maintaining the existing 40 kilometre per hour school zone, and to introduce speed controls to increase the safety to the community, better the neighbourhood and reduce the through traffic of this neighbourhood street.

We as an ACT government need to design our suburbs around people not cars and ensure people are able to move around their neighbourhood safely. It is for this reason I am an enthusiastic sponsor of this petition. I would like to acknowledge and

appreciate the hard work behind this petition. I would also like to acknowledge the second petition that will be tabled next week concerning the safety around Harrison education precinct. These two petitions are complementary and highlight the level of community concern about the safety in this area.

Building—proposed developer licensing scheme—petitions 29-22 and 37-22

MS VASSAROTTI (Kurrajong—Minister for the Environment, Minister for Heritage, Minister for Homelessness and Housing Services and Minister for Sustainable Building and Construction) (10.28): I rise briefly to comment on the ACT government response to the petitions tabled by Mr Pettersson on property developer regulation and licensing. I warmly welcome the community's interest in this important issue. I note on the record that the ACT government remains committed to introducing property developer regulation within the current term, to provide greater accountability for property developers within the building and construction industry. I know the importance of ensuring regulation in the building and construction industry that supports health, safety and wellbeing of our community. Confidence in the regulatory system is critical for the economic sustainability of the building and construction industry.

Developing a regulatory scheme is something we have been actively working on in recent months, with consultation occurring with industry and interested parties on the best model to deliver on our aim to ensure that when Canberrans engage with the developer, the developer will be competent, will be transparent and will act ethically. This policy development process is analysing the best measures for achieving greater accountability for property developers within the building regulatory system and for providing consumers with greater information about developments and the developers that sit behind them.

Prior to Christmas, the ACT government released a comprehensive discussion paper that considers various issues and options. This paper considers the broad range of obligations of a developer spanning construction, consumer protection, contractual relationships, occupational health and safety, and employment and industrial relations. Engagement with key stakeholders commenced in December 2022 and the paper was used to inform these discussions and seek feedback. A community consultation was undertaken through the YourSay portal from 30 January 2023 to 27 February 2023. Through this period, the ACT government has engaged with a range of stakeholders and is working to develop the proposed scheme. This will focus on: providing greater accountability for property developers within the building and construction industry; holding property developers to account for matters over which they have influence or control; enhancing consumer and public trust and confidence in the building and construction industry, particularly in the development process; supporting the growth of the industry, shaping its behaviour and supporting a robust, efficient and professional building and construction industry; improving the quality of buildings in the ACT; avoiding unnecessary regulatory duplication, burden and cost and complementing existing regulatory settings.

I look forward to updating the Assembly and the community as we work through the final details.

Question resolved in the affirmative.

Children and young people—childhood healthy eating and active living

Ministerial statement

MS STEPHEN-SMITH (Kurrajong—Minister for Aboriginal and Torres Strait Islander Affairs, Minister for Families and Community Services and Minister for Health) (10.32): I rise today to make a statement in relation to report No 7/2022 of the ACT Auditor-General, *ACT childhood healthy eating and active living programs*, and the government's response to this audit. I wish to thank the Auditor-General for undertaking this audit, which looked back at ACT government activities between 2013 and 2021 to support childhood healthy eating and active living. I also wish to thank agencies and stakeholders who participated.

The audit's objective was to assess the effectiveness of the planning, management and delivery of ACT government programs and services to support childhood healthy eating and active living, including the development of preventive health strategies. It considered cross-agency strategies; programs supporting childhood healthy eating and active living; and treatment services for children with atypical eating and activity behaviours, atypical weight gain and related health concerns. These policies, programs and services relate primarily to the Health, Education, Transport Canberra and City Services and Chief Minister, Treasury and Economic Development directorates, as well as Canberra Health Services.

The government welcome's the audit's findings and has closely considered its eight recommendations. In the government's response, which I provided out of session to Assembly members on 28 February 2023, the government agreed to three recommendations, agreed in principle to four, and did not agree to one recommendation. Broadly, the government supports the intent of the recommendations.

I note that four of the recommendations relate to the Healthy Canberra ACT Preventive Health Plan 2020-2025, from here on referred to as the Healthy Canberra Plan, and the new three-year action plan that we are developing in 2023. These recommendations call for strengthened approaches to target priority populations; food relief and addressing poverty in the ACT; the inclusion of professional learning and practice guidelines about weight stigma; and improved monitoring and reporting of the plan itself. The other four recommendations relate to the review or evaluation of the ACT kindergarten health check, school active travel programs, school crossing supervisors, and community need for multidisciplinary treatment services for children aged 0 to 17 years to address atypical eating, weight gain and activity behaviours.

The report finds the opportunity to respond to many of these recommendations through the Healthy Canberra Plan, which was launched in December 2019, just prior to the commencement of the public health emergency due to COVID and all of the impacts that the global pandemic has had across our community and health system. The Healthy Canberra Plan was developed to expand and continue the work of the Healthy Weight Initiative. It provides a framework for preventive action across government, including through the programs mentioned, as well as many more initiatives guiding a large part of the preventive health agenda in the ACT.

The Auditor-General's report, and the step down from the COVID-19 management declaration at the end of February this year, presents an opportunity to focus on building on the pandemic-interrupted successes of the first action plan and to ensure that the government is strongly coordinating across the many significant investments being made across government that are aimed at helping Canberrans to enjoy high standards of health at every stage of life.

That is why I have asked the Health Directorate to consult with the community on the next preventive health action plan for 2023 to 2025, which has been developed in collaboration with all ACT government agencies. The focus of this engagement, which will open on the government's YourSay community engagement page in the coming weeks, will be on preventive health actions which increase wellbeing and reduce health inequities for priority population groups in the community. The draft action plan will include actions across the five priority areas of the Healthy Canberra Plan: supporting children and families, enabling active living, increasing healthy eating, reducing risky behaviours and promoting healthy ageing.

Preventing overweight and obesity in children through targeted action and support has long been a focus of the ACT government, and I am pleased that the audit recognised the range of investments in this area. These initiatives included the Healthy Weight Initiative, from 2013 to 2019, a comprehensive whole-of-government effort which helped to achieve zero growth in overweight and obesity rates for two- to 17-year-old children.

Other notable initiatives have included the Fresh Tastes school-based program, from 2014 to 2021, which resulted in positive changes to the food and drink environment in primary schools; and the Ride or Walk to School program evaluation of 2016, which demonstrated improvements in physical activity levels in children at participating schools. Preschool and early education initiatives have included Kids at Play Active Play, which offers active play and fundamental movement, and skills training and resources for early childhood educators in the ACT, along with web information for parents.

The government is continuing to invest in healthy eating and active living programs for children through grant funding opportunities. I recently announced that \$1.6 million will be available for community-based activities to improve the health and wellbeing of young Canberrans through the Healthy Canberra grants, with a focus on supporting healthy weight and physical activity in children and young people. These programs will be delivered from 2023 to 2026, and successful applicants will be announced in the coming months.

I note that the audit also made recommendations in relation to financial support for families to enable children to be more active. The government continues to invest in the sport and recreation sector through direct support for programs, projects and facilities that create participation opportunities and may reduce the end cost of access. This includes targeted support through the Future of Education Equity Fund and an investment of \$75,000 per annum over three years in Every Chance to Play, which provides targeted support for sport registration.

In addition, the territory has committed \$1.6 million over three years in the most recent budget to support children's participation, following the COVID-19 restrictions. This will support six organisations to deliver on-ground activities that support a diversity of participation opportunities. Funded programs will roll out this year.

In relation to food relief, the audit recommended that the Healthy Canberra Plan include financial support for children's active living. The government recognises that poverty and food insecurity impact many Canberrans. We respond to these issues through food relief and financial support, which can be government led or community led, with the government's support. The government has not agreed to the recommendation, as this work falls outside the scope of the Healthy Canberra Plan. However, the government recognises the significance of this issue. Through Minister Davidson's work in this space, the government will continue to respond to families needing food relief and financial support through other mechanisms.

Outcomes for children are influenced by many factors outside the programs considered by the audit, including the array of services funded and delivered by the commonwealth government and private providers. The ACT government will continue to work collaboratively with a wide range of stakeholders to address healthy eating and active living for children and young people. It is our role to lead in relation to this issue and to work closely across sectors with community partners.

We have demonstrated this through the development of the Best Start for Canberra's Children: The First 1,000 Days Strategy, which commits to better supporting children and families in the ACT to be happy, healthy and thriving. By focusing on supporting children and families during the first thousand days of a child's development, we can help all children to enjoy good health and wellbeing from the start.

The Best Start strategy and its action plan will guide our efforts over the next decade to provide early and enhanced supports to children, their families and the community. This will include a focus on providing improved nutrition and physical movement opportunities for children and families, alongside the fundamental support that parents and their children need. We have invested \$1 million through the Healthy Canberra grants program to support community-based initiatives which are focused on supporting families during the first thousand days.

The audit noted that current government services to treat children aged four to 12 years old with atypical eating or activity behaviours, atypical weight gain and related health concerns cannot meet the scale or breadth of the ACT community's needs. We are considering the capacity of our services, and Canberra Health Services will provide further options and advice for the government's consideration.

The audit also highlighted the importance of addressing weight stigma and discrimination, which may impact the quality of care and support provided to children and families. The government acknowledges these potential harms. Our women, youth and children community-based staff are cognisant of this and follow the Health at Every Size Principles. Professional education is also delivered to our clinical staff.

In summary, the audit highlights the importance of prevention and its contribution to children's long-term health and wellbeing, as well as the importance of investment in evaluation and monitoring to demonstrate the significant contribution of prevention across the life course. The government's response to the audit will strengthen these efforts.

I present the following papers:

Auditor-General Act, pursuant to subsection 21(1)—Auditor General's Report 7/2022—ACT childhood healthy eating and active living programs—Government response—

Government response, dated March 2023.

Ministerial statement, 21 March 2023.

I move:

That the Assembly take note of the ministerial statement.

Question resolved in the affirmative.

Legislation—voluntary assisted dying—consultation Ministerial statement

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) (10.43): I rise today to provide the Assembly and the community with an update on the consultation process underway for voluntary assisted dying in the ACT. As members are aware, in 1997 the federal parliament placed a ban on the territories making laws about this important matter. For 25 years the Canberra community and the Legislative Assembly were prevented from considering an issue that deeply matters to them. This became increasingly unconscionable as we witnessed all six Australian states legislate voluntary assisted dying.

On 1 December last year, the federal parliament passed the Restoring Territory Rights Act 2022. This restored the ACT's ability to decide if, and how, voluntary assisted dying could work in the ACT. The passage of the Restoring Territory Rights Act 2022 was a victory for democratic rights and for human rights. I credit Canberrans for creating a momentum that could not be ignored, ensuring that this issue finally got the deserved attention and resolution.

The ACT government knows that most Canberrans support voluntary assisted dying. We are committed to understanding how our community wants voluntary assisted dying to work in the ACT. That is why, on 7 February this year, we commenced public consultation to seek the community's views and feedback on this most important issue. While we are in a good position to draw from the experiences and legislation of the other states, only Victoria and WA have been operational for any meaningful period of time, and, while states' models are similar, none of them is identical. Each state has also gone through its own consultation.

For these reasons it is appropriate that we ask our own questions to the Canberra community as we work to design a model and legislation that reflects our community values. As part of this process, we launched our YourSay conversations page, which contains our detailed discussion paper and some shorter discussion guides. These discussion guides have been translated into easy English, as well as the five most spoken languages other than English in the ACT.

I am pleased to report that as of yesterday, 20 March 2023, the YourSay conversations page had been visited more than 6,500 times. We have received over 312 contributions from individuals in the ACT and around Australia. We have received 33 formal submissions from interested organisations and individuals. 2,937 YourSay panel members completed a survey to share how they would like to be consulted and kept informed about voluntary assisted dying. They also provided their own views. The YourSay panel is a group of over 6,000 Canberrans who volunteer to share their views on issues affecting them and their community.

This significant engagement underlines how much Canberrans care about this important personal, ethical, social and legal issue. It also reflects the value Canberrans place on having their say on the matter, especially after waiting 25 years for the opportunity. Since consultation opened, we have also engaged with over 200 community organisations, health professionals, service providers and more, to seek their views on how voluntary assisted dying should work in the ACT. We have held dedicated roundtables with organisations representing people with disability and mental illness, as well as health professionals.

Today we will be holding a roundtable with representatives from health services such as hospitals, hospices and aged-care facilities. In early April we plan to hold a roundtable with representatives from our Aboriginal and Torres Strait Islander communities. These roundtables have explored key policy issues such as who should be eligible for voluntary assisted dying, what process should be in place for people to access voluntary assisted dying, what the role of health professionals and health services should be and how we can safeguard processes and make sure that people follow the law.

We are also listening to our ministerial advisory councils on ageing, disability, youth, women, LGBTIQ+ people and multicultural affairs. We are speaking with local non-government organisations that provide health and care services in the community, as well as with the Aboriginal and Torres Strait Islander Elected Body. I would like to thank everyone who has been engaged so far in this consultation. I am grateful to everyone who has dedicated time and resources to help the government understand their perspectives. These contributions are invaluable in helping us to shape a model that works for the ACT.

Over the next two weeks I encourage everyone in our community to have their say, before consultation closes on Thursday, 6 April 2023. You can visit the YourSay website at yoursay.act.gov.au/vad. Feedback from our consultation will be published online in a listening report that summarises what we have heard. After that, I will continue to work closely with the Minister for Health, together with the Attorney-General and the Chief Minister, to develop a model for assisted dying that works for the ACT and our community.

We intend to introduce a bill into the Assembly in the second half of this year. I want to make it clear that, if legislation is debated and passed in this Assembly, it will take some time for voluntary assisted dying to then become available to eligible people in the ACT as we establish the necessary safeguards and processes before voluntary assisted dying is made available. I understand that this wait will be challenging for many Canberrans who are suffering, and for their families, friends and carers. I want to remind them that support is available by calling Lifeline on 13 11 44 or Griefline on 1300 845 745. Thank you again to the Canberra community for engaging so strongly on this important issue. I present the following paper:

Voluntary Assisted Dying consultation—Update—Ministerial statement,
21 March 2023.

I move:

That the Assembly take note of the paper.

MS DAVIDSON (Murrumbidgee—Assistant Minister for Families and Community Services, Minister for Disability, Minister for Justice Health, Minister for Mental Health, Minister for Veterans and Seniors) (10.49): I thank Minister Cheyne for this update on voluntary assisted dying laws and the consultation. All Canberrans should have end of life choices that align with their rights, preferences and values. Canberrans should have access to quality health care, including end of life care, when they need it. Their family and carers should have support as they go through the challenges of caring for someone through end of life.

However, we know that, even with the best end of life care, some Canberrans with an advanced condition or illness experience suffering near the end of their lives that cannot be relieved. Choosing where, when and with whom we die is very important to many Canberrans with a terminal illness. Voluntary assisted dying is a safe and effective medical process that gives an eligible person the option to end their suffering by choosing how and when they die. It is not a choice between life or death; it is an additional choice that can be made by a person about the circumstances of their death. “Voluntary” means that this is freely chosen by the person and that they are competent to make decisions about voluntary assisted dying.

Voluntary assisted dying will only be available for people diagnosed with a terminal illness who have decision-making capacity and meet the other criteria. Conditions like quadriplegia, depression or old age do not meet the conditions for terminal illness. This is the same as in other Australian states. Like any other person, a person with a disability or mental illness will have access to voluntary assisted dying only if they meet all eligibility criteria. A person will need to have decision-making capacity throughout the process. Capacity is non-negotiable and needs to be present at each stage of the process.

It is critically important that we listen to and consult closely with the disability community, older people, carers and people with mental health conditions as we work towards drafting these laws. Thinking through how the laws will be implemented during the legislative drafting process can help us to avoid unintended consequences

and ensure that the ACT's laws on voluntary assisted dying reflect the principles of dignity, respect, choice and the protection of vulnerable people.

I thank the disability, seniors, mental health and carers community and stakeholders for engaging with the government on this work, and encourage everyone to engage in this consultation process. Your views and feedback are valuable and essential. The consultation process is accessible in various forms, including in easy English, as well as other languages. If you need any additional supports to engage in the consultation process, please let us know and we will do what we can to support you.

I also thank Minister Cheyne for how she has gone about this work, for engaging with me on the consultation process and asking how and who in the disability, seniors and carers community should be closely consulted, and for being so welcoming of early feedback. I have received positive feedback from disability, seniors and carer stakeholders on how they have been consulted on this process to date.

I know that there are many in the community who have concerns about this issue, particularly people with disability, older people, people with mental illness and carers. I read the messages you send in and I hear about the phone conversations you have had with my office. I am listening, and what I am hearing is concern for your safety or for the safety of people you love. We all want laws that protect the most vulnerable in our community, and that is helped by ensuring that your views on these risks are heard during the consultation process.

It is important to recognise that there are diverse views in the community on this matter. Ultimately, people should have the right to make decisions for themselves, at the right time, and to be well informed about their options and supported to make their own choices. We are still in the consultation stages, so I will not say much more, other than to encourage people to engage in the consultation process. If you find any of this information distressing or uncomfortable, support is available. You can contact Lifeline on 13 11 14, or Griefline on 1300 845 745.

As the minister responsible for the disability, seniors, carers and mental health portfolios, I want the community to know that I will continue to advocate strongly for you, not only in this area of voluntary assisted dying but to ensure that you receive the supports you need to live a good life now and into the future. This includes working alongside people with disability to get our NDIS and other disability supports working for you and to provide you with choice and control. It means continuing to work to ensure that our older community, carers and people experiencing mental illness receive the supports and services you need. It means ensuring that we increase the range of palliative care services available in the ACT to provide the best possible end of life care. Thank you.

Question resolved in the affirmative.

Justice and Community Safety—Standing Committee Scrutiny report 26

MR CAIN (Ginninderra) (10.55): I present the following report:

Justice and Community Safety—Standing Committee (Legislative Scrutiny Role)—Scrutiny Report 26, dated 14 March 2023, together with a copy of the extracts of the relevant minutes of proceedings.

I seek leave to make a brief statement.

Leave granted.

MR CAIN: Scrutiny report No 26 contains the committee's comments on four bills, 18 pieces of subordinate legislation, two regulatory impact statements, proposed amendments to two bills and four government responses. The report was circulated to members when the Assembly was not sitting. I commend the report to the Assembly.

Environment, Climate Change and Biodiversity—Standing Committee Report 7

DR PATERSON (Murrumbidgee) (10.55): I present the following report:

Environment, Climate Change and Biodiversity—Standing Committee—Report 7—*Inquiry into Annual and Financial Reports 2021-22*, dated 7 March 2023, together with a copy of the extracts of the relevant minutes of proceedings.

I move:

That the report be noted.

I rise to speak to the report by the Standing Committee on Environment, Climate Change and Biodiversity on its inquiry into annual and financial reports. The committee held public hearings on 31 October, 1 November, 7 November and 10 November 2022. The committee was required to examine all or part of the financial and annual reports for the Environment, Planning and Sustainable Development Directorate; the Chief Minister, through the Chief Minister, Treasury and Economic Development Directorate; and the Office of the Commissioner for Sustainability and the Environment.

The committee's report made nine recommendations. Some of the issues that the committee is interested in pursuing include recommending that the ACT government advise the projected dates for when the roads to Namadgi will be repaired and when full access will be restored; and recommending that the ACT government develop a consultation plan for Callum Offices as a matter of urgency and look to invest in the modernisation and restoration of the buildings.

Other matters include recommending that the ACT government improve its protection measures for native species such as burrowing animals, like wombats, which are not considered threatened but are at high risk due to urban development and encroachment; recommending that the ACT government provide half-yearly updates to the Assembly on the progress of environmental assessments at Bluetts Block and Piney Ridge, specifically Stromlo blocks 402 and 403, and ensure that the community has the opportunity to input citizen science and observations; and, finally,

recommending that the government implement a standard contract provision requiring end of life re-use and recycling for solar panels and large battery systems.

On behalf of the committee, I would like to thank everyone who participated in or assisted with the inquiry. I commend the report to the Assembly. Thank you.

Question resolved in the affirmative.

Justice and Community Safety—Standing Committee Report 14

MR CAIN (Ginninderra) (10.58): I present the following report:

Justice and Community Safety—Standing Committee—Report 14—*Inquiry into the Corrections and Sentencing Legislation Amendment Bill 2022*, dated 22 February 2023, together with a copy of the extracts of the relevant minutes of proceedings, an Addendum and a copy of letter to the Committee from the Sentencing Administration Board of the Australian Capital Territory dated 2 March 2023.

I move:

That the report be noted.

This is the 14th report of the Standing Committee on Justice and Community Safety, tabled out of session on 22 February 2023. The report makes seven recommendations. Following the release of the report, the Sentence Administration Board wrote to the committee with a correction and a request to be consulted in respect of recommendation 1. The committee therefore published an addendum to the report noting this and included the letter from the Sentence Administration Board.

The committee recommends that the bill pass the Assembly. On behalf of the committee, I would like to thank everyone who contributed to this inquiry. I thank our secretariat, and I thank the other committee members, Dr Paterson and Mr Braddock. I commend the report to the Assembly.

Question resolved in the affirmative.

Report 15

MR CAIN (Ginninderra) (10.59): I present the following report.

Justice and Community Safety—Standing Committee—Report 15—*Inquiry into Annual and Financial Reports 2021-22*, dated 8 March 2023, together with a copy of the extracts of the relevant minutes of proceedings.

I move:

That the report be noted.

This is the 15th report of the Standing Committee on Justice and Community Safety, tabled out of session on 8 March 2023. The committee held public hearings on 1, 2, 3,

8, 9, 10 and 11 November 2022. At the hearings the committee heard from ACT government ministers and their accompanying directorate officials, statutory officers, and members of governing boards. The committee made 17 recommendations.

On behalf of the committee, I would like to thank everyone who contributed to this inquiry. I thank our secretariat. I also thank the other committee members, Dr Paterson and Mr Braddock. I commend the report to the Assembly.

Question resolved in the affirmative.

Planning, Transport and City Services—Standing Committee Report 13

MS CLAY (Ginninderra) (11.00): I present the following report:

Planning, Transport and City Services—Standing Committee—Report 13—*Inquiry into Giralang Shops—Final Report*, dated 16 March 2023, together with a copy of the extracts of the relevant minutes of proceedings.

I move:

That the report be noted.

Today, I am happy to present the final report by the Standing Committee on Planning, Transport and City Services on the inquiry into Giralang shops.

On 10 February 2021, petition 4-21 was tabled in the Assembly, seeking an update on the progress of the Giralang shops development. The petition was referred to the Standing Committee on Planning, Transport and City Services under standing order 99A, and the committee agreed to inquire into and report on petition 4-21.

Following referral by the Assembly, the committee called for and received 69 submissions and held three public hearings, during which the committee heard from the then site lessee and property developer, Giralang residents and the Minister for Planning and Land Management.

On 14 December 2021, the committee tabled our interim report, making 13 recommendations. These covered the Crown lease, suggested a memorandum of understanding between the property developer and the ACT government, site maintenance, and public realm improvements.

In early October 2022, it was announced that TP Dynamics had purchased the development from Giralang Property Group and were planning to open a new shopping centre by mid-2024. Earlier this month it was announced that the development would include a 1,000-square-metre IGA supermarket. The retail area, with seven commercial tenants, is due to open in early 2024.

The committee is pleased to see TP Dynamics actively engaging with the Giralang community through their provision of information to the community and welcomes this new chapter for the residents of Giralang.

On behalf of the committee, I would like to thank everyone who participated in or assisted our inquiry. We heard from a lot of witnesses. I would like to thank my colleagues, Ms Orr and Mr Parton—and particularly Ms Orr, who brought up this matter in the first place—for their hard work on this inquiry. I would like to thank our very hardworking committee secretariat. I commend the report to the Assembly.

MS ORR (Yerrabi) (11.03): I want to provide some brief comments regarding this report. Members in this place will know that I grew up in Giralang. I have spoken a lot about the shops and how much my community and I would like to see these shops completed.

When this inquiry first came about, and in sponsoring the petition, it was very clear from the community that they wanted an update from the developer who had responsibility for delivering this project as to what was going on. They had been waiting for quite a long time and it had very much gone silent from when the DA was approved in 2017.

It has become apparent through this process where we are up to. I am very encouraged that the new developer, within six months of taking on the site, has been able to get it under construction, secure a supermarket and put the units on sale. We are seeing a lot of action there in six months that we have not seen in 20 years. I think the community is very happy to see this going ahead. The first storey of the building is already under construction. It is a great sign that things are definitely happening on this site. I look forward to the day we can all go to the supermarket and buy our milk and bread.

Question resolved in the affirmative.

Report 14

MS CLAY (Ginninderra) (11.03): I present the following report:

Planning, Transport and City Services—Standing Committee—Report 14—*Inquiry into Annual and Financial Reports 2021-22*, dated 16 March 2023, together with a copy of the extracts of the relevant minutes of proceedings.

I move:

That the report be noted.

Today, I am presenting report No 14 by the Standing Committee on Planning, Transport and City Services on the inquiry into annual and financial reports 2021-22.

Our committee held public hearings on 31 October, 2 November, 7 November, 8 November, 10 November and 14 November 2022. Our committee was required to examine all or part of the 2021-22 annual and financial reports for the Environment, Planning and Sustainable Development Directorate, and the Transport Canberra and City Services Directorate.

The committee's report makes 19 recommendations on a range of topics, including consultation with residents on future waste sites, reporting against the ACT Climate

Change Strategy, expansion of the electric bus fleet, and publication of the estimated completion date for light rail stage 2B.

On behalf of the committee, I would like to thank everyone who participated in or assisted with the inquiry. Particularly, once again, I would like to thank my colleagues for the collegiate, collaborative way in which we conducted ourselves on that committee, and our secretariat, who have a very significant workload on that committee. I commend the report to the Assembly.

Question resolved in the affirmative.

Public Accounts—Standing Committee Report 13

MRS KIKKERT (Ginninderra) (11.06): I present the following report:

Public Accounts—Standing Committee—Report 13—*Inquiry into Annual and Financial Reports 2021-2022*, dated 1 March 2023, together with a copy of the extracts of the relevant minutes of proceedings.

I move:

That the report be noted.

This is the 13th report of the Standing Committee on Public Accounts for the 10th Assembly. During its inquiry, the public accounts committee was required to examine all or part of nine annual and financial reports for 2021-22. The committee held two public hearings, and a total of 10 questions were placed on notice during the inquiry. The committee's report made seven recommendations relating to the ACT government, Major Projects Canberra and the Office of the Legislative Assembly.

On behalf of the committee, I would like to thank those who participated in or otherwise assisted this inquiry. This includes ACT government ministers, directorate officials and statutory officers. I commend the report to the Assembly.

Question resolved in the affirmative.

Report 14

MRS KIKKERT (Ginninderra) (11.07): I present the following report:

Public Accounts—Standing Committee—Report 14—*Inquiry into Auditor-General's Performance Audit Reports January 2022 – June 2022*, dated 1 March 2023, together with a copy of the extracts of the relevant minutes of proceedings.

I move:

That the report be noted.

This is the 14th report of the Standing Committee on Public Accounts for the 10th Assembly. The public accounts committee examined the performance audit

reports published between January and June 2022, which were: Report 1 of 2022—*Management of detainee mental health services in the Alexander Maconochie Centre*; Report 2 of 2022—*Fraud prevention*; Report 3 of 2022—*ACT Taxi Subsidy Scheme*; and Report 4 of 2022—*Governance arrangements for Parkwood, Ginninderry*.

The committee held one public hearing, on 8 December 2022, and heard evidence from the Chief Minister, the Minister for Mental Health and officials from their directorates. The committee made 12 recommendations as part of its inquiry in relation to all four Auditor-General's reports and endorsed all of the Auditor-General's recommendations.

On behalf of the committee, I would like to thank those who contributed to the committee's inquiry. I commend the report to the Assembly.

Question resolved in the affirmative.

Report 15

MRS KIKKERT (Ginninderra) (11.09): I present the following report:

Public Accounts—Standing Committee—Report 15—*Inquiry into Auditor-General's Report No. 8 of 2021: Canberra Light Rail Stage 2A: Economic Analysis*, dated 16 March 2023, together with a copy of the extracts of the relevant minutes of proceedings.

I move:

That the report be noted.

This is the 15th report of the Standing Committee on Public Accounts for the 10th Assembly.

The public accounts committee examined performance audit report 8 of 2022, which reviewed the economic analysis of the Canberra light rail stage 2A. The committee held one public hearing, on 12 May 2022, and heard evidence from the ACT Audit Office, Major Projects Canberra, the City Renewal Authority, and academics from the Australian National University and the University of Canberra. The committee made eight recommendations as part of this inquiry and endorsed all of the Auditor-General's recommendations.

On behalf of the committee, I would like to thank those who contributed to the committee's inquiry. I commend the report to the Assembly.

Question resolved in the affirmative.

Administration and Procedure—Standing Committee Statement by deputy chair

MS LAWDER (Brindabella) (11.10): Pursuant to standing order 246A, I wish to make a statement on behalf of the Standing Committee on Administration and Procedure.

On 2 December 2020 the Assembly passed a motion establishing general purpose standing committees for the 10th Assembly. As recommended by the Ninth Assembly Standing Committee on Administration and Procedure, this motion specified that “referred expenditure proposals contained in the 2021-2022 appropriation bills for the territory and any revenue estimates proposed by the government in the 2021-2022 budget stand referred to the relevant standing committee for inquiry and report”.

Following the referral to standing committees, the Assembly passed a motion on 3 June 2021 requesting that the committee evaluate the trial of the 2021-2022 appropriation bills inquiries by standing committees. The committee review would ascertain whether or not a model of referral to standing committees offered any benefits over the long-established select committee process.

On 10 February 2022 a motion was moved by Ms Lawder to establish a select committee on estimates 2022-2023. This motion was referred to the committee for consideration by the March 2022 sittings.

The committee made a 246A statement on 22 March 2022 advising that they had considered this motion and recommended that a select committee be established to examine the 2022-2023 appropriation bills. This would enable the committee to evaluate whether examination of the budget estimates works better through standing committees or a select committee, as both processes will have been undertaken during the 10th Assembly.

The committee invited submissions for the inquiry, with a closing date of 10 February 2023, and submissions were received from each of the political parties represented in the Assembly.

At its meeting on 16 February 2023, the committee considered the submissions received and the two budget estimates inquiries conducted through the standing and select committee processes of this Assembly. The committee recommends a select committee process for all future budget estimates inquiries. The committee is of the view that a select committee provides for:

- integrated scrutiny of the budget across portfolio areas;
- consistency with Latimer House principles with an opposition member chairing the committee that scrutinises the budget;
- easier management of community day, a valuable component of estimates, through just one committee secretariat; and
- reduced question duplication that was encountered through the standing committee process.

Justice and Community Safety—Standing Committee

Statement by chair

MR CAIN (Ginninderra) (11.13): 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 1 March 2023, the committee resolved to conduct an inquiry into penalties for minor offences and vulnerable people. The committee will inquire into and report on administrative penalties for minor offences in respect of vulnerable people, with particular reference to:

- impacts of fines on vulnerable people;
- suitability of existing formal government guidelines for considering treatment of vulnerable people in administering penalties;
- impacts of prosecution for vulnerable people for non-payment of fines;
- suitability of current ACT government alternative measures to fines;
- alternatives to prosecution for non-payment of fines; and
- how to maximise compliance with legislation, particularly for young people.

The committee called for public submissions on 6 March this year.

Residential Tenancies Legislation Amendment Bill 2022

Debate resumed from 30 November 2022, on motion by **Mr Rattenbury**:

That this bill be agreed to in principle.

MR PARTON (Brindabella) (11.15): The Canberra Liberals will not be supporting this bill, and we will not be supporting it, because we remain firmly of the belief that it will hurt the people that it is designed to help.

As an elected member of this place, my focus is entirely on outcomes. I want to do things that make people's lives better, and I would think that is what we should all be aiming for. This bill was drafted with the intention of making life better for renters. I am not convinced that it will achieve that; in fact, I am quite convinced that it will achieve the exact opposite.

Canberra is in the middle of the worst rental affordability crisis in our history, and there is no doubt that these changes will send more investors out of the market. The government's own research into this bill indicated to them that this bill would see investors exiting the market. One of the government's own members, who is a landlord himself, Johnathan "negative-gearing" Davis, openly encouraged investors to leave the market. He made a statement in here saying that, if you are a landlord and you do not like this bill, you should sell up, get out, and invest your money somewhere else.

The government's own YourSay survey into this bill came back with a very clear answer that a substantial percentage of landlords would sell their properties as a consequence of these changes. When they leave in droves, there can be no surprise. You know exactly how the market will respond because you asked them, and they told you.

When we are sitting at an even higher level of rental unaffordability than today, when the homelessness numbers surge, when life gets even tougher for renters than it is

today, you cannot just say, “That was an unintended consequence. How could we have known that was going to happen?” You do know because you did the research, and the answer was very clear. The government does know, and the government does not care.

Of course, this is all part of this utopian Greens fairy-tale view that, if all of the evil landlords and investors leave the market, everyone will simply get to buy their own home. It is ludicrous. It is a complete fairy tale.

The anecdotal evidence from the ground is that many of these investment properties are being purchased by owner-occupiers. A stack of them are being bought by young Canberrans who had been residing with their parents, and who have utilised the bank of mum and dad to get into the market, and a number of others have been purchased by new arrivals to Canberra. This movement of stock has not seen a lot of renters become home owners.

Mr Rattenbury, Mr Davis and even Mr Dignam from Better Renting know that there is a large cohort of Canberrans who will never own their own home; they will always be renting. For a number of potential reasons, many of these people are at the bottom end of the socio-economic ladder, and they are the ones who are hurt the most by the narrowing of the rental market. I would also say that it is the properties at the lower end of the market that are offloaded first. Landlords always have a choice and renters often do not.

This bill is, in theory, designed to make renters’ lives better; for some, it will achieve the exact opposite. The bill is referred to by some in this space as “the homelessness bill” because it will force more people into homelessness. Mr Rattenbury, Mr Davis, Mr Barr, Ms Vassarotti and Ms Berry know that; they know that is the case. They know that this bill will make people homeless, but they do not care. They do not care, because they want to use the dataset of names and email addresses of renters to tell those renters that the Greens and Labor are looking out for them, and they are not. They just are not.

The Greens and, to a lesser extent, the Labor Party portray the landlord as some rich, semi-retired, suit-wearing, old white man who is sitting on his 12 investment properties and making life hell for poor renters. Propertyology research data tells us that, nationally, a quarter of our housing stock is provided to the rental market by private investors, and that more than 70 per cent of those investors have a taxable income of under \$100,000. I repeat: more than 70 per cent of our landlords nationally have a personal taxable income of under \$100,000.

Ninety per cent of those investors own one or two investment properties, and only 0.9 per cent own more than six. But in recent years this government has acted on the assumption that these small-time investors can tolerate being slugged with ever-higher levels of rates, fees and charges, and be asked to meet ever-higher levels of compliance and obligation. There is also the assumption that these investors will continue to carry the cost, the risk and the hassle of the provision of accommodation for others, while being on the receiving end of community hostility for being portrayed as taking houses off first homebuyers and otherwise being greedy, immoral

and terrible to tenants. Why would you sign up for that? Why would you do that? I have not even mentioned rising interest rates. We have not even got to rising interest rates.

The sad reality of the situation here in the ACT is that this government, that choose to punish landlords, will not step up themselves and provide enough rental accommodation to meet the needs of our city. Whether Mr Rattenbury or Mr Barr like it, this city absolutely needs private landlords, private individuals, to take the risk, to make the effort, to buy a house, and to rent it out. What we are seeing play out here in Canberra is a continual narrowing of the private rental market in relation to the population.

This is a significant bill. It makes many changes in this space. One of the changes which is having an enormous impact is the introduction of provisions to support the introduction of minimum standards. Ultimately, this bill does not provide the detail of exactly what would be required of landlords in regard to getting their property above the minimum standards, but at a time when the yields are not sufficient in many cases to create positive cash flow, the prospect of what is to come is too much for many landlords.

I have a quote here from the government's own YourSay consultation on the bill last year. This is from the government's own consultation:

Generally, landlords told us they were worried that it is not clear what minimum standards would be introduced. Several commented that, depending on the nature of any future minimum standards, compliance may be a significant financial burden for landlords, particularly those who own older housing stock, and this may be a financial pressure which forces some landlords to sell. Landlords and agents expressed concerns that this could lead to a broader tenancy market supply challenge, which could in turn exacerbate rental affordability issues.

That is the view of the real estate industry. I know we will hear from Mr Rattenbury, who disagrees with their position. I was reading some fascinating stuff from CoreLogic. One hundred per cent of house rental markets in Melbourne and Sydney—granted these are Melbourne and Sydney figures—are cash flow negative today, in that there is more cash leaving the property in higher costs than being received in rent. That situation is certainly apparent in Canberra, and changing legislation at this time will lead to the narrowing of that market.

When it is becoming increasingly difficult for property investors to turn a profit, changes of the nature contained in this bill will see a number of them go out of the market. Those selling their properties at the moment, of course, are not just investors. There are a number of recent additions to the home ownership ranks who are making some tough decisions right now, today—this week, next week.

Those who locked in their interest rates at the record low of 0.1 per cent will be entering a period of needing to refinance, consider selling or paying the variable rate that has made nine rises since May 2022, culminating in, for a loan of \$600,000, \$1,100 extra a month. A lot them cannot pay that. If they need to sell, more likely than

not, they will then be choosing to rent. Of course, finding that rental accommodation will be getting tougher and tougher.

We know that it will get tougher based not only on the Your Say research but also on the Victorian example. Victoria has gone down a similar legislative path, so we can see exactly what effect it had on that market. Investors have left, in great numbers. The private rental market has narrowed and, as a consequence, getting a roof over your head in Melbourne has become much tougher because of these law changes that were supposed to make life better for renters.

With some of these changes, if you consider them in isolation, they actually seem to be quite sensible, well-meaning changes. But many of them have practical barriers in place that make them extremely problematic. Again, I am focused on cause and effect. I am focused on what the end result will be from these changes. The Canberra Liberals are of the belief that, once this legislation is enacted, the ACAT will not have the capacity to hear all of the matters before it in a timely matter.

This, of course, has also played out in Victoria. It is all well and good to say, “The ACAT can rule on this,” and “The ACAT can rule on that.” But if you end up with a six-month logjam, if you end up with a traffic jam at the tribunal and urgent matters that need to be heard next week cannot be heard until six months time, it makes the system unworkable.

In regard to rent bidding, I would say that it is quite clear that most instances of rent bidding in the ACT are not being driven by the landlord; they are being driven by prospective tenants, and you can understand why. If you rock up at an inspection and there are 50 others there that are trying to get the property, you are going to think outside the box when it comes to securing that property. It is people scrambling to get into the market who are driving rent bidding.

In closing, I would refer members to an article in the *Australian Financial Review* last week from Duncan Hughes. Although this article referred to national trends, I think they are extremely pertinent to us in the ACT. He reports that more than one in four New South Wales landlords are considering selling their investment properties and quitting the rental market, and that tight markets are under increasing pressure from a surge in demand from rising immigration, the return of foreign students and more people moving back to the cities after COVID. Tim McKibbin, from Real Estate Institute New South Wales, says that “changes to tenancy laws and lack of consideration for landlords’ rights are overwhelmingly cited as the reason investors are leaving in favour of other investment opportunities”.

That is New South Wales. When they have a look at what is going on here, particularly when you combine it with the lack of land tax threshold here in the ACT, they must shake their heads and wonder why anyone is in the market here. Duncan Hughes refers to comments made by Nerida Connisbee, who is Chief Economist with Ray White real estate. She notes that, nationally, there has been an increase in sales of investment properties no longer providing enough of a return. She says that, given that fewer investors are buying, it will result in even more pressure on rents. The equation before us is very simple. We are not doing this blindly, because we know it is coming.

We are just going to head down this path. We are going to make these changes, and I fear the consequences.

In summary, there are a number of changes in this very wide bill which, if considered in isolation, would certainly get support from the Canberra Liberals. When considered as a total package during this time, the bill cannot possibly get our support, and we will be opposing it.

MR DAVIS (Brindabella) (11.27): First they ignore you, then they laugh at you, then they attack you and then you win—or so said Gandhi.

The ACT Greens are the political party of Canberra's renters. During our time in this Assembly, as a political party and as a broader national political movement, we have introduced and passed a range of important reforms to improve the lives of people who rent their home. And, today, we will pass one of the most significant and progressive rental reforms in this country.

This moment has been a long time coming, and I am incredibly proud of the work of my colleagues—in particular Minister Rattenbury, in the presentation of this bill. But I am also proud of former Greens MLAs Caroline Le Couteur, Meredith Hunter, Amanda Bresnan, Deb Foskey and all the way back to Kerrie Tucker, who have been advancing renters' rights in this city for decades. Finally, that cumulative work of our movement is being realised today.

Fair, accessible and safe housing is a basic human right and one of the values that led me to join this political party. Whether or not you own the home that you live in, everybody in this city, indeed in this country, has the right for their house to be their home. Regrettably, the neoliberal project has resulted in housing being viewed solely as a commodity, at the expense of renters. I believe property should be more than a means of generating wealth. Property must first and foremost be homes.

There will be some in this place who will want you to believe and make you think that, because of my past experience as a real estate salesperson, a property manager and, indeed, personal circumstances that have led me to owning an additional property, I am a subscriber to this neoliberal project. My experience of standing on the other side of a kitchen bench in an open home while underpaid uni students competitively bid against each other for a one-bedroom apartment in Belconnen; my personal experience standing at the front of an auction room watching a first home buyer lose on the 10th occasion to yet another investor who is offsetting their taxable income using negative gearing to buy another investment property, and my personal experience that led me to be able to secure housing security for a family member, only because I make the income I make in this place, all lead me to a very progressive place and to being a supporter of these reforms.

According to the most recent census, more than 20 per cent of the homes in my electorate in Brindabella are occupied by renters and more than 1,500 of those are occupied by tenants who pay more than 30 per cent of their income on rent, which is deemed unaffordable. They are Mr Parton's constituents too.

We are making it easier for renters to make those rental properties their home, allowing minor reversible modifications and making it easier for renters to have their pets. Everyone should be allowed to hang their favourite painting in their house and share their home with a furry friend. These are Greens' reforms.

Life for many renters is precarious, and this was heightened during the COVID-19 pandemic. We implemented a broad range of supports during the pandemic to ensure people could put their health, the health of their families and the health of their communities first—and you cannot do that without a safe and secure place to live.

It was the Greens in government that established the first Rent Relief Fund of \$133,000, which provided grants of up to \$1,000 to help tenants pay rent. We made sure renters were not evicted, penalised or blacklisted while they were experiencing financial hardship during the pandemic.

The ACT is experiencing the dual and competing challenges of a housing crisis and a cost-of-living crisis. These challenges reinforce each other and they risk becoming a negative spiral of debt and homelessness for vulnerable people in our community. It is our duty, as elected representatives of this community to do our best to prevent this. Fortunately, the Greens have continued to deliver short-term housing crisis support. Minister Rattenbury secured a second Rent Relief Fund of \$700,000, providing grants of up to \$2,500, and my Greens colleague Minister Vassarotti continues to work with Minister Berry to establish and monitor the Coordinator-General for Housing to improve housing access, affordability and choice in the territory.

This bill is the next critical step in making the ACT a place that values its renters. This bill does four main things, which I see in two distinct categories. The bill increases the ability of renters to secure and keep a property as a safe home to live in. The bill ensures this by prohibiting unsolicited rent bidding and ending no-cause evictions.

Mr Parton suggests a situation which I have experienced in a professional context of tenants bidding against one another. That happens. I want to assure Mr Parton and other members of this place, from my professional experience of more than a decade serving the landlords in this community, that it is far more occurrent for landlords and their estate agents to actively encourage rent bidding. That is why this clause is so important.

This bill also improves the conditions of renting by providing in legislation for new energy efficient minimum standards and creating new provisions to allow renters to grow their own food. It is worth noting at this point that I believe the government is bending over backwards to support landlords in that ambition to make sure Canberra homes are safe and sustainable. An expansion of the Sustainable Household Scheme ensures that landlords can now receive interest-free loans in order to meet their new requirements to insulate their property and provide safe homes. We hear all this conjecture from the conservative Canberra Liberals about this progressive lefty government. The scheme actually allows landlords who are collecting rental income—having an appreciating asset making huge capital gains—to access state-funded interest-free finance to improve the capital value of their asset in order to

make their tenants more comfortable. It says everything about where the Canberra Liberals sit on the position of renting in this city and how committed they are to the defence of the landlord class that such a modest and practical reform is something that they can bring themselves to oppose.

This bill will end no-cause evictions. What that means is that landlords must provide a legitimate reason for evicting someone from their property. A situation where you are being kicked out of your home, forced to find a new place to live, on a deadline, in a tight and expensive rental market, is a dire situation for anyone. We must make sure that these situations are legitimate and not a disguise for rental increases or retaliations against tenants speaking publicly about their negative experiences with a landlord or, in many instances, just asking for basic maintenance. This is what this bill will do.

This bill will not prevent landlords from evicting tenants for legitimate reasons, including if they wanted to sell their property, renovate, move them or their family back into their homes, or when tenant has breached their tenancy agreement, such as failing to pay rent or damaging a property. This makes sure that we are getting the balance right between the protection of landlords and tenants.

Additionally, this bill makes it an offence for landlords and their agents to solicit rent bidding. I will say it again because it bears repeating—and I did not hear it anywhere in Mr Parton’s presentation: housing is first and foremost a human right that must come before the quest for profit. As one of the most expensive places to rent in this country, it is extraordinarily unreasonable that landlords and estate agents can request rental bids before selecting who they lease the property to. This bill will ensure that a rental property is advertised with a fixed rental price and that landlords cannot ask for more than that price. It seems pretty reasonable.

In addition to safety and security, a home should provide comfort for its tenants. A home should protect its occupants from Canberra’s harsh summer days and frosty winter nights. This is not only about comfort but also about health. If you live in a cold home you may have a higher risk of developing respiratory problems and high blood pressure. Meanwhile, people die in heatwaves every year in Australia, and this climate crisis is making that even more prevalent.

Before renting a property or while living there, renters should be assured that their home is up to a certain minimum standard. This bill will do that. It will also allow tenants to apply for reduced rent, vacate a property early or apply for compensation if those minimum standards are not met. Nobody should have to put their health at risk in order to put a roof over their head.

Finally, the bill supports tenants’ rights to grow food and compost in a rental property. For those fortunate enough to live somewhere with a garden, growing your own food is a comfort with dividends for physical and mental health and reduces the cost of living, while composting can reduce your greenhouse gas emissions by diverting organic matter from landfill. Planting and composting should be permitted if it does not interfere with a pre-existing garden. This bill includes these practices as minor modifications—meaning that a landlord cannot unreasonably refuse consent.

This bill sees some improvements that have been a long time coming. Some in this chamber have unfortunately spread a lot of misinformation about the bill, choosing to cite only sources that meet a certain ideological commitment, claiming it will drive investors out of the market, narrowing rental availability and creating more homelessness. It is a disservice to the ACT community to propagate these lies.

Contrary to opinions in this chamber, this legislation will not give the government powers to make whatever regulation we want. The role of the Assembly, of its committees and of consultation with the Canberra communities will never be sacrificed or forgotten.

The changes brought forward through this bill have received widespread support from key stakeholders and experts. In fact, many renters in my and Mr Parton's electorate in Brindabella have reached out to me expressing their enthusiasm for these reforms. I wonder if, when Mr Parton was talking to economists and the head of Ray White Real Estate and the Real Estate Institute, he spoke to any tenants of our shared constituency. I have spoken to many of them, and they are enthusiastic about these Greens' reforms.

As Minister Rattenbury has stated, this bill will not have negative market impacts. There is no evidence that improving tenants' rights drives landlords to sell their properties. Mr Parton highlighted an op ed in the *Canberra Weekly* recently as well as the suggestion that, when I previously stood up in the place and I said, "If you are a landlord who finds these new modest forms unreasonable you should sell and get out of the market."

I find it shocking that the Canberra Liberals, these new, reformed, progressive Canberra Liberals, that are seeking to meet the market of the Canberra community, actually find that a controversial view! They actually think that the contract relationship between tenant and landlord should not be more equal and actually think that tenants should not have increased rights.

Logistically, I also just cannot get my head around why that would necessarily be a problem, unless you are an unscrupulous slumlord who does not like the idea of putting some insulation in the roof. These reforms are so modest. If you are making a lot of money either offsetting your taxable income through negative gearing, which we know the two old parties federally continue to support because the donor class loves it—

Mr Parton: And you.

MR DAVIS: Mr Parton, you have no idea about my personal finances, and it would behove you to reflect on that before you make those kinds of comments. If your argument cannot stack up on its own merits, you do not get to start coming for my choices.

MR PARTON: So you negatively gear, or not?

MADAM ASSISTANT SPEAKER (Ms Orr): I would remind the members to address their remarks through the chair, please.

MR DAVIS: Thank you, Madam Assistant Speaker. It is not often that, as a member of this place, I would refer those watching at home—assuming there are plenty!—to watch a Canberra Liberal member’s speech, but I want every Canberran to go back and listen to Mr Parton’s speech.

I am so confident of these reforms and of my position—from the experience that I have in the real estate industry and as someone who has experienced homelessness, as someone who has sold homes, as someone who has rented homes and as someone who now is a landlord. I am so confident that these reforms are the right way to go, that I encourage every Canberran to have a good hard look at what this alternative government says of renters and the position that they have come to today. In fact, I challenge Mr Parton to allow this to be the issue on which we fight the next election. That is how confident I am that the Canberra Liberals have really missed the mark on this question.

In fact, it is not just me who thinks this. In all of the phone calls that Mr Parton has made to the Real Estate Institute, to chief economists, to Ray White and to other real estate agents, I thought he might have spoken to some of his own brilliant minds in his own political party.

I refer members to an article from Latika Bourke in the *Sydney Morning Herald* on 10 March this year, which quotes Tony Barry, who is the former deputy president of the Victorian Liberal Party and a chief Liberal strategist. Under the headline, “We’ve become the party of the landlord: Tony Barry’s hard truths for the Liberals” it says:

Former Liberal strategist Tony Barry says his party has become the party of landlords and must embark on economic reform on a scale not seen since last century to make housing attainable if it is to be politically viable.

(Extension of time granted.)

Additionally, he goes on to say:

Unfortunately for both major parties, those voters have grown up and they are taking longer to reach the sort of milestones that have historically led to more conservative voting patterns. They are starting families later and at a time when it is increasingly difficult to enter the property market.

The article goes on to quote the chief Liberal strategist saying:

“As the wealthy Boomer+ cohort passes on inheritances to their children and grandchildren, we are going to see an unprecedented transfer of unearned and untaxed wealth”—warning that this effect will “entrench intergenerational wealth in this country.”

He goes on to say:

This is an economic and moral challenge that we must address.

We’ve become the party of the landlord and not the aspirational class that we were initially designed to represent.

If the Liberals are smart, they can own the economy again, but it will require the ambition and ability to sell wholesale economic reform not seen since 1999.

I refer to this because we know that we have a Canberra Liberals opposition that are trying very, very hard to pretend that they are not still guided by their deeply ultraconservative, economically and socially right-wing political bent and that they are somehow prepared to represent the majority of Canberrans, who overwhelmingly represent a more socially and economically progressive view of the world.

Chief Liberal thinkers across the country are starting to tell this political party—their own political party—some very, very hard truths about the rising rate of wealth and income inequality and about the intergenerational wealth gap that is resulting from the commodification of housing resulting back from the late 1980s.

The proposals in this bill are not attacking some of those deeply entrenched economic inequalities—as much as I would like them to—they are actually just making it so you can compost and your landlord is not able to ask way more money than they are already getting. These are so modest and so pragmatic, almost as if they were designed to try to get the nine of you on board—and you just cannot do it. You are sent here to do the bidding of the landlord class.

I am incredibly proud that this government, with Greens in the cabinet and Minister Rattenbury as the minister in charge of this bill, is bringing forward these reforms that will protect tenants in this city and will make it easier for tenants to treat their house as a home.

I particularly want to acknowledge former Greens MLA Caroline Le Couteur, who attempted to end no-cause evictions in 2019. Unfortunately, her amendments then were voted down by both ACT Labor and the Canberra Liberals, which I think demonstrates a sustained long-term advocacy by the ACT Greens for renters in this place. I am delighted now that, with a critical mass of colleagues, the Greens in government are able to achieve these reforms to make renting in this city fairer and more equitable.

I look forward to going out and talking to the more than 20 per cent of my constituents and Mr Parton's constituents who rent their homes and sharing with them that today the Greens in government have made this city a little bit fairer and a little bit more just for them.

MR RATTENBURY (Kurrajong—Attorney-General, Minister for Consumer Affairs, Minister for Gaming and Minister for Water, Energy and Emissions Reduction) (11.45), in reply: Everyone has a fundamental human right to adequate housing. One of the key principles of the right to housing is security of tenure. Having a secure and safe home impacts on all aspects of a person's life and the wellbeing of our community. I do not think anyone in this chamber, or in this country, for that matter, disputes that point.

That is why during the worst of the COVID-19 pandemic, we saw the very best of people. Family, friends, neighbours and strangers were, and still are, looking out for

each other and helping each other out. The ACT government provided support payments to help people pay their rent and bills as well as introduced other measures to help renters from being evicted from their homes.

Given the current rental and cost-of-living crisis, we have re-established the Rent Relief Fund, to provide financial assistance to members of our community experiencing either rental stress or severe financial hardship. The fund will provide eligible recipients with grants for up to four weeks rent capped at \$2,500.

I return to my first point: housing is a fundamental human right. Whilst we work towards addressing the systemic housing issues and improving the availability and affordability of housing here in the ACT, we must do what we can to support renters.

The bill we are debating today will remove no-cause terminations from our tenancy laws, so that Canberrans who rent can feel more secure in their homes. Should this Assembly support this bill, tenants will only be able to be evicted for legitimate reasons under the Residential Tenancies Act. We are doing this because we believe that this is right and that this is fair.

For too long now, our laws have allowed tenants to be forced to give up their home without even being told why they need to do so. No-cause evictions fundamentally undermine our concept of home and the sense of comfort and stability it evokes. They mean a tenant's home can be taken away without justification.

Research has found that the very existence of no-cause evictions undermines a tenant's sense of home in more insidious ways. Dr Chris Martin, from the University of New South Wales, describes the "chilling effect" that no-cause evictions have on tenants' behaviour, as tenants self-censor. They choose not to challenge an unfair rent increase. They do not object when their landlord drops by the property without prior notice. They think twice before requesting repairs. All of these behaviours are due to a fear that, if they are seen to rock the boat, they might face eviction in the form of a no-cause termination notice.

The government believes renters should not feel as though they cannot exercise their basic tenancy rights due to fear of eviction. More importantly, they should not fear being evicted without a legitimate reason at all.

Around one-third of Canberrans rent. The ACT government is committed to making sure that tenancy laws support them to feel at home. In a nation-leading step, we are proposing to remove no-cause terminations without introducing a provision allowing landlords to end a tenancy at the end of a fixed term, as this is essentially a no-cause termination by another name.

We will be the first and only jurisdiction in Australia to remove all forms of eviction without cause from our legislation. This reform will deliver the government's commitment in the Parliamentary and Governing Agreement to remove no-cause terminations from the Residential Tenancies Act.

Tenancy law should also be fair to those who choose to rent their property. I want to reassure landlords that, if this bill is passed, as I expect it will be today, they will still

have the ability under the Residential Tenancies Act to manage their properties effectively.

Under the current Residential Tenancies Act, landlords have a range of reasons for which they can evict a tenant, such as wanting to sell, to renovate or to move into their homes, or when the tenant has breached their agreement by, for example, not paying their rent, causing significant damage to the property or entering into an unauthorised sub-letting arrangement. This bill does not change these reasons.

The bill also proposes new termination provisions that will apply to public and community housing tenancies. These will ensure our social and affordable housing programs can continue to be managed effectively and for the benefit of those most in need.

Between the current and proposed new grounds for termination, there will be over 20 separate reasons for a landlord to end a tenancy recognised in the Residential Tenancies Act. The key point here is that the legitimate reasons why a tenancy can be terminated will be known to both parties and they are set out in legislation. If a tenant is asked to leave their home, they will be given a reason as to why this must occur; they will not be left guessing.

I also thank those landlords who have expressed to me their strong support for the ending of no-cause evictions, as they also see the need to support their tenants and the renting community more broadly.

Importantly, the Residential Tenancies Act includes safeguards to make sure that termination provisions are not misused. The bill will improve existing safeguards, to ensure they are comprehensive and workable in practice for both parties. For example, landlords will be required to provide evidence to tenants when they seek to end a tenancy because they want to move in, sell, renovate or convert the use of a property. This puts the onus on landlords to show that their intention is genuine.

Further, the bill will improve the ability of tenants to challenge retaliatory evictions. A retaliatory eviction occurs where a tenancy is terminated because the tenant asserted their rights under the law. The bill will define retaliatory evictions to include circumstances where a person speaks out publicly about their tenancy experience, for example, to the media or on social media. It is important that tenants can speak out and that their voices are heard in debates about the rental market and tenancy laws. The bill will protect their ability to do so, as long as their statements are not knowingly or recklessly false and misleading.

As has been noted, the bill does more than remove no-cause evictions from ACT law; it also proposes reforms that will help tenants feel at home in other ways too. For many people, tending a garden gives them a sense of connection to the land and a way to care for their environment. Growing food allows them to nourish themselves and their families and to reduce pollution from food miles and packaging. Composting reduces emissions from organic waste and returns nutrients to the soil. The bill will support this sense of connection to place and community by strengthening the rights of tenants to grow food and compost at their rental property.

Setting minimum standards for rental homes is an important equity measure to ensure all rental homes meet the basic standards that we, as a community, have come to expect. In November last year, I was proud to announce the first minimum standard for rental homes in the ACT: a ceiling insulation standard which will be phased in from 1 April this year.

While the energy efficiency minimum standard commences on 1 April, there will be a phase-in period extending to 30 November 2026 to support households with this transition. The government is also supporting rental providers to manage the costs of implementing this minimum standard through the Sustainable Household Scheme, which provides zero-interest loans of up to \$15,000.

Changes in this bill will support the introduction of this energy efficiency minimum standard and any future minimum standards. The bill will require landlords to disclose whether the property meets any minimum standards and to provide tenants with evidence of compliance on request. This will empower tenants to make informed choices when applying for a rental home.

The bill will give tenants recourse if minimum standards are not met, by allowing them to apply to ACAT for a rent reduction or compensation order or for any order to end the tenancy.

The bill will also support landlords by giving them a right of access to the property to assess whether the property meets a minimum standard or to undertake any work required to meet the standard.

Finally, the bill will prevent landlords and agents from encouraging prospective tenants to place rent bids for the property. This is an important change that will support tenants who are searching for a new home. In a time of high cost-of-living pressures, tenants should not be asked to offer more than the advertised price for a rental property.

Turning to the market impacts of the reform proposals, I note that there have been arguments that improving tenants' rights will drive landlords to disinvest from the property market. As is his wont, Mr Parton has given us a colourful version of that today, in which he has ascribed a range of motives and other things to members who are supporting these provisions. I assume they were not quotes, and I think they were a colourful interpretation of what has been said. But let me turn to the evidence on these matters, because that is more important than the colourful interpretations.

There is no evidence to support the argument that landlords will disinvest from the property market. In Victoria, there was discussion about how their introduction of minimum standards impacted the rental market; however, there has not been any data to support that the introduction of these standards has led to landlords selling off their properties or rental prices increasing.

Let us look at that data. A March 2022 Realestate.com article one year after the introduction of minimum standards in Victoria, including a range of minimum standards and not just the heater standard, notes that:

Beefed-up minimum standards for Victorian rentals have not driven an increase in rents and sales by landlords, according to data released one year on.

This statement is based on data showing that, although the proportion of sales by investors in Victoria increased between 2019 and 2021 from 15.2 per cent to 17.2 per cent for the six months to September in each year, it was less than the national increase, which was from 15.3 per cent to 17.9 per cent for the same period. That shows that there were some changes in the market, but Victoria actually had a slower rate of change. It simply defies the arguments that have been put in this chamber today. Furthermore, the change in median rent in Victoria between 2019 and 2021 was negligible. It was around \$1 in the median rent for the six months to September in each year, and that again was less than the national change, which was around \$20.

In the ACT, rental yields and housing investment remains strong, which indicates that these rental reforms will not have a significant impact on the rental and housing market in the ways that have been suggested in this chamber today.

Furthermore, a recent report by the Australian Housing and Urban Research Institute, titled, *Regulation of residential tenancies and impacts on investment*, found that tenancy law reforms are not a significant driver of decisions to disinvest from the rental property market. The report found that other factors, such as potential capital gains and the potential to free up capital for other investment activities, were much stronger drivers of investment decisions than tenancy reforms.

In fact, in addition to the research in this report finding little evidence that Australian residential tenancies laws have impacted investment in private rental housing, the research found that Australian residential tenancies law has accommodated, even facilitated, the long-term growth of the private rental sector.

I have announced a suite of reforms that this bill will deliver. Legislation of any form is rarely easy to understand for the average person just trying to get on with their lives. It is important, therefore, that we support renters, landlords, real estate agents and tenancy advocacy and support organisations through these significant changes to rental laws.

The government will be undertaking a series of information and communications activities to support these changes through our newsletters, networks with the real estate industry and other fora. The Renting Handbook will be updated, and there will be a series of information sessions and other educational supports to support stakeholders with these changes.

Before concluding my remarks today, I would like to take this opportunity to thank everyone who has contributed to these important reforms. I would like to thank the community sector advocates who have campaigned tirelessly over many years for the removal of no-cause evictions. I also want to acknowledge, as has already been done, former Greens MLA Caroline Le Couteur, who first brought the proposal forward a number of years ago.

I would like to thank the industry representatives and legal advocates who provided insightful views on the likely ongoing impacts of tenancy reforms and the details of

the legislation. I would like to thank community members who provided their views in the two rounds of community consultation that we undertook on these changes.

I would like to particularly thank those who have had the courage to share their personal stories of no-cause terminations and the impacts these no-cause terminations had on their lives. The government has received many letters and representations on this issue over a period of time. We have heard what it is like to live constantly in fear of an eviction notice. We have heard your experiences of financial stress, emotional turmoil and the disruption and upheaval that comes with a forced move without justification. We have heard those experiences, and this legislation responds to those experiences.

Finally, of course, I would like to thank the officials in the Justice and Community Safety Directorate who have worked on the enormous detail of this and also those in other agencies in the government who have been an important part of working through these reforms, particularly in the housing areas of the government.

The bill before the Assembly today aims to make tenants' homes that bit safer and that bit more secure. It aims to give them confidence that they cannot be removed from their homes without a legitimate reason and to allow them to assert their tenancy rights without fear of eviction. It aims to let them put down roots and to feel connected to the place they call home.

On that basis, I commend the bill to the Assembly. I also table a revised explanatory statement. I present:

Residential Tenancies Legislation Amendment Bill 2022—revised explanatory statement.

Question resolved in the affirmative.

Bill agreed to in principle.

Detail stage

Bill, by leave, taken as a whole.

MR RATTENBURY (Kurrajong-Attorney-General, Minister for Consumer Affairs, Minister for Gaming and Minister for Water, Energy and Emissions Reduction) (12.01), by leave: I move amendments Nos 1 and 2 circulated in my name together and table a supplementary explanatory statement to the amendments [*see schedule 1 at page 494*].

Just very briefly, these amendments propose transitional arrangements for without cause notices to vacate issued before the repeal of the without cause termination provision from the standard residential tenancy terms. The transitional provision confirms that notices to vacate issued before the repeal of the without cause termination provision will continue in force after the provision is repealed.

This means that, if a lessor issues a 26-week notice to vacate to their tenant before the without cause termination is removed from legislation and the tenant does not vacate the property in accordance with the notice, the lessor will still be able to rely on the notice and, if necessary, apply to the ACT Civil and Administrative Tribunal for an order terminating the tenancy.

The purpose of this provision is to avoid the retrospective invalidation notices to vacate that have been issued under the current law. It is also intended to create certainty and clarify for parties to a tenancy agreement as to the status of the notices to vacate issued prior to the repeal of the without cause termination provision.

MR PETTERSSON (Yerrabi) (12.03): I apologise to members. I missed the in-principle stage of debate. I rise today to speak in support of the bill. I would like to start by sharing a recent personal experience. I do not often talk about myself in this place, but I think it is important on this issue that I do.

I am a renter. I do not own a home. Now, this is not a pity party. I am doing just fine, but I am somewhat unusual in the political class of this country. Overwhelmingly, Australian politicians are landlords, not renters. Most politicians do not really know what it is like to be a renter in modern Australia or Canberra. Most politicians bought their first home on one salary and bought their second property utilising the capital gains of the first, and on and on it goes, with renters paying the mortgage of each of them. They do not really get how hard it is to get their foot in the door now and own a home. They do not get what it is like to see the dream of property ownership drifting away and the creeping future of tenancy in perpetuity.

I was recently contacted by my landlord through their property manager about renewing my lease. They naturally, of course, wanted to increase the rent. Fair enough, I guess. However, they advised me that they wanted to increase my rent by 21 per cent. Fortunately for me, I know the law. Heck, it was this government that changed the law! I knew that increase was illegal, and I also had the financial means to support myself if they did try to evict me, so I pushed back.

I asserted my knowledge of the law and we went back and forth, eventually landing on 7.5 per cent. It is probably still above the CPI allowed increase, but, if it is good enough to stave off the threat of eviction, then it is good enough for me in the short term. But—and this is the big but—throughout the entire negotiation, I knew that they could evict me if they wanted to. They could evict me for no cause. How am I meant to negotiate with such a power imbalance? Put simply: you cannot. I am an unusual renter, who does have the means to support myself through a jarring and unexpected eviction.

This experience goes beyond that of rent increases. It goes to any time that a renter tries to assert a legal right. Does your home need maintenance? Does your property pose a health risk? Well, you had better hope that the landlord is prepared to address the issue and not pursue a retaliatory eviction.

There is also another cruel power imbalance as the cost of changing tenancy is largely borne by the tenant. There are costs on both sides, but they are not equal and they have different effects. Often young and casualised workers need time off work,

and the costs associated with moving are huge burdens. Landlords can often schedule new inspections while still collecting rent and will access the property, which causes more work for the tenant, who needs to clean the property and hide all of their personal possessions before the outside world comes in to have a look at them.

I would like to pick up on some of Mr Parton's comments earlier in the debate. Mr Parton says that he is outcomes focused. Fair enough. However, his arguments always fall back to the extreme neoliberal ideology that any regulation is bad. Seemingly, the government could pass a law that every property has to have running water, and Mr Parton would scream that this will cause the landlords with no running water on their property to leave the market. He would say that renters should have the right to enter into a contract for a property with no water; it is their choice after all.

Now, I have seen the figures that Mr Parton was quoting from the *AFR*. It makes a compelling case that the Australian property market is broken, not that renters have too many rights to pets, composting and hanging picture frames. Ninety-eight per cent of Canberra rentals have a negative cash yield. Well, it is clear to me why that is. Investors have piled into the property market for speculative gain and bid up the value of housing. They have offset this increasing capital outlay knowing that they can utilise negative gearing for cash flow throughout the life of the property.

Now that the merry-go-round of Australian property is slowing, with interest rates going up instead of down for a change, these investments now look bonkers—million-dollar investments that yield a few hundred bucks a week! It is better to put it in a government bond at this rate—less work, less stress and more money. Investors are not charities. They are operating a business, and fair enough, but the price of housing and the yields have become detached from reality right across the country, not just here in Canberra.

That is why landlords are thinking about leaving. I say “thinking about leaving” because they are not all going to leave. I do not suspect that the 25 per cent figure that Mr Parton quotes is going to come to fruition. However, there is a rational thing that will take place in this country in months: landlords that paid too much for a property that yields too little money will make a different decision.

Now, that is not entirely a bad thing, because there is a fallacy that Canberra Liberals seem to fall into: seemingly, when a landlord sells their property, the house vanishes. No. Instead, someone purchases it. They live in it or they rent it out. Canberra still has the same number of roofs. Instead, the allocation and intensity of capital being funnelled into property has shifted.

I do agree with one part of Mr Parton's comments, however: there is a supply issue. Prices are of course set by supply and demand. Interest rates do not really have much to do with whether costs go up or down. The overwhelming determinant of what price a rental will be is supply and demand.

Canberra very clearly has a missing middle, which causes great pressures on certain parts of Canberra's property market. About 80 per cent of Canberra's homes are houses, under the polls done, but I assure you that 80 per cent of Canberrans do not want to live in a standalone house as their first preference.

I have, in recent times, been contacted by constituents to talk about their experiences of rent bidding. It has been a long time since I have applied for a rental, so I cannot speak to my own experiences, so I will speak to theirs. They go through the long and varied processes of different real estate agents to apply for a property. Then they get hit with the rent bidding. It is gross. There is an argument that this is just the free market at play. That is not entirely correct. There is a power imbalance with prospective tenants on the verge of homelessness being prepared to bid up the property for immediate relief from that risk. That price then flows through the entire market, driving everyone's prices up.

These are good reforms; they are important reforms. I am proud to be part of the government delivering them. I know, and I think every Canberran knows, that, when they get their next lease renewal, like I just did, they will be on level ground.

MR PARTON (Brindabella) (12.11): Just briefly, in a perfect world, legislation of this nature would not have last-minute amendments, but we can understand why these amendments are required and they are pretty self-explanatory, so we certainly will not be opposing them.

Amendments agreed to.

Question put:

That the bill, as a whole, as amended, be agreed to.

The Assembly voted—

Ayes 13

Mr Braddock	Dr Paterson
Ms Cheyne	Mr Pettersson
Ms Clay	Mr Rattenbury
Ms Davidson	Mr Steel
Mr Davis	Ms Stephen-Smith
Mr Gentleman	Ms Vassarotti
Ms Orr	

Noes 6

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

Question resolved in the affirmative.

Bill, as amended, agreed to.

Sitting suspended from 12.16 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): The Deputy Chief Minister will be absent from question time today, so I will endeavour to assist members with questions in the Deputy Chief Minister's portfolios.

Questions without notice

Canberra Health Services—data security

MS LEE: My question is to the Minister for Mental Health.

Minister, I refer to an email sent by the Chief Executive Officer of CHS regarding patient privacy, reported today in the media. The email stated, “In recent weeks we've discovered a serious breach in the privacy of patient health records within one of our teams, extending back some time. Just to be clear, I am not talking about an accidental breach. What I am talking about is whole clinical records, some scanned from hard copies, and deliberately emailed to people outside the organisation, breaching the privacy of consumers over a period of years.”

Minister, how was this serious breach of privacy discovered?

MS DAVIDSON: Thank you for the question. Patient privacy and confidentiality is critically important. It was very distressing to see that had happened. CHS understands its obligations in relation to patient privacy and confidentiality, and there are processes and procedures for how to deal with a breach of that nature. Those have been put into place, and there is an external investigation ongoing, so I cannot actually talk in detail—

Ms Lee: Point of order.

MR ACTING SPEAKER: If you could be seated, Minister.

Ms Lee: The question was very straightforward—how was this breach of privacy discovered? I ask that you direct the minister to be relevant.

MR ACTING SPEAKER: I think the minister is being relevant to the question.

Mr Rattenbury: On the point of order—it would be helpful to set a standard early in question time. Ms Lee gave the minister 18 seconds to answer the question.

Ms Lee: She was finishing up. She was asked to sit down.

Mr Rattenbury: That was your judgement, Ms Lee. The minister has time—

MR ACTING SPEAKER: Mr Rattenbury, we will proceed. Ms Davidson?

MS DAVIDSON: I would note that I did not go to sit down until after Mr Acting Speaker had instructed me to be seated while we were dealing with the process point.

To return to the question, which was about how the privacy breach was discovered: there are processes and procedures in place for what happens when a breach of this nature occurs. Those have been followed and an external investigation is currently under way. I cannot speak to any of the detail of the matter while that is happening.

MS LEE: Minister, what are those procedures and policies that were followed, and when was this breach of privacy discovered?

MS DAVIDSON: There are policies and procedures both around how we deal with the access to and storage of information, and what happens when a breach occurs. When a breach occurs, it is very important that we go through the proper processes to fully understand the extent of that breach and the nature of it, and to make sure that patient disclosure happens in the appropriate ways. I can provide you with those details, if you wish, on notice—to go through what all of those procedures are. I have been assured by CHS that they are following all of those policies and procedures and protecting patient privacy—ongoing.

Ms Lee: We'll take it on notice.

MR COCKS: How long, precisely, have these privacy breaches been occurring?

MS DAVIDSON: I am sure that Mr Cocks has read this morning's news report which did state that it has been something that has happened over a long period of time—I think “years” was what was quoted in the news. I cannot talk in any more detail about the details of what happened while there is a police investigation underway.

Canberra Health Services—data security

MS CASTLEY: My question is to the Minister for Mental Health. Minister, I refer to the serious breaches of privacy within CHS reported today. The email quoted states:

Records have been sent ... to multiple people within one of our industrial partners.

Records that should never have been shared outside the organisation, without the express consent of our patients.

Minister, who was the industrial partner involved?

MS DAVIDSON: As I was saying earlier, there is currently a police investigation underway. There are laws relating to how we look after patient records. It is very important that those are adhered to at all times, whether that is by CHS staff or by industrial partners. I am not able to talk about who exactly that was at the moment but, as I said to the ABC this morning, it was not a health fund.

MS CASTLEY: Minister, for what purpose has the industrial partner used the records that were sent to them by CHS?

MS DAVIDSON: That is a detail that would come under the police investigation that is ongoing, and I cannot talk about the detail of that.

Mr Hanson: Point of order.

MR ACTING SPEAKER: Mr Hanson.

Mr Hanson: If there are matters that the Minister is refusing to answer because of the investigation, can I ask that she take those matters on notice so that, when we are able to find out, they can be provided.

MS DAVIDSON: As I was saying to media earlier today actually, I will provide updates as soon as I am able to. At the moment, while police are investigating the matter, I am not able to talk about the detail. But, as soon as I am able to, I would like to be able to provide updates to the community.

Opposition members interjecting—

MR ACTING SPEAKER: Minister Davidson, can I get a clarification. Are you taking those questions on notice to be answered at a time you are able to answer them?

Ms Stephen-Smith: Mr Acting Speaker, the minister has been very clear that the advice she has received is that she is not able to answer these questions. When you take a question on notice there is then a timeframe in which you have to respond to it. I do not think it would be appropriate for her to take it on notice at this time. She has been clear that she will respond when she can.

MR ACTING SPEAKER: Thank you.

MR COCKS: Minister, are you aware of the industrial partner sending those records to any other external organisation?

MS DAVIDSON: That is a level of detail that would come under the police investigation.

Taxation—GST revenue

MR DAVIS: My question is to the Chief Minister, in his capacity as Treasurer. Chief Minister, on 2 August last year the *Canberra Times* reported that you said extra money for Canberra from the Commonwealth's GST would be "banked to rapidly reduce the deficit" and "was not needed to deliver more services". Last week the Commonwealth Grants Commission said the ACT would receive an extra \$223 million in revenue from GST. Can you please inform the Assembly whether this new funding will be spent on government services, or will it also be banked?

MR BARR: Mr Davis's question pre-empts a budget process and I think is effectively asking me to announce government policy in question time, which I am aware I am not able to do, under the standing orders. However, I would observe that those who have read the Commonwealth Grants Commission report into GST allocation for the coming fiscal year would appreciate that a key element there, in fact, is the adjustment for our increased population that was found by the ABS during the census process.

An important point to stress is that the government budget was already funding services for a population of 460,000, but we were only receiving revenue for a population of 438,000. What has happened is that the revenue has caught up with the expense line, therefore reducing the structural deficit that we were falsely experiencing, frankly, because there was a significant under-count of the territory's population. As we go into the next budget round, it is certainly welcome to have that gap closed.

MR DAVIS: Chief Minister, based on that, do you expect that, given that the shortfall from the federal government is being rectified, the ACT will invest further in social and public housing and support for low income households?

MR BARR: Again, this is asking me to announce the content of the budget several months ahead of its public release and, indeed, ahead of the ERC's and cabinet's consideration of those matters. Suffice it to say, the GST is our single largest revenue source—as it is, I believe, for every state and territory—so an increase is welcome. It does provide additional resources. The usual practice is that those resources are spread across each portfolio area, roughly proportionate to their historic share of the territory budget, so it would be reasonable to conclude, without necessarily being able to put a dollar figure on it ahead of all the budget decision-making processes, that there would be increased funding across the areas that Mr Davis has identified, but there will need to be in a range of other areas as well.

MS CLAY: Chief Minister, are there other government services that would benefit from additional funding?

MR BARR: In my time in politics I am largely yet to meet an area of government services that would not benefit from additional funding. The challenge always is being able to—

Mr Hanson: The tram.

MR BARR: That says it all.

Mr Hanson: It does. I agree; it says it all!

MR BARR: Opposition to public transport investment. Opposition for opposition's sake. We have seen this movie before—

Mr Hanson interjecting—

MR BARR: in 2016, when you were sitting there, Mr Hanson. Now you have just moved further down the row!

MR ACTING SPEAKER: Mr Barr, there is no need to respond. Mr Hanson, if you could pipe down, please.

Mr Hanson interjecting—

MR BARR: It is about as juvenile as that, Mr Acting Speaker.

The simple point is that of course all areas of government services benefit from additional resources. The challenge is on the revenue-raising side of the budget. That is clearly more contested.

Mr Hanson: You're good at that. You're very good at revenue raising. I give you an A for that.

MR BARR: That is clearly a contested area, as the interjections demonstrate. But, if you want better government services, they have to be paid for.

Canberra Health Services—data security

MR COCKS: My question is to the Minister for Mental Health. Minister, the email that outlines the data breach of patient privacy is dated as having circulated within the directorate some time ago, on 6 March. Minister, when did you personally become aware of the privacy breach, and what action did you take at that time?

MS DAVIDSON: Thank you for the question. I was made aware of this issue in recent weeks. I have received assurances from CHS that they are following all of the proper procedures around making sure that they are going through patient disclosure, understanding the extent of what happened and following correct processes in terms of referring it for external investigation.

MR COCKS: Minister, why didn't you make a public statement as soon as you became aware of this issue, instead of waiting until it appeared in the media?

MS DAVIDSON: Thank you for the question. There are procedures to be followed when a breach of this nature occurs, and those include ensuring that there is patient disclosure about what has happened and what this means for them, and making sure that we are looking after people who are in a vulnerable state during a difficult process. I have been assured by CHS that they are doing all of the right things to make sure that patients are being looked after in this situation, and it is important that those things happen before this is talked about in the media, as has now happened.

Ms Castley: On a point of order, Mr Acting Speaker, the question was: why didn't the minister make a public statement? I do not know that she answered that.

MR ACTING SPEAKER: Minister?

MS DAVIDSON: Thank you for clarifying that question. The proper process, when a breach of this nature occurs is for the health service to be able to go through a patient disclosure process. It is the right thing to do to be talking to the patients, who are at the centre of good health care, before—

Opposition members interjecting—

Mr Davis: A point of order.

MR ACTING SPEAKER: A point of order, Mr Davis?

Mr Davis: Mr Acting Speaker, if members of the opposition wish to ask questions and then answer themselves, they can have an adjournment debate, but I cannot hear the minister answer the question.

MR ACTING SPEAKER: I think Mr Davis has a fair point. Could we let the minister use the last 30 seconds, please.

MS DAVIDSON: The patient disclosure process needed to happen before this became a topic of public conversation. It is really important that, when you are someone who is receiving health care, your needs are put first, and that is what we have done here.

MS CASTLEY: Minister, for how long had these breaches been occurring before you became aware of the situation?

MS DAVIDSON: The details of the extent of the breach will be the subject of the police investigation which is currently underway, and I will not be discussing those details.

Canberra Health Services—data security

MS CASTLEY: My question is to the Minister for Mental Health. I refer to the serious breaches of privacy. Minister, why did staff send these records to an external industrial partner?

MS DAVIDSON: I believe that that is the same question that Mr Cocks asked earlier, to which my answer was that this is the kind of detail that is part of the police investigation that is currently underway, and I cannot discuss those detail now. I will provide an update when I am able to.

MS CASTLEY: Minister, did any of the staff who sent this information receive money or other benefit for providing this information?

MS DAVIDSON: As I was saying earlier, there is a police investigation ongoing at the moment and I cannot discuss the details of what occurred while that investigation is ongoing. It is really important, when police are doing an investigation, that they are able to do their work without interference and speculation from politics. I would expect the opposition to understand that.

MR COCKS: Minister, how then were staff, at a systemic level, able to access and distribute this sort of information without detection over a period of years?

MS DAVIDSON: As I was saying earlier, there is a police investigation underway at the moment and the details of the extent of the breach and the nature of what happened are the subject of that investigation. I cannot talk about the details while that investigation is happening.

Mr Cocks: Point of order. I did my best to be very clear that this is about the systemic level and how the system was able to permit something like this occurring, not the specific instances in this case.

MR ACTING SPEAKER: Given the police investigation, I think the minister has answered the question sufficiently.

Transport—ticketing

MS ORR: My question is to the Minister for Transport and City Services. Minister, can you provide us with an update on procurement of a new public transport ticketing system?

MR STEEL: I thank Ms Orr for her question. I am very pleased to confirm to the Assembly that, following a market-sounding comprehensive procurement process, the ACT government has signed a contract with NEC Australia to deliver a new smart transport system for Canberra, which will be called MyWay+.

NEC has delivered world-class technology solutions and services worldwide for more than a century, and for over 50 years in Australia, and we are delighted to partner with them to deliver this new system, which will involve Canberra-based facilities and use of a local ACT team to operate and maintain the system.

The implementation of this new, flexible and accessible transport ticketing system will commence with undertaking a design and development process with NEC to ensure that the new system is customised for Transport Canberra. This is expected to take up to 12 months ahead of implementation, and I am informed that it may take place in a staged approach.

Part of this implementation will include the installation and commissioning of equipment to support the new ticketing system, which involves the installation of 1,000 new validators and around 25 new ticketing vending machines, which is more than we currently have, Mr Deputy Speaker, right across the public transport network.

MS ORR: Minister, how will the new system make it easier for Canberrans to use public transport?

MR STEEL: I thank Ms Orr for her supplementary. We know that ticketing systems can be a barrier and how people pay for public transport can be a barrier for people getting onboard, and that is why we wanted to provide a new, state of the art, modern ticketing system; not an old system, like Opal in New South Wales, but a new, modern, account-based ticketing system, and that is what we are going to deliver with NEC to provide an end-to-end service for customers and provide a Mobility as a Service—a MaaS—transport solution.

It will also allow customers to plan their journey, track their service and pay for their travel, and this will all be possible from a single web portal or mobile application which will be available to download from the Apple and Google stores.

The account-based ticketing solution will provide a simpler payments process for customers, with the ability to tap on and off public transport using debit and credit cards, devices such as their phone or smart watch, and also traditional travel cards and paper tickets as well.

The new system will enable greater customer independence, with customer self-management functionality through a personalised, secure account. It will automatically calculate and charge the cheapest fare and will take into account any concessions that customers may be eligible for.

DR PATERSON: Minister, what other new features will the system have to improve customers' experience on public transport in the ACT?

MR STEEL: I thank Dr Paterson. In addition to the account-based ticketing, the new system will also provide real-time customer information and journey planning functionality, and this will improve customers' public transport journeys from start to finish.

Customers will be able to plan their journey using the new multimodal journey planner, and this will provide customers with recommendations on how to travel around Canberra using light rail, buses, cycling, walking, e-scooters, rideshares and taxis.

They will also be able to customise the recommendations based on their preferences or priorities, such as cost, duration, carbon footprint, active travel components and walking speeds. The recommendations will include accessibility information as well.

Customers will be able to track the arrival of their service using the new system's real-time passenger information, and the system will provide reliable and accurate data to customers with real-time vehicle locations and occupancy levels for the first time. It will also allow customers to set up personalised public transport-related messages and alerts.

I am really looking forward to making some further announcements about the implementation, which I know the Assembly is very interested in, as we continue to roll out My Way+.

Canberra Health Services—data security

MR COCKS: My question is to the Minister for Mental Health. Minister, I have today heard from multiple people asking how they can still trust the mental health system that you are responsible for, in light of what has been happening today.

Minister, can you reassure those Canberrans that there are no longer any individuals involved in data breaches still working for or employed by the directorate?

MS DAVIDSON: CHS staff are made aware of their obligations in relation to patient privacy and confidentiality through induction processes and mandatory training, as well as the requirements that are part of their registration as health professionals. I have been assured by CHS that any staff involved have no further access to confidential information.

I would like to add, as well, that for the vast majority of staff that work in our health services across Canberra—whether that is at CHS, Calvary, or some of the health services run by private health organisations and by our NGO sector—the reason they choose to do this work is that they are so committed to quality health care for people. That includes understanding how important patient privacy is to that trust relationship. It is very important, when we are talking about a matter as serious as this, that we allow for proper processes to continue such as the external investigation.

MR COCKS: Minister, have any of the patients affected started legal proceedings against the territory or CHS?

MS DAVIDSON: Thank you for the question. There is the police matter that is ongoing at the moment. As for any civil proceedings, I am not aware of any at this point in time. There is a police investigation ongoing, and that matter needs to be allowed to be completed.

MS CASTLEY: Is the government taking legal action against the industrial partner?

MS DAVIDSON: There is a police investigation underway, and I cannot talk about the details of any of that.

Events—Canberra Day

DR PATERSON: My question is to the Minister for the Arts. Minister, can you provide an update on ACT Government supported events hosted during the recent Canberra Day long weekend?

MS CHEYNE: I thank Dr Paterson for the question. Coinciding with our city's 110th birthday, the ACT government supported a program of events over the Canberra Day long weekend.

Lights! Canberra! Action! celebrated its 20th anniversary event on Friday, 10 March at the iconic Senate Rose Garden. The 2023 theme was 'Pride' and required filmmakers to innovatively incorporate a list of items and known Canberra locations into their seven-minute short films. A quality shortlist of 12 films was screened on the night, followed by an awards presentation for winning films across 16 different categories. I congratulate Marisa Martin on all of her efforts in bringing this event together over two decades.

On Saturday, 11 March the Canberra Balloon Spectacular returned to Patrick White Lawns from 6.15 am daily and held its last event this past Sunday, 19 March. Our balloons joined in with Pride weekend celebrations by flying pride flags, including this year's special shape balloon, Buster the Bulldog.

Symphony in the Park was held on Sunday, 12 March in Commonwealth Park featuring our very own Canberra Symphony Orchestra performing with Electric Fields, a dynamic Australian duo who also created the official theme song for Sydney World Pride. Finally, on Monday, 13 March, Commonwealth Park was brought to life again by a jam-packed program of some of the Territory's finest musical acts, culminating in a captivating performance by Canberra's own SAFIA.

DR PATERSON: Minister, how did the community receive this year's Balloon Spectacular and this year's special balloon?

MS CHEYNE: I thank Dr Paterson for the supplementary.

The special shape balloon at Canberra Balloon Spectacular has become something of a highlight for the many Canberrans and visitors who brave the early morning starts each year. I am aware that you were there yourself, Mr Acting Speaker. In recent memory, the event has featured the likes of a T-Rex, a frog, a hummingbird and a very large sloth. The community feedback on this year's special shape balloon,

Buster the Bulldog, has been overwhelmingly positive, and unsurprisingly attracted many dog owners and dog lovers alike.

Attendance figures provided by EventsACT indicate that close to 40,000 attendees experienced Canberra Balloon Spectacular this year, which featured 29 official balloons in addition to commercial balloon participants. This attendance figure is all the more impressive when taking into account that unfavourable weather conditions prevented balloon launches from the event site on a handful of mornings. Whether you experience it from a paddle board on Lake Burley Griffin, perched on a lookout from the Arboretum or in amongst the action at Patrick White Lawns, it is no wonder that this magnificent spectacle and experience has become one of the longest running balloon events in the world.

MR PETTERSSON: Minister, can you outline the local engagement for *Symphony in the Park* and Canberra Day events held at Stage 88?

MS CHEYNE: I thank Mr Pettersson for the supplementary. Following on from its collaboration with Lior at last year's event, our very own Canberra Symphony Orchestra returned to Stage 88 with Australian trailblazers Electric Fields for this year's *Symphony in the Park*. The CSO was supported by local musician Eden Plenty and a string playing trio of special guests, which set the perfect scene for an incredible night of music.

Those that came to *Symphony in the Park* or the Canberra Day concert would have been spoilt for choice, selecting from over 20 proudly local food and drink vendors. I am pleased to share that this year's Canberra Day celebrations at Commonwealth Park featured 100 per cent local vendors, contractors and artists. The line-up featured a great cross-section of the ACT contemporary live music scene, including RMC Rock Band, Rob Aspinall, Archie, Lucy Sugerman, Sam Sly, and Muesli. It was wonderful to welcome Canberra's very own homegrown success story SAFIA, who put on an incredible show featuring both new works and crowd favourite hits which brought the 110th Canberra Day to a close.

My thanks to the team at EventsACT who worked incredibly hard in the lead up to and throughout the celebrations to bring such memorable occasions for the Canberra community to enjoy.

Canberra Health Services—data security

MS CASTLEY: My question is to the Minister for Mental Health. Minister, the email from your directorate regarding privacy breaches states:

Often our patients are at their most vulnerable when in our care.

It further states:

Trust was on the line and we've let these patients down ...

We will have some rebuilding to do following disclosure, both within the team and with patients.

Minister, how can you rebuild trust when you failed to disclose these problems to the public, even though you were aware of them for weeks?

MS DAVIDSON: The most important thing to keep in mind when a breach of this nature occurs is that there are procedures to be followed to ensure that patient privacy is protected ongoing and that patient disclosure happens in the right way, to make sure that those patients are looked after. I have been assured by CHS that they have been following those procedures and that, while it takes some time to do things, it is important that they are done the right way. That is exactly what they have been doing.

MS CASTLEY: Minister, how long did that process take? Is that process over yet?

MS DAVIDSON: Thank you for the question. That process began as soon as CHS had enough information to be able to begin to talk to patients about what they needed to do. We have been ensuring that that process continues and follows all of the right procedures for when a breach of this nature occurs.

Ms Castley: On a point of order, Mr Acting Deputy Speaker: I asked how long. If the minister doesn't know how long, is she prepared to take it on notice? Is it three weeks, a month—how long?

MS DAVIDSON: The conversations with patients who have been personally affected by these breaches are ongoing. It takes some time to make sure that all of their needs are being met. CHS are doing everything that they should be doing to make sure that that happens.

MR COCKS: Minister, how can you rebuild trust with the Canberra community and with vulnerable patients who have been let down?

MS DAVIDSON: I think it is really important for people in the Canberra community to understand that we do take patient privacy and confidentiality very seriously and that we do follow correct procedures when a breach of this nature occurs. That is exactly what we have been doing, including referring it for police investigation, which is now underway.

Schools—staff welfare

MR HANSON: My question is for the minister for education, through the Chief Minister. Chief Minister, the Australian Catholic University have published their Australian principals occupational health and wellbeing survey. That report showed that ACT school principals face the highest threats of violence in Australia, at over 75 per cent. They face the highest rate of actual violence in Australia, at 73.2 per cent. They face the highest rate of sexual harassment in Australia—four times higher than the national average—and more than 80 per cent of the violence comes from students. Chief Minister, why do more than 75 per cent of ACT principals face threats or actual violence, when the national average is 48 per cent?

Mr Rattenbury interjecting—

MR BARR: The Deputy Chief Minister will be able to respond in more detail to the issues. They are concerning figures. Obviously, the nature of the research project,

the sample sizes and the like will all need to be assessed, but I am not seeking to downplay the concerns that have been outlined. They are clearly there, and they are a reflection on society—

Mr Hanson interjecting—

MR BARR: It is unfortunate. I cannot fathom how anyone would think that physical violence is the answer to any issue, and particularly in the context of a school setting. But not everyone shares that world view. Some people do resort to physical violence as either an immediate or other response to issues. I think that is pretty concerning, and that reflects society, unfortunately.

The specific issues that are at play here are, obviously, the subject of a considerable amount of work within the Education Directorate and across the school system. They are not unique to the ACT, and understanding why this report indicates a higher level in the ACT would be an important piece of work, in seeking to respond to those issues.

This is not an issue that is, as I say, unique to the ACT, and it reflects a problem in society. If violence is a response and is seen as legitimate anywhere in society, that is a problem. *(Time expired.)*

MR HANSON: Why is the situation so much worse in the ACT than in other jurisdictions? Is that a reflection of society or a failure of management within the school system?

Mr Rattenbury interjecting—

MR BARR: I do not think it is fair to blame the school system for what is clearly a broader societal problem.

Mr Hanson interjecting—

MR ACTING SPEAKER: Mr Hanson.

MR BARR: The problem is that people feel that violence is an appropriate response; it is not. Whether it is in a school system or in any aspect of society, it is not an appropriate response.

Mr Hanson: Point of order, Mr Acting Speaker—

MR ACTING SPEAKER: On a point of order?

Mr Hanson: the minister has not been relevant. The point of the question was: why is this worse in the ACT? Saying that there is a problem in society is not an answer as to why it is worse in the ACT than in other jurisdictions.

MR ACTING SPEAKER: Thank you, Mr Hanson. Mr Barr, I would ask you to be relevant to the question.

MR BARR: We do not yet know. We need to undertake further interrogation of the data, the questions that were asked, to further understand why this report has that finding. But there should not be any violence, should there? You are not advocating, Mr Hanson, I presume, that we should have a 10 per cent lower level of violence?

Mr Hanson: Mr Acting Speaker, that is debating the matter—asking what I might or might not be advocating. I ask that he be directly relevant and not debate the issue.

MR ACTING SPEAKER: Thank you, Mr Hanson. We will allow, in the 40 seconds remaining—

Mr Rattenbury interjecting—

MR BARR: Thank you, Mr Acting—

Mr Hanson: On the back of having a go at the Catholic school system, Mr Rattenbury interjected, “Clown.” I would ask him to withdraw.

MR ACTING SPEAKER: Can you withdraw?

Mr Rattenbury: I am happy to withdraw, Mr Acting Speaker, but I will make a point. I did not—

MR ACTING SPEAKER: No; Mr Rattenbury, you have been asked to withdraw.

Mr Rattenbury: On a point of order, then, Mr Acting Speaker—

MR ACTING SPEAKER: Okay, on a separate point of order.

Mr Rattenbury: Mr Hanson said I had a go at the Catholic school system. I did no such thing. I have no concerns with the Catholic school system. When Mr Hanson asked his question—the report is about Catholic school responses, if I understand it correctly. Mr Hanson, when he asked his question, talked about the whole school system, and I simply said, “Do you mean in the Catholic system?” I was seeking to understand what he was asking about. His misrepresentation of my words is shameful; it is deliberate misconstruing of what I was saying.

Mr Hanson interjecting—

MR ACTING SPEAKER: Thank you, Mr Rattenbury. A supplementary, Mr Cain?

MR CAIN: Chief Minister, what is your government currently doing about student violence, when that contributes to more than 80 per cent of the attacks on our teachers?

MR BARR: As members would be aware—and the Deputy Chief Minister has spoken about it at great length—there are a number of policies and programs in place across the ACT education system. This is clearly a societal challenge that appears in all schools, it appears in workplaces and it appears in our everyday life. Fundamentally, let me be clear about this: physical violence is not appropriate in any circumstance. It is a societal challenge that we all face—

Mr Hanson interjecting—

MR BARR: It is a societal challenge that we all face and seek to reduce and hopefully eliminate it. But let us be frank about this: it is occurring everywhere in the country, and in almost every setting. It is a societal problem that requires a whole-of-society solution, not cheap interjections in question time from the Deputy Leader of the Opposition.

Transport—electric buses

MS CLAY: My question is to the Minister for Transport and City Services. Minister, given the urgent need to both electrify and expand our bus fleet, can you detail what work has been done so far in planning for electrical upgrades for the Belconnen Bus Depot and for a future northside bus depot to enable these depots to move to all zero-emissions buses?

MR STEEL: I thank the member for her question and her interest in what the ACT government is doing with Transport Canberra in transitioning to a cleaner and more sustainable future for our bus fleet.

We have committed to transitioning our bus fleet by 2040, or earlier, to zero emissions—firstly, with the purchase of battery electric buses. But it goes beyond that, of course, to the charging infrastructure, which was the premise of the question. We have outlined in our Zero-Emission Transition Plan for Transport Canberra the steps we will take in relation to upgrading grid infrastructure to make sure that we have the charging capacity to support that fleet.

We are building a new Woden bus depot, and that will house electric buses going forward. We also recently made a decision—which was announced on 31 January—to bring forward the grid upgrades required to support up to 200 buses to be charged from the Tuggeranong depot. This will be much earlier than what was originally planned. It was originally meant to occur in the late 2020s and early 2030s. That has now been brought forward. As a result, the government is now reconsidering the time line and need for a fourth depot in the immediate future. We will be making further announcements about that. That will also be informed, as well, by a feasibility study that has been underway and is being considered by government at the moment.

MS CLAY: Minister, have you requested federal funding for this, given that electric bus depots in Sydney and Perth have received federal funds for their upgrades?

MR STEEL: We will certainly be continuing to have conversations with the commonwealth government about what the opportunities are for them to make a contribution to the transition. We have seen some of that funding go interstate, and we would like to see investment here. So we will continue to make those requests, including for the other parts of the plan, including the skills transition. We have already made requests to the federal government to make a contribution to make sure that we have heavy vehicle skills training infrastructure here in the ACT, which is important in making sure that we have a successful transition.

Over time, all of the depots will need to be converted to house battery electric buses and charging capability will need to be provided. Having 300 buses charging at Tuggeranong in the near future and at Woden will certainly meet the capacity of the transition over the medium term. Then, of course, over the long term—and looking at that target of 2040 or earlier—we will be looking at how we can transition the rest of the depots, including looking at bringing on a fourth depot in the future as well.

We will look to update that preferred transition pathway, as outlined in the Zero-Emission Transition Plan, to provide some certainty about what is occurring on the north side as well as the south side of Canberra.

MR BRADDOCK: Minister, what public and active transport projects have you sought federal government assistance and funding for?

MR STEEL: On a regular basis and through each federal budget, we engage with them on what projects are currently in our pipeline and where they may be able to make an investment, and that certainly includes active travel projects. We have seen over recent years investments that have been made by the federal government into those sorts of projects—for example, the Garden City Cycleway, with a \$5 million contribution towards that ACT government project from the commonwealth government in the last budget, which was very welcomed.

We have also been engaging with the commonwealth government on other transport projects. We have been engaging with them very productively in relation to mass public transport through light rail. We will continue to engage with them on future road infrastructure projects, which may include active travel components.

Of course, they are already making a contribution to a wide range of infrastructure projects in the ACT, and we are working closely with them to deliver those.

Planning—Exhibition Park

MR BRADDOCK: My question is to the Special Minister of State, I believe. Can you please provide an update in terms of Exhibition Park in Canberra and the development of the plan for that site?

MR BARR: I have responsibility at this point for that master planning work. I can advise the member that Cox Architecture are leading that work. They have had a series of community engagements already, last month. That will continue over the course of this year, and I would anticipate them providing the government with a range of options for the renewal of Exhibition Park during this parliamentary term.

MR BRADDOCK: Chief Minister, can you give assurance that the redevelopment will include a large indoor space with kitchen facilities appropriate for large community gatherings?

MR BARR: Certainly we are aware of the demand for such a facility. There are in fact multiple options and pathways to deliver one or more such spaces as part of the Exhibition Park renewal project.

Schools—staff workload

MR HANSON: My question is to the Minister for Education and Youth Affairs, through the Chief Minister.

Chief Minister, in addition to the ACU report on principals which was the subject of my last question, the Australian Education Union recently published a report which showed that more than one third of principals work 10-15 additional hours per week, and that a further third work an 20 additional hours per week. Almost all principals, that is 94 per cent, say that the directorate lacks the resources to meet the necessary demands.

The Australian Education Union issued a statement that said: “ACT public school principals carry a crushing workload at the expense of their health.” Chief Minister, I presume that is not a societal problem. Can you explain why ACT principals are working under what the union describes as crushing workloads? What is being done by your government to assist them?

MR BARR: I think at the heart of the issue tends to be the question of what level of autonomy is provided to individual schools and school leaders versus the level of system support. That has changed over time. There are different models within education systems—highly centralised department-run services with very little autonomy at the school level, through to school based management systems that provide a huge amount of autonomy at a school based level. I think there are clear opportunities—out of the references that Mr Hanson has made—for more activity to be centralised within the department to achieve certain efficiencies and economies of scale and to reduce workload pressures on principals.

A perceived downside of that greater centralisation approach can be that it reduces autonomy at an individual school level, but clearly it would reduce workload for principals. So I take out of the quotes from Mr Hanson that a preferred direction at this point in the ACT education system’s journey is for the directorate to take on more administrative responsibility for certain functions of school management and to relieve principals of those burdens. That would appear to be a preferred direction. Obviously, the outcomes of that are matters that will be led by the education minister and the Education Directorate and will be clearly be tied into current enterprise bargaining negotiations as well as future school-based management policy decisions.

MR HANSON: Chief Minister, is it your policy, therefore, that you will be removing workloads from principals and relocating that work or function to the directorate?

MR BARR: That is definitely asking me to announce government policy—

Mr Hanson: You just said that is what you were doing—

MR BARR: No, I said they were some of the issues; I was responding to those points. Clearly, workload reduction means the workload has to be moved somewhere else—someone else has to do the work is the implication.

Mr Hanson: Well, they just said they haven’t got enough resources.

MR BARR: Additional resources can either be applied to the directorate—which goes to the quote that Mr Hanson used in his initial question—or can be applied at a school based level or both. But at the heart of the matter is largely the question of which decisions and which administrative tasks are performed at the school based level and which are managed by the Education Directorate system wide. That is a discussion that is ongoing and that has been part of every education system in this country for a century. I am sure that that discussion will continue and that there will be a number of different perspectives. Any announcement of a change in government policy would be made by the minister in due course.

MR MILLIGAN: Chief Minister, do you accept that these two reports prove that the minister is failing to address these issues and support our principals?

MR BARR: No.

MR ACTING SPEAKER: Questions without notice; I give the call to Mr Hanson.

Mr Barr: Mr Assistant Speaker, the opposition has reached its allocated number of questions in question time today.

Ms Lawder: Point of order, Mr Speaker—

Ms Castley: No, we have not.

Ms Cheyne: Yes, it has. Mr Parton is in the chair. It does not count.

Mr Barr: Mr Parton is the speaker. He cannot ask a question.

MR ACTING SPEAKER: No, my understanding—and I have cleared this with the Clerk—is that because I am present in the chamber that nine questions can be asked by the opposition, Chief Minister. That is my understanding.

Ms Lawder: That is what the standing orders say.

Mr Barr: That does not happen with the Speaker.

Ms Lee: She does not ask questions.

Mr Hanson: She does not ask questions.

Mr Barr: No, and neither can the Acting Speaker ask a question.

Ms Lawder: Point of order.

MR ACTING SPEAKER: Chief Minister, my understanding, and we sought clarification—sorry, Ms Lawder?

Ms Lawder: Yes. The standing orders state that we can have the number of questions as per the number of non-executive members present in the chamber. It is not our choice or fault that the Speaker is not here today.

Ms Cheyne: Joy is a non-executive member.

Ms Lawder: Mr Parton is not seeking to ask a question. We are merely seeking to ask the number of questions which reflects the number of opposition members who have shown up today in the chamber.

MR ACTING SPEAKER: Thank you, Ms Lawder.

Look, advice has been sought on this and has been received. I am running question time and my advice was that nine questions would go to the opposition.

Mr Barr: That sets a trend, and there will be four government questions.

Mrs Kikkert: He sought advice!

MR ACTING SPEAKER: I mean, obviously if standings are to be changed in that vein that will have to be taken up with admin and procedure.

Schools—staff welfare

MR HANSON: My question is to the Minister for Education and Youth Affairs through the Chief Minister. I refer to a recent media report entitled “Staggering number of principals set to quit over abuse and bullying.” That report states:

Almost half of Australia's principals are at risk of developing “serious mental health concerns” driven, in part, by violence and abuse from parents and students. It comes as the number of principals seeking to quit or retire early has tripled in one year.

Minister, how can you recruit and retain school leaders in the ACT which has the highest threats of violence in Australia, the highest actual violence in Australia, the highest sexual harassment in Australia, and the highest risk of serious mental health concerns in Australia, where they have, as they say, work crushing workloads and 94 per cent of those principals believe they do not have enough resources?

MR BARR: The question highlights a societal problem. The opening sentence of the question highlights this is an Australia-wide challenge. It is one that will require parents, students, the broader community and governments of all levels to work together towards a resolution. Clearly additional resourcing is a factor—undoubtedly. This side of politics, indeed to the credit of the Greens party, have always been in favour of more resources for the public education system.

You cannot address in one year and in one budget a decade of neglect in education policy by a federal conservative government. You cannot do that. You cannot fix in one budget and in one year a decade-long war against the universities who train our teaching professionals. So what is needed is a societal response to violence; additional resourcing into the education sector; and, as I touched upon in my answer to Mr Hanson’s earlier round of questions, a discussion about responsibilities and

administrative responsibilities within a school based management framework and whether there is scope for more activity to be handled centrally by the Education Directorate.

Mr Hanson: Point of order.

MR ACTING SPEAKER: Yes Mr Hanson.

Mr Hanson: Again the question I have asked is why does the ACT have the highest on all those statistics? Obviously, this is a concern across Australia; everyone is acknowledging that. The question is why is it worse in the ACT?

Mr Barr: This is debating the point in response to my answer. It is not a point of order. It is not a point of order.

MR ACTING SPEAKER: It was a point of order but the time has expired anyway. So supplementary, Mr Hanson.

MR HANSON: Chief Minister, on all those measures why does the ACT school system have the worst statistics in Australia?

MR BARR: I do not know they are the only datasets that one can refer to in relation to those matters. So I will not take on face value Mr Hanson's assertions on those questions. I am not suggesting there are not issues. There are in every education system. They are societal wide.

Mr Hanson interjecting—

MR ACTING SPEAKER: Mr Hanson—

MR BARR: If you do not believe that we have a societal problem of physical violence, Mr Hanson, then there is nothing I can do to help you on that matter. There is nothing I can do to help you if you do not believe this is a societal problem.

MR ACTING SPEAKER: Mr Barr, there is a point of order.

Mr Hanson: Again, on a point of order. He is not answering the question. The question is why is it worse in the ACT? He is refusing to answer that.

MR ACTING SPEAKER: Can you be relevant to the question, Chief Minister?

MR BARR: I am being relevant to the question, Mr Acting Speaker. This is a societal problem. The causes of which are multi-faceted.

Opposition members interjecting—

MR BARR: The question around the ACT as opposed to other jurisdictions is one that requires further interrogation, including of data sources and people's analysis of it. So I do not accept your analysis.

Mr Hanson: It is not my analysis. It is the Australian Catholic University's.

MR BARR: I do not accept your analysis, Mr Hanson. I do not suggest there is no problem, but your assertions are over the top. This is a societal problem that needs to be addressed by parents, students, the education system, the broader community and governments. It is not something where government can just click its fingers and solve centuries of societal problems that see physical violence as something—

Mr Hanson interjecting—

MR ACTING SPEAKER: Mr Hanson, enough!

MR BARR: —that some people see as being acceptable. Physical violence is not acceptable in a school or in any other setting.

MS LAWDER: Chief Minister, how can you justify these troubling results and the lack of resources, as stated by principals themselves, when you are spending billions of dollars on a tram?

MR BARR: Investment in public transport does not detract from investment in other areas of the territory government's responsibilities. Government has to be able to do more than one thing. Government has to be able to do more than one thing. To be more than a one trick pony. Unlike Mr Hanson, who has only one issue—

Mr Hanson interjecting—

MR ACTING SPEAKER: Mr Hanson, you will be warned!

MR BARR: It is important that the government invests in health, in education, in public transport, in community services, in economic development, in mental health and in all the things that we have responsibility for. That is what the annual budget process is about. It is something we will turn our minds to as we deliver the 2023-24 budget, but the idea that you can just carve off public transport as unnecessary is an idea that the government rejects.

Justice—age of criminal responsibility

MR PETTERSSON: My question is to the Minister for Families and Community Services. Minister, can you update the Assembly on the work towards raising the minimum age of criminal responsibility, in particular the development of an alternative service response?

MS STEPHEN-SMITH: I thank Mr Pettersson for the question and for his ongoing interest in the nation-leading reform that this government is implementing in a range of areas. I am pleased to be working with my colleagues Minister Rattenbury and Minister Davidson to implement raising the minimum age of criminal responsibility. The age is currently 10 years in the ACT, as it is across Australia—something that most people are not aware of and are quite shocked by when they hear it. It is a key

legislative reform priority for this government, for this term. It is a priority because we know that contact with the criminal justice system creates harm for children and young people and does not in fact make our community safer.

This reform is not about a three-word slogan. It is about responding earlier and more appropriately when young people are engaged in or at risk of engaging in harmful conduct. This means that this reform is not simply about removing the criminal justice system from children's lives; that could be done quite simply in a legislative sense but would not achieve the outcomes we are all looking for and may not in fact be in the best interests of children and young people. We need to ensure that an appropriate non-criminal alternative is in place to genuinely divert young people from the criminal justice system.

In September last year the government announced that we will introduce legislation to raise the age to 14; first, to be raised to 12, upon commencement of the legislation, and further raised to 14 within two years. The phasing of this reform is designed to allow the government, in partnership with the community sector, to build and ramp up an alternative service response over time, as children are removed from the youth justice system. Work is progressing on key service elements, including enabling early intervention, more intensive case management and wraparound support for children and young people who come to the attention of police; establishing a new therapeutic panel to respond to complex matters; and developing a new intensive therapeutic order that could be applied by the Childrens Court.

MR PETTERSSON: Minister, can you outline what will be achieved with the funding announced through the midyear budget review to co-design a youth diversionary service?

MS STEPHEN-SMITH: Yes. The 2022-23 midyear budget review included new funding, almost \$2 million over four years, for service reform to support the staged approach of raising the minimum age of criminal responsibility. This funding comprises \$579,000 over four years to undertake policy and service design; \$200,000 over two years for a consultant to engage with community sector partners to co-design a youth diversionary service, in preparation for the full implementation of legislative reform; and \$400,000 per annum to set up and deliver youth worker wraparound services, including three youth workers.

Service design is underway now to prepare for the service needs of 10- and 11-year-olds who will be affected by this reform at the commencement of the legislation and will continue as we build and develop the full suite of service elements to ensure that 12- and 13-year-olds who are impacted by the second stage of reform are appropriately supported.

Importantly, though, this service system cannot just be about 10- to 13-year-olds. An integrated system will be able to respond earlier, where children are identified as being at risk of engaging in harmful conduct under 10 years old, and provide continuity for older young people across the criminal justice and alternative support systems.

MS ORR: Minister, can you explain what will be achieved with the youth worker wraparound service, also funded in the midyear review?

MS STEPHEN-SMITH: I thank Ms Orr for the supplementary question. The new youth worker wraparound service is a key element of the first stage of our service system work to support raising the age of criminal responsibility. We know that when these very young people are coming to the attention of police it is because something has gone very wrong in their lives. We know that almost all of these young people have experienced some level of early childhood trauma. We know that many of these young people have disability and a lot of complex things going on in their lives. Their contact with police is sometimes our earliest warning and our earliest opportunity to provide support for the root cause of the issue. It is our opportunity to step in and stop the risk-taking trajectory that young people find themselves on and divert them from what can become a lifelong engagement with the criminal justice system.

The youth work service will be available to support ACT Policing, who are often the first point of engagement for these children when they engage in harmful conduct, and will provide a coordinated approach to ensure that they have somewhere safe to live, appropriate education and programs to address their health and wellbeing. This builds on our investment in things like Safe and Connected Youth, ensuring that young people are able to re-engage with their family and have somewhere safe to stay while they and their family work together to ensure that they can be safe at home.

We are delivering a range of other child and family services reforms under Next Steps for Our Kids and the first thousand days strategy, Best Start. We are making a range of other strategies and interventions for child and family services, with a really robust reform agenda that we are working on in partnership with the community sector and with those who have lived experience of our systems.

Mr Barr: I now feel confident that I can say that all further questions can be placed on the notice paper.

If I may, with indulgence, Mr Acting Speaker, the Clerk has advised that we are both correct. All non-executive members are entitled to ask a question and there is, in *House of Representatives Practice*, a view that the Speaker does not take up that opportunity. Mr Acting Speaker, you have not taken up that opportunity today. You have handed that to one of your colleagues. I think that has now set a precedent that the Speaker is able to do so, but I think it would be best if admin and procedure consider that matter. It may mean that the standing orders, which we amended before, need to be amended again, if it is not the intent of the Assembly to allow the Speaker to pass their question to someone else, as you have done today. Equally, though, I would observe that, in our small parliament, the Speaker votes; in the House of Reps the Speaker tends to only exercise a casting vote. I think it is best that we refer the matter to admin and procedure for further consideration.

MR ACTING SPEAKER: Further to that, I would refer members to standing order 113A, which has been alluded to by the Chief Minister, which states:

Questions without notice shall not be concluded until non-Executive Members seeking to ask a question have asked at least the number of questions equivalent to the number of non-Executive Members present in the chamber from either party or group represented in the Assembly.

I note that this was changed in June last year. The *Companion to the Standing Orders*, in referring to that, states:

The standing orders do not place any restrictions on who may ask questions. However, the accepted practice—

as mentioned by the Chief Minister—

is that questions are asked by non-executive members. Ministers do not ask questions of other ministers. There is also nothing in the standing orders to prevent the Speaker from asking questions, although the practice has been that they do not.

Ms Cheyne: A new precedent.

MR ACTING SPEAKER: I think it is debatable whether it is a new precedent or not, because I am sitting here as the Acting Speaker. I am sure there will be further discussion about it, but that is my ruling today.

Papers

Mr Acting Speaker presented the following papers:

Auditor-General Act, pursuant to subsection 17(5)—Auditor-General's Report No 1/2023—Construction occupations licensing, dated 16 March 2023.

Bills referred to Committees, pursuant to resolution of the Assembly of 2 December 2020, as amended—Correspondence—

Bills—Inquiry—

Appropriation Bill 2022-2023 (No 2) and Appropriation (Office of the Legislative Assembly) Bill 2022-2023 (No 2)—Copy of letter to the Speaker from the Chair, Standing Committee on Public Accounts, dated 15 February 2023.

Bills—Not inquired into—

Motor Accident Injuries Amendment Bill 2023—Copy of letter to the Speaker from the Chair, Standing Committee on Economy and Gender and Economic Equality, dated 16 February 2023.

Planning and Environment Legislation Amendment Bill 2023—Copy of letter to the Speaker from the Chair, Standing Committee on Planning, Transport and City Services, dated 23 February 2023.

Standing order 191—Amendments to:

Animal Management and Welfare Legislation Amendment Bill 2022, dated 13 and 15 February 2023.

Electricity Safety Legislation Amendment Bill 2022, dated 13 and 14 February 2023.

Guardianship and Management of Property Amendment Bill 2022, dated 13 and 14 February 2023.

Multiculturalism Bill 2022, dated 13 and 14 February 2023.

Mr Gentleman presented the following papers:

Administrative Arrangements—

Administrative Arrangements 2022 (No 2)—Notifiable Instrument NI2022-697, dated 22 December 2022—Special Gazette No S2, Thursday 22 December 2022.

Australian Capital Territory (Self-Government) Ministerial Appointment 2022 (No 2)—Notifiable Instrument NI2022-696, dated 22 December 2022—Special Gazette No S2, Thursday 22 December 2022.

Annual Reports (Government Agencies) Act, pursuant to section 13—Annual Reports—2021-2022—Canberra Health Services—Corrigendum, dated March 2023.

Auditor-General Act, pursuant to subsection 21(2)—Auditor-General's Reports—No 8/2022—2021-22 Financial Audits Overview and No 10/2022 Financial Audits Financial Results and Audit Findings—Government Response, dated 14 March 2023.

Education and Community Inclusion—Standing Committee—Report 6—*Inquiry into racial vilification*—Government response, dated March 2023.

Environment, Climate Change and Biodiversity—Standing Committee—Report 6—*Inquiry into environmental volunteerism*—Government response, dated March 2023.

Financial Management Act—

Pursuant to section 26—Consolidated Financial Report for the financial quarter ending—31 December 2022, dated March 2023.

Pursuant to subsection 30F(3)—2022-23 Capital Works Programs—Progress report—Year-to-date performance as at 31 December 2022, dated March 2023.

Planning and Development Act, pursuant to subsection 79(1)—Variations to the Territory Plan together with associated documents—

No 380—Approval—Deakin Office Park and Public Open Space Deakin—Section 66 and Section 78 Block 13, dated 17 March 2023.

No 385—Approval—Symonston Amtech Estate, dated 15 March 2023.

Public Sector Management Standards 2016, pursuant to section 56—Engagements of Long-term Senior Executive Service Members—1 September 2022 to 28 February 2023.

Planning, Transport and City Services—Standing Committee—Report 11—*Inquiry into Urban Forest Bill 2022*—Government response, dated March 2023.

Rights of Older Persons—Assembly Resolution of 18 October 2022—Government response, dated 2 March 2023.

Subordinate legislation (including explanatory statements unless otherwise stated)

Legislation Act, pursuant to section 64—

Animal Welfare Act—

Animal Welfare (Private Keeping of Native Reptiles) Mandatory Code of Practice 2023—Disallowable Instrument DI2023-5 (LR, 31 January 2023).

Animal Welfare (Welfare of Native Wildlife—Rescue, Rehabilitation and Release) Mandatory Code of Practice 2023—Disallowable Instrument DI2023-6 (LR, 31 January 2023).

Children and Young People Act—Children and Young People (Research) Standards 2023 (No 1)—Disallowable Instrument DI2023-10 (LR, 6 February 2023).

Construction Occupations (Licensing) Regulation 2004—Construction Occupations (Licensing) (Qualifications) Declaration 2023—Disallowable Instrument DI2023-1 (LR, 19 January 2023).

Domestic Animals Act—

Domestic Animals (Accredited Assistance Animal Public Access Standards) Determination 2023—Disallowable Instrument DI2023-11 (LR, 6 February 2023).

Domestic Animals (Assistance Animal Accreditation) Guidelines 2023—Disallowable Instrument DI2023-12 (LR, 6 February 2023).

Domestic Violence Agencies Act—Domestic Violence Agencies (Domestic Violence Prevention Council) Appointment 2023 (No 1)—Disallowable Instrument DI2023-9 (LR, 2 February 2023).

Government Agencies (Land Acquisition Reporting) Act—Government Agencies (Land Acquisition Reporting) Amendment Regulation 2023 (No 1)—Subordinate Law SL2023-1 (LR, 2 February 2023).

Lifetime Care and Support (Catastrophic Injuries) Act—Lifetime Care and Support (Catastrophic Injuries) (Home Modifications) Guidelines 2023—Disallowable Instrument DI2023-7 (LR, 2 February 2023).

Magistrates Court Act—Magistrates Court (Work Health and Safety Infringement Notices) Amendment Regulation 2023 (No 1)—Subordinate Law SL2023-2 (LR, 9 February 2023).

Plastic Reduction Act—Plastic Reduction (Public Event) Declaration 2023 (No 1)—Disallowable Instrument DI2023-2 (LR, 20 January 2023).

Rail Safety National Law (ACT) Act—Rail Safety National Law (ACT) Amendment Regulation 2023 (No 1)—Subordinate Law SL2023-3 (LR, 9 February 2023).

Road Transport (General) Act—

Road Transport (General) Application of Road Transport Legislation (Traffic Offence Detection Device) Declaration 2023 (No 1)—Disallowable Instrument DI2023-4 (LR, 30 January 2023).

Road Transport (General) Act—Road Transport (General) Application of Road Transport Legislation Declaration 2023 (No 1)—Disallowable Instrument DI2023-13 (LR, 10 February 2023).

Road Transport (Safety and Traffic Management) Regulation 2017—Road Transport (Safety and Traffic Management) Traffic Offence Detection Device Approval 2023 (No 1)—Disallowable Instrument DI2023-8 (LR, 31 January 2023).

Unit Titles (Management) Act—Unit Titles (Management) Certificate Determination 2023—Disallowable Instrument DI2023-3 (LR, 27 January 2023).

Standing Committee on Education and Community Inclusion—report 6—government response

MR GENTLEMAN (Brindabella—Manager of Government Business, Minister for Corrections, Minister for Industrial Relations and Workplace Safety, Minister for Planning and Land Management and Minister for Police and Emergency Services) (3.09): Pursuant to standing order 211, I move:

That the Assembly take note of the following paper:

Education and Community Inclusion—Standing Committee—Report 6—*Inquiry into racial vilification*—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) (3.09): I am pleased this afternoon that the government response to the report of the Standing Committee on Education and Community Inclusion inquiry into racial vilification has been presented to the Legislative Assembly.

It is fitting that we provide this response today, on the United Nations International Day for the Elimination of Racial Discrimination, within the broader Harmony Week. This day continues to be a powerful and sobering reminder for all of us of our responsibilities to denounce racial discrimination. The inquiry, and the government response to it, reinforce why it is so important.

Canberra is a proud multicultural city, and this government has a longstanding commitment to building a community in which everyone feels safe and included. The 2021 census revealed that 28.7 per cent of ACT residents were born overseas, 39 per cent are second-generation migrants and two per cent are of Aboriginal and/or Torres Strait Islander descent. This rich cultural diversity is one of the territory's greatest strengths. We have seen this reflected in the celebration of last month's Multicultural Festival, which was embraced and attended by over 350,000 people—a new record.

Despite the vast majority of our community being respectful, inclusive and welcoming, during the COVID-19 pandemic we saw a disappointing rise in racist incidents towards Canberrans of culturally and linguistically diverse backgrounds. This is unacceptable.

To be very clear, racism has no place in the ACT. There must be zero tolerance for this behaviour. We know that racism can have serious negative consequences on an

individual's health, wellbeing and ability to participate in society. We also know that, if racism is allowed to fester, it can damage the collective wellbeing and success of our community by eroding trust and respect and undercutting the right to equality.

As members will recall, in response to these concerns the Assembly passed a motion, with tripartisan support, in November 2021, referring an inquiry into racial vilification to the Standing Committee on Education and Community Inclusion. The standing committee tabled their report in the Legislative Assembly in November 2022.

The report includes 16 recommendations that cover legislation; targeted anti-racism strategies; public awareness campaigns; areas for further research; training; and revision of complaints procedures. The government welcomes the report and values the opportunity to hear the community's feedback and to identify potential gaps and areas for improvement.

The government response addresses each of these recommendations and agrees to five recommendations, advises that two recommendations are existing government policy, agrees in principle to six recommendations, and notes three recommendations. As part of the response, the government agrees to the recommendations to focus on promoting anti-racism in places where the ACT government provides services, and to prioritise funding to organisations controlled by Aboriginal and Torres Strait Islander peoples for the provision of services.

We agree to the recommendations to review the functionality of the Human Rights Commission's online reporting tool to ensure that it is fit for purpose, and to encourage ACT public schools to promote the social media accounts of the Office of the Children and Young People Commissioner to public school students. We also agree to the recommendation to assist in the establishment of an Aboriginal and Torres Strait Islander community-controlled housing organisation.

Importantly, the response highlights that two recommendations are existing government policy. We remain committed to continuing to provide accessible information about how to lodge a discrimination complaint and to promote the Office of the Children and Young People Commissioner and, more generally, the Human Rights Commission, as a whole, in racially diverse communities.

Where recommendations are agreed to in principle, this reflects that implementing the recommendations may be subject to additional factors such as resourcing, or that relevant work intended to achieve the same purpose of the recommendations is already underway across government.

The response also emphasises the territory's robust existing anti-racism framework and notes that a number of initiatives are underway to further promote equality, inclusivity and diversity in our community.

It is worthwhile briefly outlining some of these measures, as they will support the implementation of a range of the standing committee's recommendations and address some of the concerns raised during the inquiry.

Notably, we have recently enshrined the ACT's commitment to diversity and inclusivity in the Multiculturalism Act 2023. The act supports Canberra's culturally and linguistically diverse community by providing a charter that will act as a rights-based values statement for the territory.

It has also established in legislation the Ministerial Advisory Council for Multiculturalism, who will provide advice and leadership on multicultural issues and be a key conduit between the community and the minister. The act also provides a framework for the review and the continuous development of how the government promotes multiculturalism. In addition, the Discrimination Amendment Bill 2022 includes two new positive duties that will encourage duty holders to think proactively about their obligations to prevent and address discrimination, racism and racial vilification.

Finally, the ACT government is continuing to collaborate with the federal government and the Australian Human Rights Commission on the development of a national anti-racism framework. Investment in a national framework will ensure that there is a shared understanding and language for tackling racism in both the ACT and across Australia.

I would like to take this opportunity to thank all individuals and organisations who made submissions to the inquiry and participated in the public hearings. The value of hearing directly from our diverse community cannot be overstated.

I also want to emphasise to all Canberrans, and visitors to the ACT, that if you have experienced or experience racism or racial vilification, you are not alone. The ACT Human Rights Commission is available to support you and to receive both informal and formal complaints. You can contact the commission by phone on 6205 2222, via social media, through the translating and interpreting service, or by using their online contact form at hrc.act.gov.au.

The government has carefully considered the recommendations raised by the standing committee's report, and I thank all of the directorates across government for their contributions in this thoughtful response. We look forward to utilising the committee's recommendations to improve how the government can address instances of racism and to support our vibrant and diverse community.

With indulgence, Mr Assistant Speaker, I would like to acknowledge that on this day the Children and Young People Commissioner, Ms Jodie Griffiths-Cook, has also tabled a report on the experiences of children and young people with racism. We certainly welcome this report. It is difficult and sobering reading, again. The government will be working through the information that has been presented in that report, and the recommendations within it, together with our colleagues at the Human Rights Commission, and looking at how we can improve the experiences of our city for all Canberrans, including children and young people.

I very much thank the commission, the commissioner and her team for all of their efforts in putting together that report, and all of the children and young people who

engaged, and engaged so candidly. With regard to this inquiry, I commend the government response to the Assembly.

MR BRADDOCK (Yerrabi) (3.18): As the minister has highlighted, it is fitting that we are discussing this on the International Day for the Elimination of Racial Discrimination. Recognition of this day, sadly, does not have the same prominence across Australia, due to a politically motivated rebranding exercise that turned it into Harmony Week. I am not saying for a moment that we should not celebrate Harmony Week and the multiculturalism attached to that, but I would also argue that talking about Harmony Week frames things in a very positive light to make people feel comfortable. Talking about racial discrimination is a lot more confronting. We need to be careful. Talk of harmony does not really enable a discussion of more confronting aspects, like racism or deaths in custody. These are hard conversations but ones we must have in order to become more inclusive and friendly as a society.

It is also fitting that this response be tabled on the same day as the Children and Young People Commissioner's report titled *"It really stabs me": From resignation to resilience—children and young people's experience of racism in the ACT*. I would like to thank the children and young people who have participated in this study and provided insight into what they have to live with. I also thank the commissioner and her staff for their work on this report.

It makes for sobering reading, as it details the real-life and ongoing experience of young people right here in the ACT. Some of their quotes jump out at me: "Talk more about racism," or "Adults are suspiciously quiet," or "We want adults to listen and do something about it." I promise that I have listened. It is in that spirit that I am interested in responding to the government's response to the committee inquiry into racial vilification.

Whilst I applaud the minister and her response and the information she has been able to provide as to what has been agreed to, there are some elements there that I think require further work, where the ACT's robust existing racism framework has not kept up with what is required to address the problem within our community. As this report has shown, there are instances of racism that are currently happening within our community and we need to work harder to address them.

I noted no reference to the recommendations about the Australian Federal Police, in terms of discrimination, and how these are handled. I note that we are unable to legislate over the Australian Federal Police. However, we need to acknowledge the community concerns that were submitted in the evidence to that inquiry and which drove the recommendations in this regard. I note that there were similar arguments made about the Integrity Commission and its potential coverage of the AFP. So I ask the question: for how long is this going to continue, where we are unable to legislate or incorporate the ACT Policing function under ACT laws?

I also wish to stress that it is important that we fight racism through the development, funding and implementation of an anti-racism strategy in order that we can actively fight and win against racism. I understand that this will be dependent on budget

processes, but it is something that I will be stressing—not just through this week and in my motion on Thursday but in my time here in the Assembly—so that we can become a more inclusive and friendly society.

I come back to the young child who said, “We want adults to listen and do something about it.” I can assure them that we are listening and that we are starting to do something about it. That is what I ask everyone in this chamber and everyone in our Canberra community to join me in doing. I thank the Standing Committee on Education and Community Inclusion for their original inquiry into this matter. I thank Minister Cheyne and the government for its response, which I will read more thoroughly when I have the opportunity this afternoon. Thank you.

Question resolved in the affirmative.

Standing Committee on Planning, Transport and City Services—report 11—government response

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

That the Assembly take note of the following paper:

Planning, Transport and City Services—Standing Committee—Report 11—*Inquiry into Urban Forest Bill 2022*—Government response.

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

Standing Committee on Environment, Climate Change and Biodiversity—report 6—government response

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

That the Assembly take note of the following paper:

Environment, Climate Change and Biodiversity—Standing Committee—Report 6—*Inquiry into environmental volunteerism*—Government response.

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

Leave of absence

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

That leave of absence be granted to Ms Burch (Speaker) for this sitting week due to Commonwealth Parliamentary Association duties.

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

That leave of absence be granted to Ms Berry (Deputy Chief Minister) for this sitting due to personal reasons.

Correction to the record

MRS KIKKERT (Ginninderra) (3.25), by leave: I wish to correct the record on a statement that I made earlier today. I gave a report on the inquiry into Appropriation Bill 2022-2023 (No 2) and Appropriation (Office of the Legislative Assembly) Bill 2022-2023 (No 2). In that report I mentioned that the committee held one public hearing on 8 December 2022. It was actually held on 27 February 2023. Thank you.

Health—gynaecology oncology

MS CASTLEY (Yerrabi) (3.26): I move:

That this Assembly:

(1) notes:

- (a) that ovarian cancer is the sixth most common cause of cancer deaths in females and one in 20 women will develop gynaecological cancer in their lifetime;
- (b) most women in the ACT who require gynaecological oncology surgery must travel to Sydney;
- (c) the Minister for Health said on 17 June 2022, that she supported a gynaecological oncology unit “in principle” but could not provide a budgetary commitment at this stage; and
- (d) a presentation by the Clinical Director of Maternity and Gynaecology Department, in April 2022, highlighted the following clinical risk issues with maintaining a fly-in-fly-out service: fragmented care, no oversight of referrals or appointments, multiple instances of delayed treatment and, as a result, poor outcomes;

(2) further notes:

- (a) Tasmania and the Northern Territory both have permanent gynaecological oncology units which service a smaller population than the ACT and broader region;
- (b) a petition on Change.org for a permanent gynaecological cancer unit in the ACT was signed by 3,218 supporters;
- (c) an applicant was selected to head a permanent unit in the ACT, however, the applicant rejected the offer when Canberra Health Services (CHS) were unwilling to provide sufficient surgery days each month; and
- (d) there is no specific job listed on CHS Jobsearch for a gynaecology oncology specialist; and

(3) calls on the ACT Government to:

- (a) establish a permanent gynaecology oncology unit for inclusion in the 2023-24 budget;
- (b) advertise for a permanent full-time gynaecology oncologist and increase theatre allocation for the position to meet demand; and
- (c) allow Visiting Medical Officers to apply for the position so that candidates can have increased flexibility for the unit.

The ACT is the only jurisdiction in Australia that does not have a gynaecological cancer surgical centre service. Currently, women with gynaecological cancer in the ACT are cared for by an outreach service provided by the Royal Hospital for Women in Randwick, Sydney. Most of the surgery is undertaken there.

I would like to share a story with you, Mr Assistant Speaker. A proposal has been in place for nearly two years, aiming to commence a service in 2023:

I have been part of this proposal since its inception. As you can imagine, this proposal requires some new funding and staffing. We have been in contact with the ACT Minister for Health and Minister for Women about this service, as well as Federal members.

There is unfortunately only a short window of opportunity for this to be set up. The alternative would be for the women of the ACT to rely on external support for their gynaecological cancer for the foreseeable future.

That was two paragraphs from Dr Foster's email that he sent me on 9 May. This is no fictional story. I subsequently met with Dr Foster. He told me how women had to travel to Sydney to receive surgery, how they had to spend days away from their families and friends and pay for their own travel and accommodation. He told me that the Royal Hospital for Women in Randwick has been servicing Canberra for more than 20 years and the ACT has never had a permanent clinic. He also told me that he has been in discussion with Canberra Health Services for the past two years and that time is running out to establish a permanent clinic, due to Dr Foster's colleague retiring.

That email from Dr Foster was dated 9 May last year. He had already been in discussions for two years previously and still no unit had been established. I was astonished! In June 2022, when this issue was made public in the media, the minister was quick to say that this was priority work for CHS and that updates should be expected soon. After two years of Dr Foster talking to government about his proposal, he had gotten nowhere. Like so many things with this government, it took a negative media story for them to take notice, rather than doing forward planning.

The health minister has been hearing about these issues for two years and we still have no gynaecological cancer unit. At the same time, the minister maintains with a straight face that CHS and ACT Health are committed to "providing better care where and when you need it". Members of the Assembly will not be surprised that this is just the beginning of this saga. I want to go through the litany of contradictions that the health minister has made when talking about establishing this unit.

On 17 June the minister was quoted in a news article as saying that she supported a gynaecological cancer surgery unit in principle but could not provide a budgetary commitment at this stage. Yet, in a press conference on the same day the minister said that funding was not the issue. It was revealed later, following the release of documents under freedom of information, that a business case to establish the unit was prepared for the minister in the 2021 financial year by Dr Foster. This business case was not progressed by the minister during the 2021 budget or the 2021-22 budget and was not included in the most recent budget.

The minister went on to say that a permanent unit could not be established because of concerns about whether there would be sufficient demand for this service. It is worth noting that the ACT is, as I said, the only jurisdiction that does not have a permanent gynaecology oncology unit in Australia. Both Tasmania and the Northern Territory, which have populations similar to the broader ACT health district, have managed to sustain safe clinical services. In addition, Dr Foster, Dr Robertson, Dr Davis and former gynaecology nurse Catherine Rumble—other experts in this field—have all made it clear that there is sufficient demand for the service.

On 8 August the minister was quoted in the media as saying that CHS had advertised for a full-time specialist surgeon and that a merit-based recruitment process was required. I am sure it would have been quite embarrassing for the minister to learn that CHS had actually not advertised for the role yet, and that one of the doctors leading the work to try to finalise the job description for the role noted that it was interesting that the minister had announced that it had been advertised.

It is not out of character for the health minister to come out with sweeping statements like this to try to save face with the public. At the time, a petition had been launched on Change.org which went on to receive more than 3,200 signatures in support of such a unit. The website claims that the petition was a victory, but you learn very quickly in this portfolio that press releases from the minister are to be taken with a grain of salt.

Over the past few years we have heard that the emergency department wait times will be fixed within nine months, public waitlists for endoscopies will be reduced and the culture in the hospital will be fixed. The bungling and confusion from this minister over the gynaecological oncology unit is, unfortunately, just the latest instalment in a long list of broken promises by this government and the health minister.

The benefits of this health service are spelled out in Canberra Health Services' own implementation plan for a gynaecology oncology unit. The stated benefits are that there would be a reduction in the number of women needing to access these services outside the ACT, improved customer experience, outcomes comparable to peer services and reduced waiting times for definitive treatment.

In a presentation by the clinical director of the maternity and gynaecology department in April 2022, the clinical risks of a fly-in, fly-out service were also outlined. These include fragmented care, no oversight of referrals and appointments, multiple instances of delayed treatment and poor outcomes. It does not sound good. After

reading through these pages, I am completely baffled as to why a permanent unit was not prioritised and facilitated by the minister. The arguments put forward by CHS employees seem to be so compelling that failing to establish a permanent unit seems to be negligent.

The minister's announcement that this service will continue in 2023 until a sustainable candidate is identified is a terrible blow to women in the ACT. A suitable candidate was, in fact, identified. After reading the FOI documents, it seems that Dr Foster was prepared to go above and beyond to set up this unit and make sure that it was successful. One of the main issues was the allocation of theatre time for Dr Foster to perform surgeries. CHS had allocated only two lists per four-week cycle.

In response to this, Dr Foster outlined that between July and November 2022 the Royal Hospital for Women performed 189 hours of surgery for ACT and local area patients. Dr Foster pointed out that the amount of time allocated by CHS for surgery was less than a quarter of what is required to meet current need. CHS could not provide any more theatre time because there was not any more to offer. The hospital was at a point where no further surgery time could be booked, so this service would have to operate at less than a quarter of what was required to meet demand.

Recently it was revealed that more than four out of five patients were overdue for their outpatient appointment. I have asked many times why these lists have blown out, and what is the answer? It is chronic underfunding from this government since 2012 and the prioritisation of the tram over a health system.

The Canberra Hospital expansion was supposed to be completed by 2022, and it is now meant to be completed in 2024. It is no surprise that, following the completion of the expansion, CHS also plans to expand the gynaecology oncology unit. The health system is strained because of the choices that this government has made. These choices mean that women in the ACT will continue to have to travel to Sydney, will continue to receive delayed and fragmented care and will continue to face poor outcomes because the government has made detrimental decisions that have impacted their health care.

Reading through some of the stories in the media from Canberra women who have needed to access gynaecology oncology services has been heartbreaking. One patient who had to travel to Sydney needed her brother to take her there and back for surgery. As soon as she was well enough, she had to get back in the car and return to Canberra. Surgery is tough and travelling immediately afterwards is awful.

A daughter whose mother was diagnosed with ovarian cancer and sadly passed away said that travelling to Sydney for surgery had significant physical, emotional and financial impact on sufferers of gynaecological cancers. Her mother had to travel back and forth from Sydney multiple times over seven years. She said the trip was never comfortable for her, travelling back down to Canberra.

I do not think that any member of this Assembly thinks that this is a fair outcome for women who are diagnosed with ovarian and other gynaecological cancers. For the

minister to get so close to establishing a permanent unit and advertising it in the media, only to bungle negotiations, is unacceptable. The Canberra Liberals are calling on the minister to be more flexible. If certain aspects of the job description do not change, then Canberra will be without a permanent gynaecological oncology unit for the foreseeable future.

To reiterate, a permanent service in Canberra would reduce the number of women needing to access these services outside the ACT; improve customer experience; achieve outcomes comparable to those of peer services; and reduce wait times for definitive treatment. The Canberra Liberals believe that the bare minimum that the government can do for the one in 20 women who are diagnosed with ovarian cancer is to provide a service that every other jurisdiction has, provide these women with care that means they do not have to travel outside the ACT, and improve the wait times and the experience of consumers.

I am calling on the health minister to establish a permanent unit, with a sub-specialist, to be included in the 2023-24 budget. I recognise that planning has already been completed and business cases have been submitted but turned down for previous budgets. I do not believe that this is an unreasonable time frame, as the work has been done. I also believe that CHS should increase theatre allocation to meet the case demand. Reading through FOI documents, I understand that Calvary has additional capacity for day-only laparoscopy cases. If the position is advertised as a visiting medical officer, as well as a sub-specialist position, then this will make the unit more flexible.

The issue is too important, and the number of sub-specialists in Australia too small, for the government to collapse negotiations. With wait times increasing for most specialties, I am perplexed about why CHS would offer surgery time that does not meet a quarter of what is needed for women with cancers like this in Canberra. The government cannot continue to be behind the eight ball on this issue. It is time that Canberra women have access to the health services that every other jurisdiction has. It is the bare minimum that the Canberra Hospital should strive to have outcomes that are comparable to those of peer hospitals and services.

The minister has talked about providing better care, when and where you need it, for Canberrans. Today the government can put their money where their mouth is and agree to stop playing hardball when there is such a limited number of sub-specialists. The Canberra Liberals want to see CHS accommodate their requests to further the care of Canberra women who are diagnosed with ovarian cancers. Thank you.

MS STEPHEN-SMITH (Kurrajong—Minister for Aboriginal and Torres Strait Islander Affairs, Minister for Families and Community Services and Minister for Health) (3.39): I move:

Omit all text after paragraph 1(a), substitute:

“(b) Canberra Health Services is working closely with the Royal Hospital for Women to ensure safe delivery of gynaecological cancer services for women in the ACT which includes treatment in Canberra where possible, and may also include referral to Sydney where clinical complexity requires referral;

- (c) the ACT Government has listened to the community and the 3,218 supporters of the Change.org petition by committing to delivering a permanent gynaecology oncology unit in the ACT with a phased approach prioritised in the ACT Health Services Plan 2022-2030 launched in August 2022 and a 2022-23 mid-year Budget Review measure to expand the Cancer Support Nurses team to establish the permanent service, with all other requirements for the service being provided within existing resources;
 - (d) a number of specialist and sub-specialist views have been sought to inform the viability and evidence for a permanent gynaecology oncology service in the ACT and a phased approach was deemed to be the safest and most appropriate option in the first instance as it will reduce fragmentation and improve the experiences of women and people with gynaecology oncology cancers;
 - (e) gynaecological oncology is a sub-specialty of the obstetrics and gynaecology specialty with a small number of qualified sub-specialists in Australia;
 - (f) Canberra Health Services is working with talent acquisition specialists on arrangements for the recruitment of a permanent staff specialist position; and
 - (g) the Canberra Hospital Expansion Project, the largest health infrastructure project since self-government, remains on track to complete the Critical Services Building in 2024 which will support phasing of the permanent gynaecology oncology unit; and
- (2) calls on the ACT Government to:
- (a) complete recruitment for the 2022-23 mid-year Budget Review measure to expand the Cancer Support Nurses team with dedicated gynaecology oncology and colorectal cancer support nurses;
 - (b) continue to support Canberra Health Services to advertise for a staff specialist gynaecological oncologist and optimise theatre allocation alongside other surgical speciality allocations; and
 - (c) report back to the Assembly by the last sitting day of 2023 on progress of phasing to a permanent gynaecological oncology unit delivered by Canberra Health Services, current waitlist and historical waitlist trends, how the waitlist is managed and key performance indicators for the permanent unit.”.

I thank Ms Castley for bringing this motion forward so that we can talk about the very exciting announcement that was made over the weekend in relation to the new agreement with the Royal Hospital for Women in Sydney, as well as the investment that was made in the 2022-23 budget review for a new dedicated nurse to support this service.

I want to clarify some matters, in response to a couple of things that Ms Castley said. To be clear, and I have said this before, it would probably be pretty obvious from the freedom of information request—I know it is a large one—that a business case has never been received by me over the period of time that Ms Castley talked about.

I have made that clear before. The budget process involves a lot of people doing a lot of thinking about the things they might like to do and the services they might like to expand, but not all of those end up on the minister's desk. I was very clear that the first I had in fact heard of this issue was just before it became a media story last year.

Ms Castley referred to the fact that I announced the intention to establish a permanent service in early August 2022, when I released the Health Services Plan. To be clear, again, I had been advised at that time that the position had already been advertised; actually, the ad went live two days later. Someone senior in CHS had signed off on the advertisement and had understood that it had gone live. There was a bit more administrative work to do before it actually did go live, but it went live two days later. With respect to this kind of nit-picking from Ms Castley about what I was doing, I was operating on the basis of advice and the best understanding of the senior staff in Canberra Health Services.

I also want to be clear that it is not the minister's role to negotiate with individual clinicians about public service jobs. In fact, it would be highly inappropriate for a minister to do that. There are very clear rules about hiring in the public service, and they do not involve a minister sitting down and negotiating with a clinician about the individual arrangements for that job. It would be extraordinarily inappropriate to do what Ms Castley is implying that I should have done or should be doing.

I want to emphasise that establishing the permanent gynaecology oncology service is a priority for the government, and Canberra Health Services has been working hard to bring this service to the ACT. The specialty of gynaecology oncology is a highly specialised field and requires an additional three years of subspecialty training. The field is so specialised that currently there are only around 70 gynaecology oncologists in Australia, with a high demand for this set of skills.

Gynaecological oncology is a subspecialty of gynaecology and requires a reasonable caseload to ensure ongoing competence in the subspecialty. While caseload is not specifically defined, it is considered that about 100 to 150 cases a year are sufficient to support that.

There has been considerable work to improve specialist services in the territory and ensure that we continue to provide ongoing quality gynaecological oncology services for women in the ACT and surrounding areas. For that reason the ACT Health Services Plan 2022-30 outlines the priority areas for investment, which include the phased establishment of a permanent gynaecological oncology unit. Again, I would say it is very clear in the documents to which Ms Castley referred that there has always been a proposal for a phased establishment.

It is also important to recognise that minor gynaecological oncology cancers are in fact already operated on by gynaecologists here in the ACT, which means there is more than one surgery list for women with this type of cancer in the ACT. Canberra Health Services also provides significant wraparound care to women and people with these types of cancers.

On the weekend, as I mentioned, I announced that Canberra Health Services has established a new service agreement with the Royal Hospital for Women in Sydney to support our local service. The service support agreement includes visiting specialists conducting an all-day surgical operating list at Canberra Hospital once a month for gynaecological oncology surgeries. This will allow patients with more complex cases to have their operation locally.

The visiting specialist surgeons will also do postoperative rounds on the following day, which will double as an excellent teaching opportunity for local staff, and they will then run an all-day clinic before returning to Sydney. In addition—and this goes to Ms Castley’s point about continuity of care—these specialists will undertake follow-up telehealth clinics for women who are referred to the gynaecology oncology service in the ACT. The first of these clinic days was last Friday, and Associate Professor Ramanand Athavale, clinical director of the gynaecological oncology service at the Royal Hospital for Women, will be returning shortly to complete a local theatre list.

I note that Associate Professor Athavale, a highly experienced gynaecological oncologist, in relation to this new service, stated that he was—and I quote:

... pleased to be partnering with Canberra Health Services ... to continue delivering this important service locally to the people of the ACT and surrounding region.

“I look forward to working with this great team of professionals and supporting the quality treatment and care they are already providing to the community.”

The ACT government acknowledges how difficult it is for some patients to travel to other jurisdictions for treatment, and that is why we have listened closely to the community and to stakeholders. We continue to work towards having a permanent service in the ACT and will continue to work towards that with our talent acquisition specialist.

In late 2022, a transparent and fair recruitment process was undertaken in accordance with the Public Sector Management Act to employ a staff specialist surgeon for the permanent service. A preferred applicant was identified and offered the position. However, the applicant withdrew their application after the offer. Recruitment for a certified subspecialist will continue through 2023. As with any recruitment process, of course, visiting medical officers are also welcome to apply for the staff specialist position.

The current theatre allocation for gynaecology oncology surgery at Canberra Hospital is one theatre list per fortnight. This will initially continue once a permanent gynaecological oncology service is established in the ACT—the monthly day of surgery. There will be a phased approach to further expand theatre lists and increase other elements of the service, such as clinics to support patient consultations and commencement of multidisciplinary team meetings as the service evolves over time.

The permanent service was always planned to increase in a safe and sustainable way as the service evolved. It is not best practice for a solo junior practitioner to begin with a full service on day one, even with the support that was offered by the Royal Hospital for Women.

The specialist gynaecology oncology surgeon that we have on board to provide this service from the Royal Hospital for Women will be supported by a dedicated gynaecology cancer nurse, which was funded in the 2022-23 ACT budget review. They will provide support for women who attend the ACT service and be the liaison for those who require complex surgery in Sydney.

This dedicated funding to expand our specialist nursing workforce for cancer care in the ACT reflects the government's ongoing commitment to strengthen gynaecology oncology services in the ACT. The investment of \$1.33 million over four years will fund two new dedicated nurses to join the Canberra Health Services cancer supportive care team, to provide direct patient care, care coordination and navigation, support and education to patients undergoing colorectal and gynaecological cancer treatment.

The dedicated colorectal and gynaecological cancer specialist nurses will provide direct patient care, care coordination and navigation, support and education to patients undergoing surgery and cancer treatment for these types of cancer. The gynaecological cancer nurse specialist will also coordinate appointments and follow-ups, and arrange multidisciplinary care reviews with the specialist surgeon from the Royal Hospital for Women. The nurse will provide the same support once a specialist permanent gynaecology oncology surgeon based in the ACT begins.

The improved coordination provided by the two new nurses, from diagnosis, surgery and through to cancer treatments, will support: fewer women needing to travel from the ACT to Sydney for gynaecological oncology treatment, quicker treatment after diagnosis, reduced length of stay in hospital following surgery, improved patient experience and improved clinical satisfaction.

With a growing population, we have seen an increase in the number of gynaecological and colorectal cancers in the ACT, with 85 gynaecological cancers and 194 colorectal cancers diagnosed in 2018, the latest data that is available to me at the moment, compared to 47 and 118 respectively in 1998. It is therefore important to have dedicated nurses as part of a team to specifically manage colorectal and gynaecological cancers, as we do for other cancer types.

Again, recruitment processes are currently underway to employ two full-time dedicated specialist nurses, with staff anticipated to start by May 2023. As I previously stated, the ACT government remains committed to operating a permanent and sustainable gynaecology oncology service, and I will continue to keep the Assembly updated as we deliver this service.

I again thank Ms Castley for bringing the motion forward. My amendment outlines the facts—what has happened, what we are doing and what we will continue to do. I commend the amendment to the Assembly.

MS LAWDER (Brindabella) (3.50): I rise today to speak in support of my colleague Ms Castley's motion regarding gynaecological cancers here in the ACT.

For me, being a local member is all about the people. That is why today I want to share some insights from one of my constituents, Anne, who wanted to provide me with an account of her personal story with ovarian cancer. Anne gave me permission to use her name. She was diagnosed with ovarian cancer in 2016 and experienced a recurrence in 2020. She is now on maintenance therapy, and throughout this time she has travelled to Sydney for treatment on a number of occasions.

Anne is a gold-star patient. She clearly does whatever she can to ensure she has a speedy recovery and is not one to make a fuss. She has done everything required to ensure her recovery. Despite her difficult health circumstances, she considers herself to be very lucky and she remains positive in her outlook about the future. She is now one of the 51 per cent of women who have survived five years post diagnosis.

Anne came to speak with me in my office, not to complain about her personal journey but to share how things could be improved for future patients, and particularly people who may find themselves in a more vulnerable position than herself. She has no issues about her treatment as such. She is not complaining in any way about her treatment; she is just talking about the challenges that the process threw up for her. Mostly, that was with regard to travel. Anne shared with me her concern for mothers, especially, who are forced to travel to Sydney and stay there for multiple days before and after the surgery, and who have to find care for their children over this period. It is particularly challenging, of course, if you are a single mother.

Added to that, there is the additional cost of transportation for those without cars, where to stay in Sydney, and the difficulties for patients that do not have someone available to travel with them throughout this entire process, often because the person they would mostly call on may be at home looking after the children and continuing to earn an income. Anne also spoke about the pain involved in driving back to Canberra after her surgery and how difficult that was. These patients are often alone, their bodies are fragile and often their minds are, too. Yet we hear from this minister, this Labor-Greens government, that this is okay—that this situation is okay and it can continue.

We have heard, about many things in our health system recently, that there is nothing to see here—with cardiology, endoscopies, colonoscopies, the Garran surge centre and the data privacy issues. Basically, we are told that there is nothing to see here and everything is okay. I am not sure where they get all of the Kool Aid from! It seems to me that they should have drunk every amount of Kool Aid in the world by now, having regard to the way they are spouting about how fantastic everything in our health system is.

We live in Australia's capital city. We should be able to deliver this type of health care right here in the ACT, not send our residents interstate, where they are hours away from their homes and their loved ones. Having the service here in Canberra supports not only Canberra residents but also those from regional New South Wales who we know rely on our health system.

This government have a responsibility to provide good health care to their residents and people in nearby regional areas. The government have dropped the ball on this important issue. They are saying that it is okay to continue with what we have, and to travel to Sydney. They have tucked this away in the too-hard basket and they hope that no-one will bring it up. But people are bringing it up. The Canberra Liberals, through Ms Castley, are bringing it up. The media are bringing it up. Healthcare professionals are bringing it up. People like Anne are bringing it up. It is time for this minister and this government to start to deliver for them.

As this motion rightly points out, ovarian cancer is the sixth most common cause of death in females. One in 20 women will develop gynaecological cancer in their lifetime. Why aren't we doing more here in the ACT? Why has this government failed to deliver any sort of substantial commitment to a gynaecological cancer department here in the ACT? Canberra women deserve better. People experiencing gynaecological cancers deserve better. Critically, those who will be diagnosed with gynaecological cancers in the future deserve better.

It is time that this issue gets the attention it deserves. Canberrans should receive a genuine commitment on this issue from the Labor government. Ms Stephen-Smith's amendment ignores some of these issues and suggests that we perpetuate the status quo, and that everything is okay here. I do not think that is right. I do not think it is good enough for women in the ACT and the surrounding regions, and I commend Ms Castley's motion to the Assembly.

MR DAVIS (Brindabella) (3.56): I rise today to speak to Ms Castley's motion. The Greens will be supporting the amendment to the motion that acknowledges the transition that is underway towards the permanent delivery of gynaecological oncology services in the ACT.

The ACT Greens stand for free, high-quality and secular health care for everybody. I do note the dire situation that is presented in Ms Castley's motion and articulated by colleagues today, and the long road ahead towards improving gynaecology oncology services here in Canberra. Canberrans do have the right to the very best health services.

Ms Castley rightly notes that Canberra is the only jurisdiction with no permanent clinic. Both Tasmania and the Northern Territory deliver this service at a higher capacity than the ACT. The community has been understandably frustrated with this, evidenced in a petition last year calling for a permanent gynaecology cancer unit in the ACT, which I note was signed by 3,218 supporters.

I want to acknowledge the immense stress and accessibility burden placed on women and their families in Canberra who are currently forced to travel to Sydney to receive this life-saving treatment. This burden is placed on them at an exceptionally vulnerable time in their life. I can appreciate the challenges of accessing cancer treatment, particularly for family members. My heart genuinely goes out to Canberrans for whom that is even more difficult than it has to be because of the six-hour return trip.

This stress has likely been heightened with recent uncertainty around the continuation of the service provided to the ACT by the Royal Hospital for Women in Sydney. It is deeply concerning that a preferred candidate for permanent Canberra-based services was identified and was eager to establish the unit, but this plan fell through because the service capacity offered was too small.

Despite this sticking point, I was relieved to learn that the visiting service from Sydney will continue while recruitment to phase in a permanent service is underway. Having a permanent Canberra-based unit delivered by Canberra Health Services has been recommended broadly by experts as opposed to the mobile service currently operating. I welcome Minister Stephen-Smith's recent announcement that there is a national recruitment process underway to employ a permanent Canberra-based subspecialist in Canberra Health Services, in addition to an expanded specialist nursing workforce.

I trust that the recommended phased-in approach to a permanent Canberra-based service is being undertaken first and foremost for patient needs and outcomes. Our public health service must always be tailored to deliver the very best service to the people that it serves. I do hesitate, however, to request increased surgical theatre allocation towards particular services. Politicians should not have the power to direct or prioritise the delivery of one specialist health service over another. With currently limited resources, increasing the allocation of surgical theatre times to gynaecology oncology could be detrimental to other patient outcomes. These decisions must be delegated to responsible healthcare professionals. I trust that Minister Stephen-Smith has ensured that these decisions have been made appropriately by those healthcare professionals.

Despite this, I do recognise the concerns that the number of days currently delivered by the mobile service and the future permanent unit are insufficient for Canberra's needs. Reports in the *Canberra Times* from 10 August last year indicate that demand is already exceeding the capacity of these existing services. For this reason I have requested that the minister include in her amendment to Ms Castley's motion a commitment to updating the Assembly on the waitlist for the service, historical waitlist trends and how that waitlist is being managed when the minister reports back to the Assembly by the last sitting day of the year.

I acknowledge that we need to do better, and I look forward to the minister's report to the Assembly by the last sitting day of the year to learn about the progress towards the permanent service, key performance indicators for the permanent unit and aforementioned waitlist updates. These types of pressures on our public health system emphasise the importance of the ongoing expansion to the Canberra Hospital, with the

new critical services building to be completed in 2024, and that will include more operating rooms and more treatment spaces.

I was pleased recently, in annual reports hearings, to have it confirmed by senior officials that this major infrastructure project, the single biggest health infrastructure project in the history of self-government, is on track to be delivered on time and below budget. This will enable improved capacity to deliver this permanent gynaecology oncology service. The minister has assured me that the expansion will support the phase-in of a permanent service, and I hope it will also support increased capacity of subspeciality services to be delivered in Canberra.

MRS KIKKERT (Ginninderra) (4.03): I thank Ms Castley for bringing this important motion to the Assembly.

The lack of leadership of this government in health is putting people's health at risk. A disaster—that is what is happening in the gynaecological oncology unit. When ovarian cancer is the sixth most common cause of cancer deaths in females and one in 20 women will develop gynaecological cancer in their lifetime, this is something that should be looked at most urgently to resolve. We here in the Canberra Liberals know full well the urgency of this matter.

Think of it this way: one in 20 women will develop gynaecological cancer in their lifetime. I think it is safe to say that there are 20 females in this building—probably 40 or maybe 60 if we include HR and the library across from Civic Square. That means that one, two or three females in the Legislative Assembly will develop gynaecological cancer in their lifetime. That means that a member of your office, your colleague or a family member maybe afflicted by this illness.

We here in the Canberra Liberals care about the health of our women. We are calling for the establishment of a permanent gynaecological oncology unit for inclusion in the 2023-24 budget, to advertise for a permanent full-time gynaecology oncologist and increase their allocation for the position to meet demand, and to allow visiting medical officers to apply for the position so that candidates can have increased flexibility for the unit is the right and urgent thing to do for the health and wellbeing of women. We must do this and we must do this now. I commend Ms Castley's motion to the Assembly.

MS CASTLEY (Yerrabi) (4.05): In closing, I would like to address a few points in the amendment from the minister. Amendment 1(b) states: "Canberra Health Services is working closely with the Royal Hospital for Women to ensure safe delivery of gynaecological cancer services for women in the ACT," but my understanding is that the service has actually been reduced from three travelling clinicians to only one. So, although CHS are working with Sydney, it is clear that there is a strain. For 20 years, they have had to cover the ACT in this area.

1(c) says that "the ACT government has listened to the community and the 3,218 supporters of the Change.org petition". I do not know how the minister figures this, given that they called for the establishment of a permanent unit, which she promised and has now taken away.

Ms Stephen-Smith: Again, not true. It is just not true.

MS CASTLEY: Well, it is not a permanent gynaecological oncology unit with no need for Canberra women to travel to Sydney for surgery.

The mid-year budget review measure to expand cancer support nurse team was part of the business case to establish the permanent service that Dr Foster supported as did the Canberra Liberals. However, as I have just mentioned, women are still having to travel to Sydney for surgery. As Ms Lawder beautifully pointed out, from a very sad story, that is a horrendous ordeal for a woman going through surgery, not to mention the inconvenience to the family.

In 1(d) of the amendment, the minister has attempted to note that, through consultation with the specialists and subspecialists that we have heard talk about, there was some kind of unanimous decision to go with a phased implementation. I believe this is incorrect. Dr Robertson, the retired travelling clinician from the FIFO service, believed that there was sufficient demand to go ahead with the service and that surgery time offered by CHS was simply not enough.

Dr Alison Davis, a CHS employee and director of the Australian and New Zealand Gynaecology Oncology Group, believed there was sufficient demand. Catherine Rumble, a former gynaecology oncology nurse, believed there were also enough cases for a unit now, not a phased implementation. So there was no unanimous decision there!

On 1(g), I have spoken at length about the failures of the government to deliver the hospital expansion in their original time frame. If that had gone ahead, there would have been extra rooms by now. This amendment makes it clear to me and the rest of the Canberra that they do not have the infrastructure to establish this permanent unit and the government has not prioritised Canberra Health Services for our growing population. So I will not be supporting the “calls ons” today.

I just want to recap on a couple of things that I spoke about earlier. Canberra Health Services and the minister were warned years in advance that this service was going to end. The work was done for CHS in setting up the business case, and the specialist was ready and willing to go. The nurses have now been employed. Experts in the field confirmed that demand was there. Women suffering with gynaecological cancer are crying out for it here in Canberra. So why has this government refused to just sign the paperwork and take action?

The minister said something about she is not responsible or cannot engage people. But, as the boss of Canberra Health Services, she is the minister, surely she could have directed someone.

Ms Stephen-Smith: I am not the boss of Canberra Health Services.

MS CASTLEY: You are the Minister for Health, Ms Stephen-Smith. Certainly she could have directed someone in her department to get this underway. We know that

this is a difficult area. We cannot just pluck these specialists off a tree or out of the ether. We have one ready to go. Canberrans desperately, desperately need this service. The minister has said that she could not make a budgetary commitment, then flipped and said it was not about money. As I said, the demand was there.

I will read a couple of the comments on the change.org petition from women. One says:

Our capital city is crying out for this service that will benefit not only women in the ACT but also from the surrounding areas for hundreds of kilometres. It is enough that these women have to go through having cancer. Let's not make them travel to Sydney for much needed treatment.

Another lady:

Too many women are dying and suffering because they cannot get treatment in Canberra and have to travel far to get it. Being the capital city of Australia, it's time the government addressed this serious—

Ms Stephen-Smith: Point of order, Mr Assistant Speaker.

MR ASSISTANT SPEAKER: Ms Castley, can you resume your seat. Ms Stephen-Smith.

Ms Stephen-Smith: Mr Assistant Speaker, I just seek your guidance. Ms Castley has effectively claimed that women are dying as a result of—

MS CASTLEY: Can you please stop the clock. May we stop the clock, please, Mr Assistant Speaker?

MR ASSISTANT SPEAKER: Can we please stop the clock?

Ms Stephen-Smith: Ms Castley has just claimed that women are dying as a result of having visiting surgeons providing this service rather than having a surgeon who lives here. I would ask her to reflect on those remarks. She is misleading the ACT community and scaring people who are in a vulnerable circumstance, and that is entirely inappropriate. We stretch misleading the Assembly to enable rhetoric, but I would really encourage her to reflect on those remarks.

MR ASSISTANT SPEAKER: Ms Castley, on that point of order?

MS CASTLEY: Mr Assistant Speaker, on reflection, I am quoting someone from a petition that the minister has also mentioned in her speech. So I am just quoting the people of Canberra.

MR ASSISTANT SPEAKER: Thank you, Ms Castley. Ms Castley, please resume your seat. I missed that part of the debate, so I will check the *Hansard* and will make a ruling at a future date, if required. Ms Castley.

MS CASTLEY: Continuing to close, I will quote from a lovely woman in Canberra:

In 2012 I was found to have an ovarian tumour. Dr Greg Robertson visiting from Sydney was prepared to do the necessary urgent surgery but could not get theatre time. So I had to go to Melbourne for the surgery.

It really is time that the situation was remedied. As I said, CHS's own implementation plan on this unit outlined the benefits. They are a reduction in the number of women needing to access these services outside the ACT; improved consumer experience, which is what we all want; outcomes comparable to peer services; and reduced waiting times to definitive treatment.

Clinical risks on this fly-in, fly-out model that the minister has forced Canberra women to settle for are now: fragmented care; no oversight of referrals or appointments; multiple instances of delayed treatment; and poor outcomes. Sadly, shamefully, CHS have only offered a quarter of the surgery time that Canberra women need. Four out of five women are already overdue for their outpatient appointments, and this will only increase. Surely, if we put ourselves in the position of hundreds of women in Canberra who are living with gynaecological cancer, we would all say that this is not good enough.

As I have said, the specialist was there and the nurses are employed. Just make this happen. What we have witnessed here today is another tragic case of the Barr-Rattenbury government underfunding our health system, shirking their responsibilities to New South Wales and letting down Canberrans once again. We will not agree to the amendment.

Question put:

That the amendment be agreed to.

The Assembly voted—

Ayes 14

Noes 7

Mr Barr

Dr Paterson

Mr Cain

Mr Braddock

Mr Pettersson

Ms Castley

Ms Cheyne

Mr Rattenbury

Mr Cocks

Ms Clay

Mr Steel

Mrs Kikkert

Ms Davidson

Ms Stephen-Smith

Ms Lawder

Mr Davis

Ms Vassarotti

Mr Milligan

Mr Gentleman

Mr Parton

Ms Orr

Amendment agreed to.

Original question, as amended, resolved in the affirmative.

Women—menstruation and menopause

MS ORR (Yerrabi) (4.17): I move:

That this Assembly:

- (1) notes that:
 - (a) 8 March was the United Nations endorsed International Women’s Day;
 - (b) the purpose of the day is to uphold women’s achievements, recognise challenges, and focus greater attention on women’s rights and equality; and
 - (c) the day is a call to action;
- (2) further notes:
 - (a) that significant shame and stigma surround women’s reproductive health;
 - (b) that this shame and stigma creates a culture of taboo and has stifled discussions and understanding of women’s reproductive health needs;
 - (c) through the *ACT Women’s Plan 2016-26*, the ACT Government is committed to supporting and removing barriers to enable women and girls to reach their potential, contribute to innovation and ideas and to take up leadership positions ensuring full participation of women and girls in all aspects of society;
 - (d) in addition to the Women’s Plan, ACT Labor is supporting the full participation of women in society through the Period Products and Facilities (Access) Bill 2022 which is currently before the Assembly, and through the commitment to develop a menstruation and menopause policy for the ACT Public Service;
 - (e) other advancements, such as hormone therapy treatments now being available through chemists, contribute to the broader body of work to destigmatise and respond to the reproductive health needs of women in a way that is easily accessible; and
 - (f) however, there still remains many ways to better support women and areas of reform that can be undertaken; and
- (3) calls on the Minister for Women to report to the Legislative Assembly, no later than the second last sitting period of 2023, on the supports the ACT Government provides to support people who are menstruating or experiencing menopause.

This sitting is the first to be held since the anniversary of the first United Nations-endorsed International Women’s Day on 8 March. The purpose of marking this day is to ensure that we continue to uphold women’s achievements, recognise challenges and maintain a greater focus on women’s rights and equality.

At some point this week, I am hoping to speak more on this day and its historical implications for both this place and the feminist movement more generally. Today,

however, I will be concentrating on the call to action as a principle of International Women's Day to address specific gendered barriers with this motion.

This will not be the first or last occasion when I will raise the shame, stigma and taboo surrounding women's reproductive health in this space, as it remains a persistent impediment to true gender equality for as long as we allow it to.

Carolyn Goodner, via the International Women's Day organisation, put it well when she observed:

It's normal for women to put their needs last. As kids, we're taught to stuff down our feelings so that nobody else feels uncomfortable. In school, we often find that too much curiosity isn't always welcome, and at the workplace we choose our words carefully, and sometimes we're assigned tasks that aren't on anybody else's job description.

The International Women's Day organisation itself has also publicly stated:

Stigma often has roots in misinformation and myths, from which grows a lack of knowledge and understanding, and subsequent judgment.

... opening up conversations about menopause is a great way to learn more and identify some of the tangible support and options available.

Being part of an informed community can also help women feel more supported. Shared knowledge and experiences can help with overcoming challenges. Also, talking through issues can sometimes help lighten burdens, dissipate worries and unite through shared knowledge and experiences. Menopause is a key time in womanhood when women supporting women is especially key.

As late as June last year the World Economic Forum stated that millions of people around the world still struggle to manage menstrual health and that there are still many parts of the world in which eating certain foods, socialising and going to school are forbidden activities if you are having your period.

They also maintain that the path to combatting this reality is a two-part process: ending the taboos around this natural process and normalising menstruation while simultaneously enforcing policies to make food products, sanitation and hygiene easily accessible for anyone who might need it.

Indeed, it is entirely appropriate that organisations like Share the Dignity hold and encourage drives and fundraisers on 8 March to provide free products to women, girls and anyone with a period doing it tough. I would like to congratulate them on this year's effort and all the great work that they have done over many years on this issue.

I would also note that the NSW Swifts, the state's most celebrated and established professional female sports team, collaborated with Share the Dignity in their collection drive. I was particularly encouraged to see this because, as we know from Share the Dignity's ground-breaking Bloody Big Survey report, girls and women have been shown to drop out of regular sporting activities and team involvement at a higher

rate than boys, with at least 65 per cent of people with periods at least sometimes missing sport due to having their period.

As Share the Dignity Founder Rochelle Courtenay said:

We greatly appreciate that they have chosen International Women's Day to highlight one of the biggest issues in Australian society. When someone is doing it tough the last thing in their mind should be dealing with their period.

The value of teams like the Swifts choosing to engage in conversations about period poverty in such a public-facing fashion, particularly on International Women's Day, cannot be understated. As Swifts head coach Briony Akle said:

If ever women and sports like netball, which have always advocated for women, are going to reach equality in terms of pay and media reputation, all Australian women should have basic human rights. I share the dignity of calling out that this is sadly not the case.

Fortunately, through the ACT Women's Plan, the ACT government is committed to supporting and removing barriers to enable women and girls to reach their potential and contribute to innovation and ideas and to take up leadership positions, ensuring full participation of women and girls in all aspects of society.

Similarly, ACT Labor is supporting the full participation of women in society through the Period Products and Facilities (Access) Bill, which is currently before the Assembly, and through the commitment to develop a menstruation and menopause policy for the ACT public service.

As Women's Health Matters have recently noted:

These initiatives will go a long way to addressing the disproportionate cost of reproductive health for women and people with uteruses. But there's still more to be done, and one piece of the puzzle falls squarely in the lap of employers, not policymakers.

Reproductive health policies provide leave and flexibility for employees for reproductive health-related needs, sexual health and wellbeing. Reproductive health needs can be complex, change over time and vary significantly across individuals. Reproductive health policies can allow employees leave to attend IVF or abortion appointments, flexibility to work from home when an employee has painful periods, or time off after a miscarriage.

Women's Health Matters also observed:

In 2021, University of Sydney researchers ... wrote that normalising and supporting reproductive health is a key lever for gender equality in the workplace.

We are also seeing other advancements outside of these, such as the recent inclusion of hormone therapy treatments being made available through chemists, which contributes to the broader work of destigmatising and responding to reproductive health needs of women in an accessible function.

I mentioned at the beginning of this speech that this is not the first or the last time that I will speak about this topic—and I am sure members are probably getting quite sick of me talking about it. But I am not going to stop because, as I have started talking about this topic, what has really struck me is how many women come forward and say thank you.

When I first floated the idea of the ‘pretty period products bill’, someone—and I will leave them anonymous—actually said to me, “Gosh, you are brave to be talking about this. People are not going to want to speak about periods in public.” That is exactly the problem. That silence creates the taboo, which creates the shame and the stigma, and we cannot get on with addressing what is a very normal process, which can have health complications if left untreated.

We also know through the growing body of evidence that is coming out through academic research, now that we are looking at this matter, that women’s participation in society is incredibly impacted by their period. We see it in not playing sports. We see it in dropping out of school for periods of time. We see it in not being active within the workplace. There are huge consequences to women not being supported to manage their menstruation in a way that is beneficial to them.

When I moved the motion last year on menopause and menstruation policies in the ACT government, what struck me the most was how many women within this place and outside of this place came up to me and told me: (a) their story about menopause if they had experienced it; or (b) that they had no idea what was coming—me included, which seems a little bit ironic given how much I talk about this topic.

But, again, it is something that we just do not discuss. We know that it is all coming. We know that we will probably be called crazy. We will probably all have people roll their eyes at us going, “She is just a bit hormonal again.” But we do not know the basic health information that we need to know to anticipate what to look out for and, if something is going wrong, what we need to do to seek help for it.

I was recently at an event for International Women’s Day at the beginning of March and I was in a room of women who were there talking about it. I got up and spoke a little bit about what I was doing. What really struck me is that by me talking about this it creates a space for everyone else to talk about it too.

At first, when I said ‘periods’ everyone was a little bit like, “What is she talking about?” Then when you say ‘menopause’ they go, “Oh, gosh”. But, by the end of the speech, the number of people nodding their heads when I said, “This is my experience” or “Yes, I would have liked this support” amounted to half the room. So there is definitely a want there.

People are feeling empowered the more we talk about this. And it is not just me; it is great people like Rochelle Courtenay, who founded Share with Dignity. All the research is out there. It is also the union movement, who are now putting these topics on the agenda for discussion.

As we continue to talk about this and normalise these discussions, we will start to see that there is a much bigger unmet need there than we ever anticipated and a lot of work to do.

That brings me to the motion today. There is a need there and we as policymakers can do better at supporting women and undertaking reform in various areas. It is too often the case that we see a great deal of words, promises and soft congratulations thrown about on International Women's Day, or at a lot of breakfast meetings, but with very little actionable plans or substantial follow-ups.

So I am proud to say that the ACT government continue to defy this pattern with the work that they are doing in some of the stuff I have already outlined. However, maintaining good standing is an ongoing project, and that is what this motion seeks to address. I am of the opinion that calling for the Minister for Women to report before the last sitting period of the year on supports that the ACT government provides to people who are menstruating or experiencing menopause, is necessary—a material accountability mechanism that works to ensure that this place consistently reflects on those International Women's Day values of upholding women's achievements, recognising challenges and maintaining a greater focus on women's rights and equality every other day of the year.

By looking at what we are doing, we can start to understand how we can better connect those services and those supports, and we can also start to identify future gaps. As I have said, we know that there is a lot of work in this area to do to support women to manage their reproductive health and be full participants within our society.

MS LAWDER (Brindabella) (4.28): I would like to thank Ms Orr for bringing forward this motion today. Ms Orr's motion calls on the government to report to the Assembly on what support the ACT government is providing to people who are menstruating or experiencing menopause, by the second last sitting period—I use the term advisedly—of 2023. However, it does not actually call on them to provide any specific type of support or anything new for people who are menstruating or experiencing menopause.

Women's reproductive health, unfortunately, can carry a certain stigma and shame in society today, as it always has. A significant part of our workforce is female. Seventy-eight per cent of women aged 45 to 60 are in the workforce, and menopause occurs mostly around 40 to 55 years of age. Menopause has an effect on individual women, as well as on their colleagues and employers. About 50 per cent of women, according to research, report menopausal symptoms which can lead to increased sick leave, thoughts of quitting, anxiety and loss of confidence. Keeping women in the workforce benefits not only the organisation but society as a whole. Work is important for the financial wellbeing of women and increases GDP.

Before menopause, women experience periods, yet periods are a topic that remains hushed up and hidden. A study released in 2019 by Australian-made feminine care brand Libra showed that periods are considered more taboo than drugs, sex, STIs and mental health. It revealed that three out of four Australian women believe there is a

stigma attached to having a period and that a quarter of women aged 18 to 24 are embarrassed to purchase female care products. Perhaps most concerning is the effect that this shame has on young girls' everyday lives, with almost 70 per cent of girls reporting that the shame of menstruation is so bad that they would rather fail a subject at school than have their peers know. This stigma is not singular to women and they are not necessarily the ones contributing to it.

A 2021 study commissioned by Plan International Australia spoke to over 300 young men in Australia between the ages of 16 and 21. This study revealed that over a third of Australian boys and young men are not informed about menstruation and that almost half said education in schools on menstruation and menstrual health is poor or non-existent. Almost a quarter of respondents associate menstruation with being dirty. One in five even went so far as to use the word "disgusting".

Clearly, there is a need to reduce the stigma around women's reproductive health across the board, but notably in more targeted settings such as schools. I note that in October last year Ms Orr moved a motion calling on the ACT government to develop a menstruation and menopause policy for the ACT public service, among a range of other related matters. The motion was passed by the Assembly and the government has until May 2023 to report on any progress and considerations made.

In some ways, I am not sure why we are having this motion today, why it could not have been submitted as a question on notice or without notice, and why Ms Orr could not perhaps have just asked her government colleagues where they were up to on the report expected by May of this year. The motion today has a much later reporting date. I am wondering: is it because Ms Orr suspects she may be dissatisfied with the government's progress report, come May 2023? I guess only time will tell. However, it is an important issue, and the Canberra Liberals will not be opposing the motion today. I hope the government is able to provide the Assembly with a sufficient update in both May of 2023, in response to the previous motion, and again in the second last sitting week of 2023, in response to today's motion.

DR PATERSON (Murrumbidgee) (4.32): Thank you to Ms Orr for bringing this important motion forward. I want to reiterate Ms Orr's emphasis on the importance of ensuring that women and people who are experiencing menstruation and menopause have adequate supports in place. We know that, around the world, period poverty is a significant problem that disproportionately impacts women and girls who fall into the low income bracket. This is not only something that happens in low income countries; people experience period poverty in every day Australia and, indeed, in Canberra.

Period poverty can take many forms, including a lack of access to sanitary products, menstrual hygiene education, clean toilets, handwashing facilities and appropriate waste management. Not having access to these basic amenities compounds the sense of shame and stigma and keeps people from participating in school, work and social life, as Ms Lawder outlined in her speech.

In the ACT we have an above average median income. However, due to a multitude of factors, including cost of living stresses, there is an increasing gap between the haves and

have not. This gap was highlighted in Share the Dignity's 2021 Bloody Big Survey, which Ms Orr has already referenced, where 15 per cent of respondents from the ACT shared that they had not been able to afford period products at some point in their lives.

It is important that we do whatever is possible to ensure that no person experiences period poverty or stigma. The cultural shift is positive and I am glad that we are leading the way, nationally, in addressing this issue. I commend Ms Orr for all of her work in this space and for bringing this conversation to the Assembly and out into the community.

Last year I had the privilege of sitting on the health committee during the inquiry into the bill. The public hearings and submissions on that bill were incredibly insightful and I thank every person and organisation who took the time to share their experiences and expertise.

Equitable access to period products is just part of the equity discussion, as is access to paid menstruation and menopause leave. This recognises that employees who are menstruating or experiencing menopause are not sick or injured and that there should be more support in the workplace. The suggested paid leave would be accompanied also by education programs aimed at reducing stigma. As Ms Orr said, we do not have the basic health knowledge. It is not disseminated in the community the same way that it is with other health issues.

Whilst we have come a long way in reducing gender equity gaps, we still have a long way to go. I am proud that the ACT government is so proactive in its response to gender equity and look forward to continuing to support this work. I am especially looking forward to seeing the recommendations that come out of the consultation on the women's action plan.

MS CLAY (Ginninderra) (4.35): First of all, I would like to thank Ms Orr for bringing forward today's motion about women's reproductive health, bringing about more discussion and shedding more light on this issue, and bringing it forward in the context of International Women's Day. I would also like to thank my colleagues Ms Lawder and Dr Paterson, who have made some excellent menstruation puns; the more menstruation puns we can have in here, the better.

I want to pause briefly and talk about a slightly different aspect of women's reproductive health. I am really pleased to see the work that Ms Orr is leading on period poverty in particular and on raising awareness of menopause and menstruation. It is great work to be bringing into our parliament.

I was privileged last month to work on a different aspect of women's health, in the reproductive health space. I was happy to join with and amplify the thousands of voices who were calling for a freestanding birth centre for Canberra. It was great to be able to join that campaign. It has been running since the 80s. We had petitions with over 3,000 signatures calling for that service for women, and we followed up with a motion which was passed, so we will get to see a freestanding birth centre in Canberra, which I think is fantastic. We have a commitment from the ACT government for it to

go ahead, and we will see the early design of the north side freestanding birth centre in August next year. We have also managed to get midwives to co-design that facility, which will guarantee that we get a great outcome.

We also secured more support for home birthing, for birthing on Country and an improvement to the targets for midwife-led continuity of care. It was really important. This was a very good example where we put women at the centre of a reproductive health issue and listened to what women were telling us that they wanted. I think that has led to a really good outcome.

There are so many important reproductive health issues in our human experience that we need to destigmatise. There are so many issues surrounding pregnancy, birth trauma and loss, breastfeeding, postpartum health, menstruation and menopause. They are all normal parts of existence, but we do not talk about them, and we do not fund them and service them in the way that we do some other aspects of human existence.

There is a quiet revolution going on. There are more and more people talking openly about menstruation and menopause. I certainly reflect on Ms Orr's comment: that every time she brings up this topic there are more people who engage in it; a lot of people who have not previously felt that they can speak can now do so. I think that is really good.

It is such a normal part of the human experience; it will affect nearly one in two people at some stage in their lives. The willingness to reduce the stigma, simply by talking about it, making it visible and providing the services that we need, is great to see. It looks to me a little bit like women's health matters are on a similar trajectory that mental health was on, for a while. Whilst there is still stigma surrounding mental health, we have moved along really far and really fast in the past decade. I am hoping that we are doing the same for women's health and for reproductive matters.

There are, obviously, a lot of other issues that we need to work on, to bring forward equality for women. It is about more than just looking at the issues that are most obviously and closely associated with women, like birth, menopause and menstruation. I certainly noted the really strong push, on this International Women's Day, to get real action on a lot of those more basic issues of equality.

There was a real backlash against cupcakes and corporate lunches, and a real push towards dealing with the inequality that women are seeing all around us. It is an inequality that affects a lot of people in our society, and women and children often bear the brunt of it, and a lot of people are angry. It is great; I love to see people getting angry. I think that angry people get action. It was good to hear the energy coming from some of the rallies and some of the protests on International Women's Day. I hope that will help to make sure we are doing the tangible things that will make big improvements for women's lives.

I have also looked at a few other issues. We have seen some progress on some other things, like putting a gender lens on the budget, from ACT government. That is coming along. We have looked at the gender pay gap. We still have problems there. We have looked at some other issues, in our office, that affect women in a

disproportionate way, like public and active transport and some of the work choices that women have. I am looking forward to seeing a lot of that work progressing.

I would like to thank Ms Orr for bringing forward today's motion. I look forward to seeing the report and to seeing further improvement. The Greens are happy to support this motion.

MS ORR (Yerrabi) (4.40), in reply: In closing, I want to briefly address some of the remarks made by my colleagues. It certainly would be my expectation that the government would still report on all of the other deadlines that the Assembly has provided.

In moving this motion, though—and I did say this in my opening remarks, but I will repeat it, for clarity—it is about identifying all of the things that are going on and looking at where we can take further action. This is not about stopping the things that are already in train or already underway.

I am very excited to see my bill debated. I am very excited to see the government report back on the menstruation and menopause policy. I am very excited to see the response to this, so that we can identify all of the next steps we can take, given that we have so much support in this place for addressing these issues.

Question resolved in the affirmative.

Adjournment

Motion (by **Mr Gentleman**) proposed:

That the Assembly do now adjourn.

Organ and tissue donation—Gift of Life Annual Walk

MS CHEYNE (Ginninderra—Assistant Minister for Economic Development, Minister for the Arts, Minister for Business and Better Regulation, Minister for Human Rights and Minister for Multicultural Affairs) (4.41): This morning I was very pleased to join with Minister Stephen-Smith; federal minister Ged Kearney; Parliamentary Friends of Organ Donation co-chair, Dr Anne Webster MP; the CEO of Donate Life, Lucinda Barry; and hundreds of our closest friends for the Gift of Life Annual Walk, promoting organ and tissue donation.

This event is not a fundraiser. Rather, it is about raising awareness of organ and tissue donation, the importance of signing up to the DonateLife register, and having the conversation with your family about your wishes on the occasion of your death. This does remain so incredibly important across Australia and especially for us here in the ACT. We know that Canberrans are overwhelmingly supportive of becoming an organ or tissue donor, and yet the number of people on the DonateLife register is at just 27 per cent. The consent rate—that is, the outcome of the difficult conversation that is had with families at a time of shock, loss and grief—is also low, at 58 per cent.

These figures alone show why being on the register and having that conversation with your family about your wishes is so important, and they are further underlined when we know that there are so many people in the ACT and around Australia who are on a waitlist for a transplant—at least 1,800, not including people who are on kidney dialysis and may also require a transplant.

One of the not-for-profit organisation Gift of Life's major functions is to create community awareness-raising campaigns and events to help increase those rates. Their annual walk is known to many of us and is now in its 17th year. Of course, like everything else, it has been affected by COVID over the past few years. In 2021 and 2022 the event moved online, being held virtually over a week in both those years, encouraging people to walk five kilometres in their bright Gift of Life or DonateLife t-shirts in their own time. While this is not the same as gathering all together and creating a sea of white and pink at Lake Burley Griffin, it did result in the walk attaining a reach that is now national. There has been a ripple effect, if you will.

This year is the first year back in a big way, with hundreds of people gathering at Rond Terrace. It is also important to note that this was just one of 80 walks being organised around the country this week, including many being held at schools in the ACT.

Thank you to all the volunteers who made this morning's walk and this week of promotion so successful, especially to the Gift of Life board and the president, Catherine Scott. It takes an enormous amount of effort. I acknowledge that all of the Gift of Life board members are volunteers themselves and also have lived experience of organ donation.

It is easy to sign up and join the register at donatelife.gov.au.

Of course, in the ACT we are very proud—and I think I can speak for Minister Stephen-Smith and myself here—that we have led the way with some reforms in the organ donation space, particularly with recognition of organ donation to assist families and also so that families can share the stories of their loved ones' gifts of life. We were very pleased to hear the commitment from the federal minister this morning, reaffirming that they are looking at addressing that through the national harmonisation of laws as well.

In the final few moments that I have left, I can say that coming up in May is the National Donor Heroes' Night, which is another quite simple but very effective way that has also attracted national reach. You simply need to leave a light on at your doorstep or at your window to acknowledge our donor heroes. I encourage people to sign up to that and to share that across social media in May.

Shepherds Lookout—Brontë Haskins tribute

MR CAIN (Ginninderra) (4.47): It was my great honour and privilege to attend the unveiling of a memorial bench at Shepherds Lookout on Saturday, over lunch time,

where I was joined by Member Cheyne and Member Berry. The bench was erected at a place of great solace and peace to Brontë Haskins, an unfortunate victim of mental health and drugs. A coroner's finding has found her death was by suicide—and there have recently been some news items on that.

As members would be aware, in October last year I presented a petition on behalf of Brontë's parents to call upon the government to establish this memorial bench. After quite a period of rejection by the government of the request to put such a bench there, it was very, very encouraging that, on the floor of the Assembly on the morning of 12 October, we had a commitment from the government ministers that this bench would indeed be approved.

So it was a great delight and honour to be there on Saturday to address the gathered crowd of about 50 people and to help the parents in the unveiling of this memorial bench at Shepherds Lookout.

As members would be aware, Brontë sadly passed away at the age of 23 in 2020, having experienced significant mental health and substance issues in her short life. As I have said, Shepherds Lookout was a place that provided her with a sense of peace and respite to escape the struggles of her life. Today Brontë's family—even more so now with the memorial bench there—feel the same sense of tranquillity when they visit Shepherds Lookout and experience the beautiful nature that is available at that special place and reflect on Brontë's memory.

Brontë was an active member of the community. She loved animals, fostering and rehoming dogs, and saved a fellow venturer, winning a scout award in 2011 for her heroic actions there. Her organs were donated, as per her wishes, and a further four individuals benefited from her sacrifice. She embodied the sense of community, generosity and love that we, as a Canberran community, cherish and strive for.

I want to commend the government for finally reaching the point of supporting the parents' request. I commend this bench at Shepherd's Lookout as a place to go. I would encourage all members to go out there. It is a beautiful lookout, and you will see a very well-designed bench decorated with poppies, Brontë's favourite flower, and inscribed, "In loving memory of Brontë Poppy Haskins and others gone too soon".

It was also very interesting to hear some other views presented on coroners procedures and drug support in our territory presented during speeches made that day. I will be continuing to journey with Janine and Peter as they continue to bring to light some possible ways where Brontë's situation perhaps need not have happened or where there could have been better support for her on her difficult journey.

As I said before, I want to encourage members to go out to Shepherds Lookout in West Belconnen, not far from the Ginninderry developments, to look out at that beautiful Molonglo River and enjoy this beautiful lookout and enjoy the comfort of the bench and perhaps find some inspiration and solace themselves.

Justice—fines

MR BRADDOCK (Yerrabi) (4.51): Fines and infringement notices have been an intrinsic part of our justice system for a long time—so much so, that it is easy to overlook the question as to whether this is the best way to encourage compliance with the law. To the wealthiest people, fines are generally seen at best as an inconvenience and at worst as a part of the cost of doing business. To the least fortunate and vulnerable people, a fine can prevent them from putting food on the table—if they even have a table to begin with!

Fines can perversely incentivise committing other crimes for the simple purpose of survival. Also, as shown by robodebt, the threat of persecution can drive people to pay fines even when legally and morally they are not required to do so. Finally, where a vulnerable person fails to pay a fine for whatever reason, they can potentially be dragged through the courts, causing greater stress and financial hardship. As I have previously noted in this chamber, Australian researchers Julia Quilter and Russell Hogg have observed that:

... fines enforcement produces very real, but often hidden, hardships for the most vulnerable. Despite its familiarity and apparent simplicity and transparency, the fine is a mode of punishment that hides complex penal and social realities and effects.

It is an objective of the ACT Greens that fines, penalties and administrative systems should consider people's capacity to pay to ensure these systems do not unfairly increase the hardship experienced by disadvantaged people.

Almost exactly twelve months ago, this Assembly passed my motion noting the evidence of disproportionate impacts that fines have on vulnerable people and the consequences for vulnerable people when they do not pay their fines for whatever reason, whilst also calling for consideration of alternative pathways to resolving minor infringements. The ACT government's response to that motion was predicated on the idea that only the threat of losing personal funds or property can serve as a basis for incentivising good behaviour. Clearly, there is a need for deeper community consultation, contributions and creative ideas.

I thank my colleagues in the Standing Committee on Justice and Community Safety for initiating the inquiry into penalties for minor offences and vulnerable people. We need to ask questions about the agencies administering fines, how their discretionary powers are being exercised and whether the systemic impacts reinforce the values of being a risk-based, constructive, proportionate and effective response.

I would like to encourage members of the community, particularly those who have experienced hardship due to fines, to make submissions for the committee's consideration. Finally, we also need the community's creativity, lateral thinking, and good ideas, plus also the best practices from other jurisdictions, so that we in the ACT can be confident that our legal system actually encourages compliance and not merely continues the thinking that has led us to this point.

Aboriginals and Torres Strait Islanders—Stolen Generation

MS STEPHEN-SMITH (Kurrajong—Minister for Aboriginal and Torres Strait Islander Affairs, Minister for Families and Community Services and Minister for Health) (4.55): We recently marked the 15-year anniversary of Prime Minister Kevin Rudd delivering the National Apology to the Stolen Generations on behalf of the Australian government and parliament, so I wanted to recognise that 15-year anniversary in this place.

In the apology, Mr Rudd said:

We apologise for the laws and policies of successive Parliaments and governments that have inflicted profound grief, suffering and loss on these our fellow Australians.

We apologise especially for the removal of Aboriginal and Torres Strait Islander children from their families, their communities and their country.

The apology was a direct response to the landmark *Bringing them home* report 1997, albeit delivered years later than it should have been, thanks to the intransigence of John Howard and his government. Throughout the report, the impact of these policies and practices is described in visceral terms through excerpts from the accounts of members of the Stolen Generations. These include a submission from one of eight siblings who were removed and separated in the 1960s.

So the next thing I remember was that they took us from there and we went to the hospital and I kept asking – because the children were screaming and the little brothers and sisters were just babies of course, and I couldn't move, they were all around me, around my neck and legs, yelling and screaming. I was all upset and I didn't know what to do and I didn't know where we were going. I just thought: well, they're police, they must know what they're doing. I suppose I've got to go with them, they're taking me to see Mum. You know this is what I honestly thought. They kept us in hospital for three days and I kept asking, 'When are we going to see Mum?' And no-one told us at this time. And I think on the third or fourth day they piled us in the car and I said, 'Where are we going?' And they said, 'We are going to see your mother'. But then we turned left to go to the airport and I got a bit panicky about where we were going ... They got hold of me, you know what I mean, and I got a little baby in my arms and they put us on the plane. And they still told us we were going to see Mum. So I thought she must be wherever they're taking us.

Following the apology, the State Library of Queensland recorded the responses from Aboriginals and Torres Strait Islanders Queenslanders, capturing their impressions and feelings. These recordings are still available online.

Nadine McDonald-Dowd attended the apology with her mother, Veronica Anne McDonald, a member of the Stolen Generations. Nadine reflected on her mother's experience.

At the orphanage, they would celebrate the birthdays on one day. There were too many kids, too many cakes. They celebrate on the same day and get the same present. It was always a little matchstick doll and a little matchbox...She was just a number...The apology for her on that day was a final kind of recognition that “I actually—I exist. My name is Veronica Anne McDonald.”

John Wenitong was the National Indigenous Education Development Officer for the Cape York Institute. He reflected on the impact on his work one year following the apology.

In the scheme of things publicly, for the majority of mainstream Australian people, I do not believe it has done that much, to tell you the truth. But in the areas of government and in the areas of philanthropy and corporate Australia, it has woken them up. It has woken them up to, “Hang on a minute. Something really bad did happen and our forefathers were part of that. Our country was part of that.” That is starting to change philanthropy, corporate, and government attitudes to how they work with Indigenous people. I see that in my work all the time.

While progress has been made in the decades since the *Bringing them home* report was released, including the cultural shift advanced by the apology, we know that child protection systems across the country, including here in the ACT, continue to disproportionately engage with Aboriginal and Torres Strait Islander families, and that Aboriginals and Torres Strait Islanders children are overrepresented in out-of-home care.

The recommendations in the *Our Booris, Our Way* review and the advice of the Implementation Oversight Committee continue to guide the ACT government’s work in this space. Child protection work is complex and difficult at the best of times. It is now driven by the best interests of the children and not by some of the ideology that of course drove the Stolen Generations. But it is still a challenge. It is still a shocking overrepresentation. Building the change we need to see in the system is an enormous challenge, but it is one we must rise to. I know we must do better and so do our workers.

Heritage—Bass Gardens Park

MS VASSAROTTI (Kurrajong—Minister for the Environment, Minister for Heritage, Minister for Homelessness and Housing Services and Minister for Sustainable Building and Construction) (4.59):

Last November I had the pleasure of meeting Victor, a year 9 student at Canberra Grammar School, at the Narrabundah Family Fun Day. Victor is here today. As we were having a great conversation I was lucky to hear about his conservation work at Bass Gardens Park, a historic heritage park in Griffith. Bass Gardens Park was planted in 1930 and 1931 as part of the development of Blandfordia 5, a suburban heritage project in Griffith and Forrest. The Gardens Park is an integral part of Sulman’s Blandfordia 5 garden suburb design.

Planting was funded from Canberra's unemployment relief fund with contributions from the Canberra community making it truly one of Canberra's people's parks. I was fortunate enough to last week visit this park and meet with a large number of volunteers who care for this special patch. This park is a special mix of natural, environmental and heritage values.

As I wandered through the park I was briefed on the diversity of flora across the park. The grassland is home for the endangered golden sun moth (the *Synemon plana*) butterflies and a wide variety of spiders and visiting wallabies. There are more than 70 species of native grasses and forbs in this park. In a good spring and summer it is awash with yellow—oberlin lilies, goodenia, yellow rush lily, as well as the remarkable bright blue-purple blue devil and the green onion orchid. It is truly a magnificent sight.

I would like to acknowledge Sue Ross and her working bee, who have been working hard to weed, plan and maintain this 2.5 hectare park. In recent years the historic and ecological value of the natural temperate grassland has been identified as an important remnant type of this landscape. It is an important connection for First Nations people to country. It is Ngunnawal land and offers insight into how landscape has looked for centuries.

The importance of preserving Canberra's heritage parks is crucial. Our heritage parks add character and distinctiveness to the community and have a positive influence on many aspects of a way that a community develops. Improving public awareness of these parks is even more important. It is something that we want to keep for current and future generations, raising awareness about heritage conservation for children fosters a sense of pride and attachment. This is why the enthusiastic efforts of Sue and volunteers are so valuable. The importance of conservation grants and funding for signs and labels across Bass Gardens has informed people about post-colonial history, geology, plants, animals and the heritage of the grasslands.

The ACT Heritage Register is being improved to better protect and recognise these places into the future, keeping the stories they tell and the past that has helped to shape us. So I would like to thank Sue and her volunteers for their ongoing work to maintain the legacy of this wonderful park. I would also like to give a special shout out to Victor, who actually wrote this adjournment speech, so thank you.

Question resolved in the affirmative.

The Assembly adjourned at 5.03 pm.

Schedule of amendments

Schedule 1

Residential Tenancies Legislation Amendment Bill 2022

Amendment moved by the Attorney-General

1

Clause 2 (3), proposed new dot point
Page 2, line 20

insert

- section 37A

2

Proposed new clause 37A
Page 29, line 19—

insert

37A New part 19

insert

Part 19 Transitional—Residential Tenancies Legislation Amendment Act 2023

163 Notice to vacate served before commencement day continues in force

- (1) This section applies if—
 - (a) a lessor serves a notice to vacate on the tenant under clause 94 of the standard residential tenancy terms before the commencement day; and
 - (b) the tenant has not vacated the premises.
- (2) The notice to vacate continues in force despite the repeal of clause 94.
- (3) Clauses 94 and 95 of the standard residential tenancy terms as in force immediately before the commencement day continue to apply to the notice to vacate despite the repeal of the clauses.
- (4) In this section:

commencement day means the day the *Residential Tenancies Legislation Amendment Act 2023*, section 43 commences.

164 Expiry—pt 19

This part expires 2 years after the day the *Residential Tenancies Legislation Amendment Act 2023*, section 43 commences.

Note A transitional provision is repealed on its expiry but continues to have effect after its repeal (see Legislation Act, s 88).