



# Debates

WEEKLY HANSARD

Legislative Assembly for the ACT

**TENTH ASSEMBLY**

**22 March 2023**

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## Wednesday, 22 March 2023

Legislative Assembly—point of order (Ruling by Acting Speaker) .....	495
Petition: Housing ACT—vacant property—petition 09-23.....	496
Motion to take note of petition .....	496
National Multicultural Festival—2023 (Ministerial statement) .....	497
ACT Heritage Council—independent review—update (Ministerial statement) .....	501
Variation in Sex Characteristics (Restricted Medical Treatment) Bill 2023 .....	506
Unit Titles Legislation Amendment Bill 2023.....	510
International Women’s Day .....	514
Questions without notice:	
Canberra Health Services—data security .....	531
Canberra Hospital—Fetal Medicine Unit accreditation .....	532
Education—NAPLAN .....	533
Canberra Hospital—cardiology department .....	534
Gambling—harm minimisation .....	535
Health—Garran Surge Centre .....	537
Schools—staff welfare .....	538
Education—Future of Education equity grants .....	540
Schools—staff welfare .....	541
Education—funding.....	542
Gungahlin—multipurpose centre .....	543
Government—LGBTIQ+ inclusion strategy .....	544
Leave of absence.....	546
Light rail stage 2—traffic disruption .....	546
Retirement villages—dispute resolution.....	569
Revenue Legislation Amendment Bill 2022.....	580
Adjournment:	
Shepherds Lookout—Brontë Haskins tribute.....	581
Disability services—Abilities Unlimited.....	582
Ms Marie Coleman AO PSM—tribute.....	583

**Wednesday, 22 March 2023**

**MR ACTING SPEAKER** (Mr Parton) (10.00): 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—point of order Ruling by Acting Speaker**

**MR ACTING SPEAKER:** Members, I wish to make a statement concerning a point of order raised by Ms Stephen-Smith yesterday about remarks made by Ms Castley during a motion moved by Ms Castley. The motion canvassed, amongst other things, a call for action by the government to establish a permanent gynaecology oncology unit in the forthcoming budget.

Ms Stephen-Smith raised a point of order about a quote that Ms Castley gave in relation to the issues discussed in the motion and claimed that Ms Castley was misleading the community. The Assistant Speaker indicated that he would check the *Hansard* and would make a ruling at a future date, if required.

I refer members to page 334 of the second edition of the *Companion to the Standing Orders of the Legislative Assembly for the Australian Capital Territory*, where it states that:

The fact that members are criticised in the Assembly does not necessarily mean that standing orders have been breached. For example, the chair has declined to rule that words complained of were offensive or disorderly, stating that he was reluctant to get involved in nuances and emphases in what, on the facts available, appear to be essentially a political matter.

Later at paragraph 11.93 on the same page of the *Companion* it is stated that:

Claims that members have misled the community have not been ruled out of order.

Having considered the matter, I do not believe that the comments made were an imputation of an improper motive of Ms Stephen-Smith, and so I do not uphold the point of order.

## Petition

*The following petition was lodged for presentation:*

### **Housing ACT—vacant property—petition 09-23**

*By Dr Paterson, from 16 residents:*

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

This petition of certain residents of the Australian Capital Territory draws to the attention of the Assembly that: The following residents of the ACT draw the attention of the Assembly to the fact that a property owned by Housing ACT at No **10 Barnet Close, Swinger Hill**, has been abandoned and vandalized. Over the past seven years ambulance and police have had to attend this property on numerous occasions and most of its windows are now smashed and boarded up. Housing ACT has repeatedly failed to respond to the concerns of Barnet Close residents over safety and heritage values, despite the fact this part of Barnet Close has been protected under the Heritage Act since 2013.

Your petitioners therefore request the Assembly to call on Housing ACT to either safeguard or sell the property at 10 Barnet Close, Swinger Hill.

*The Clerk having announced that the terms of the petition would be recorded in Hansard and a copy referred to the appropriate minister for response pursuant to standing order 100, the petition was received.*

### **Motion to take note of petition**

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

That the petition so lodged be noted.

**DR PATERSON** (Murrumbidgee) (10.03): As a local member for Murrumbidgee, I am pleased support this petition from residents of Barnet Close in Swinger Hill who are passionate about protecting the heritage and the nature of their street. The petition was signed by 16 residents who are keen to see the currently unoccupied house of 10 Barnet Close cared for appropriately.

Barnet Close in Swinger Hill is a place of pride for those who live there, and the lead petitioner, Cara Chevers, has informed me that the street is one that sees many visits from architectural students and social historians—something the residents take pride in.

The petition calls on the government to sell the property because it is not currently being kept to heritage and community standards.

Question resolved in the affirmative.

## **National Multicultural Festival—2023**

### **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) (10.04): I am delighted to rise today to share my appreciation, and that of our community, for all those involved in helping to bring the 2023 National Multicultural Festival to life.

This year's extravaganza was the 25th milestone anniversary of one of the most loved events on the capital's annual cultural and events calendar. The festival, like many events around the world, took a three-year hiatus due to the global pandemic, but it made a huge comeback in 2023, with a record number of attendees. The collective dedication and efforts of many hundreds of volunteers, vendors, stallholders, coordinators, performers, contractors and staff resulted in this year's festival being hailed as the best ever in the history of the event—fitting for the 25th milestone anniversary.

During the festival weekend in February, hundreds of thousands of people flocked to the city centre across the Friday, Saturday and Sunday to see a jam-packed program of local, national and international performing artists—including dancers, singers, entertainers, bands and other culturally diverse creative contributions. Fuelled by delicious food and drinks from stalls across the event site, attendees enjoyed talent and performances from around the globe, with over 2,500 performers participating.

To bring this wonderful entertainment program to fruition required the work of many months of careful consideration, rehearsals, costume try-ons and passionate dedication from our communities to share their cultures and traditions with others. Many of the 260-plus food, drink and information stalls featuring cultures and countries from around the globe saw high volumes of trade in excess of expectations, with some selling out before the festival drew to a close. Glebe Park was added to the festival's footprint in 2023, with festival attendees exploring the site and enjoying stalls and activities in the shade throughout the weekend.

While words can describe the joy and excitement many felt during the festival weekend, it is the post-festival figures, Mr Acting Speaker, which truly demonstrate the success of this year's event. Let us begin with the biggest success of all—attendance. More than 350,000 people flocked to the 2023 National Multicultural Festival over three days, smashing the previous record. Almost one out of two Canberra households attended the festival at least once over the weekend. The time attendees spent at the event also increased significantly to 102 minutes per attendee, 30 minutes longer than they did in 2020. Collectively, that is a total of 595,000 hours spent at the festival in 2023, up from 207,000 hours in 2020, when attendee numbers reached 214,000.

For members' benefit, and as a courtesy, I just received this morning some further data. This is not in the statement circulated, but I do not think it would be controversial. It certainly paints a wonderful picture, as well, in that we have now received early findings that show that 17,951 visitors to the ACT travelled specifically because of the event that weekend or extended their stay in the ACT in order to attend

the event—up from 11,358 in 2020. This contributes to total visitor nights of 40,077, up from 22,206 in 2020. It is clear that this tremendous increase, which resulted in our record attendance, is due to the increase in the average number of nights attendees spent in the ACT and an increase in the proportion of interstate primary-purpose visitors.

For this year's attendees, the Canberra omnibus survey's initial finding was that a resounding 92 per cent were either satisfied or very satisfied with their experience at the festival. Again, we can contribute these amazing statistics to the offering across every inch of the festival footprint and at all times of day. In 2023 we had eight stages with rolling showcases and acts, three pop-up performance locations, two workshop venues in Glebe Park, and two family activity hubs in Civic Library and in CMAG. We had more than 325 performance groups, six headline acts, a record breaking 30 cultural showcases, 34 immersive and hands-on workshops, and 16 cooking demonstrations. Then there were the stalls. A total of 266 organisations took part as stallholders, including: diplomatic, multicultural and community information stalls; community groups and clubs; and commercial business operators. Attendees were able to visit 104 stalls on the Friday night, 184 on Saturday and 175 on Sunday.

Indeed, during the time that I spent wandering the festival footprint over the entirety of the festival weekend, the smells of the amazing array of food and drink on offer were nigh on intoxicating. From Middle Eastern style grilled meats on charcoal barbecues, to the tropical aromas of refreshing watermelon icy cups, to heaving pans of spicy Spanish paella bubbling away.

Each year, our National Multicultural Festival provides a platform for our diverse multicultural communities to proudly and loudly stake their claim to a share of the Australian story. It is a visible statement of their importance to our city's identity. The festival is part of Canberra's collective history, and, of course, our future. It is our way of celebrating and sharing the incredible cultural diversity upon which our city was built and that we know will continue to grow and flourish. I am proud to say that this iconic annual event is Australia's largest celebration of cultural diversity.

The event we know and love today is thanks to a passionate community who initiated a celebration of culture and diversity in the 1980s—a real grassroots origin. In reflecting on the history of the festival, it all started in the 80s with the ACT Ethnic Communities Council hosting the first festival celebrating cultural diversity in the capital. By 1988, the festival had grown to host about 40 international food stalls, music and dancing, and it was in 1996 that the event was first hosted by the ACT government. Fast forward to today: after emerging from the global pandemic, the annual National Multicultural Festival is now an iconic extravaganza that brings together more than 170 unique cultures which comprise our community. This year we had new cultures for the festival participate too, which was just wonderful to see.

As we reflect and show our gratitude to all involved in the 2023 event, we are now looking to build upon its success in the planning and preparations for 2024. A key takeaway from the 2023 event is how successful the expanded footprint was in terms of allowing for more space, comfort and participation of attendees. In planning future festivals, this will be a key consideration to ensure sustainability and access for all.

My personal gratitude, and that of the Canberra community, is with all those involved in contributing to the best National Multicultural Festival ever—very fitting for its 25th anniversary celebration. It truly was an event that was community led, exemplified by the values of our community, and it did set a new standard for community and business engagement. I take a moment, particularly in reflecting on the community engagement, to thank our Community Panel Reference Group—Malcolm, Gio, Chin and Toa. They were fantastic at every step of the way in guiding us and ensuring it did remain a community-led festival and all considerations were given to ensuring that that was part of all our decisions and felt in every step and every taste of the festival. Like previous years, we were so grateful to have so many people put their hands up to volunteer. Everywhere you looked there were people helping out, and many volunteers gave up their time more than once over the three days. We sincerely thank them.

As I said, it also set a new standard for cross-government collaboration. I would like to take this opportunity to put on the record my thanks to the festival team in the Community Services Directorate. Their effort is hard to quantify, but the outcome is very clear. We are very proud of them. They were supported by the efforts across many ACT government agencies and staff, which helped ensure the success of the event, most notably: the City Renewal Authority; Access Canberra; Transport Canberra and City Services; Everyday Climate Choices in the Environment, Planning and Sustainable Development Directorate; ACT Health’s Health Protection Service; and the ACT emergency services agencies. Again, all these staff worked hard in the lead-up to and across the event days in a way which was always constructive and focussed on delivering an event which was memorable and safe. A huge thanks also to all of the ACT government staff who volunteered their time during the event.

Mr Acting Speaker, the 2023 National Multicultural Festival left an indelible impression on me, as I am sure it did for every attendee. Work on making the 2024 festival even better has already begun.

I move:

That the Assembly take note of the paper as read.

**MR BRADDOCK** (Yerrabi) (10.17): I would like to join the minister in talking up the most successful, popular and probably loudest festival in the history of the multicultural festival. Three long years of pent-up enthusiasm unleashed themselves in three days of gastronomically-fuelled cultural exchange that was unsurpassed in the festival’s history.

I attended the festival in many forms—with family, as an official guest, a stallholder and, finally, I went as a “stomach on legs” wandering from offering to offering. Everyone I spoke to all agreed with everything I saw—that this was an outstanding celebration of multiculturalism.

The statistics the minister has just mentioned demonstrate the success of over 350,000 people attending over the three days, or one in two households attending at least once. This demonstrates how much the festival is a treasured fixture on people’s cultural and social calendars.

I too would like to thank and acknowledge the collective dedication and efforts of hundreds of volunteers, vendors, stallholders, coordinators, performers, contractors and backroom staff. This resulted in this year's festival being hailed as the best ever in the history of the event. I too agree that the expanded footprint was a definite plus in terms of improving the flow of foot traffic and reducing the impact of queuing on festival enjoyment.

I would also like to say the celebration of multiculturalism is important in our work towards becoming an inclusive and welcoming city. Through sharing and celebrating each other's unique culture and food, we develop understanding and appreciation of diversity in all its forms—thus supporting our community to becoming more inclusive, tolerant and welcoming of each other.

**MS STEPHEN-SMITH** (Kurrajong—Minister for Aboriginal and Torres Strait Islander Affairs, Minister for Families and Community Services and Minister for Health) (10.19): I want to joint with Minister Cheyne to celebrate the success of the 2023 National Multicultural Festival. I am disappointed that she did not mention the fantastic momos as part of her food list, but I will take the opportunity to do that! Of course, there were so many other foods that could have been mentioned as well.

The festival is really one for people of all ages, all abilities and all backgrounds. That is what makes it so incredibly special for Canberrans and why we have seen such incredible numbers of people attending. I join with others in recognising that the choice to expand the footprint to Glebe Park was absolutely demonstrated to be the right choice and led to a festival that was very busy but significantly less crowded than it has been in previous years. It was a fantastic success alongside all the other additional spaces that have been created over the years for children, for families and for people who may be need a little bit of quiet timeout.

I join with Minister Cheyne in congratulating the festival team in the Community Services Directorate and the Office for Multicultural Affairs for retaining and reinforcing that community focus, and for thinking about people right across our community and how they can enjoy the festival. I do want to take the opportunity, particularly, to thank those in the Health Protection Service. As Minister Cheyne has said, to ensure that an event of this size runs smoothly there are a huge number of people behind the scenes who work incredibly hard. Ms Cheyne has noted teams of volunteers, vendors, stallholders, performers, contractors and staff, and the significant number of staff and volunteers from right across the ACT public service. This is a huge cross-directorate collaboration. I do want to acknowledge the many staff from the Community Services Directorate who organised the festival and who participate as volunteers every year. We see them walking around in their vests and doing an incredible job keeping the thing moving.

I would also particularly like to acknowledge the team of environmental health officers from the Health Protection Service in the ACT Health Directorate. Beginning preparation six months ahead of the festival, these officers participated in pre-planning workshops and event coordination meetings, and they fielded scores of community inquiries. They provided advice at two public information sessions on food safety, event registration, stall set-up and layout, and handwashing and



temperature control requirements. Sixteen environmental health officers spent approximately 182 hours at the festival across the day and evening shifts, and during the festival they completed a total of 283 food safety inspections. This important work contributed to ensuring the festival was a safe and enjoyable event for all. I would like to add my acknowledgement of the work of this team and all of those across the community who contributed to the National Multicultural Festival being such a success. I extend my gratitude for everybody's hard work.

**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) (10.23), by leave: I present the following paper:

2023 National Multicultural Festival—Ministerial statement, 22 March 2023.

I move:

That the Assembly take note of the paper.

Question resolved in the affirmative.

### **ACT Heritage Council—*independent review—update*** **Ministerial statement**

**MS VASSAROTTI** (Kurrajong—Minister for the Environment, Minister for Heritage, Minister for Homelessness and Housing Services and Minister for Sustainable Building and Construction) (10.23): I rise to brief the Assembly on the outcome of the freedom of information decision on the release of the full report into the review of the ACT Heritage Council, which I tabled with the Assembly to address the motion of 9 February 2023. I note the decision made by the information officer under the Freedom of Information Act on 23 February 2023 to release the full report with the redaction of all details that may reveal personal information or the identity of individuals. That decision and the associated documents were provided to the applicants and included on the disclosure log of the Environment, Planning and Sustainable Development Directorate and the Open Access Information Scheme.

I have previously briefed the Assembly on my decision in August 2022 to direct EPSDD to undertake an independent review on the council's performance and the relationship between council members and the ACT Heritage unit in the Environment, Planning and Sustainable Development Directorate. This review was completed by Nous Group and painted a concerning picture. The review confirmed there were wide-ranging and complex structural issues impacting the performance and relationship of the council and ACT Heritage. I was saddened and disappointed by the findings.

As Canberra continues to grow, the community and the government, now more than ever, require well-functioning heritage arrangements to ensure the ACT's natural, cultural and Indigenous heritage are recognised, registered and conserved for future generations. This requirement relies on good legislation and an effective Heritage Council that delivers its statutory functions under the Heritage Act 2004 in a collaborative and professional manner.

I value and promote transparency as a pillar of good government. Throughout the review and my decision making, I have kept the Assembly and its standing committee, my colleagues and the public informed. I released the executive summary of the report from the review in an expeditious manner. In doing so however, I have worked to ensure that the privacy, safety and welfare of the members of the Heritage Council and the current ACT Heritage officials who contributed to the review are protected. I again thank all members of the former council and ACT government officials who contributed to the review for their time and transparency around the issues presented. I acknowledge the impact and the toll this has had on them and respect their right to privacy and fair treatment.

I have tabled the redacted report released under freedom of information in the Assembly in accordance with the agreed motion. I will continue to make information available about the next steps for the interim council and the progress and way forward for the comprehensive review that I have announced.

As Minister for Heritage, my focus is now on building better heritage arrangements for the ACT and restoring public trust and confidence. The directorate and I are moving expeditiously to recruit a new interim Heritage Council, progress a review and deliver planned upgrades to the ACT Heritage database. It is a government priority to have a functioning, effective and collaborative Heritage Council in place as soon as possible. To ensure due diligence and best practice, there is a robust process of consultation to occur before I can appoint members. The recommendations must be considered by cabinet, the ACT diversity offices and the standing committee. I am looking forward to announcing the interim council very soon.

The directorate has undertaken a robust procurement process to engage a consultant to undertake the heritage review. This review will deliver a roadmap for reform. It encompasses a comprehensive jurisdictional review to source the best practices and ideas from other Australian and international jurisdictions. It will look at the whole heritage framework, legislation, structure, policy, procedures and systems and deliver a new operational model. I am looking forward to the report on the first phase of the review in June 2023. Consultation is paramount to the success of the review and I am committed to making this review an open and collaborative process. Key stakeholders including registered Aboriginal organisations and First Nations people will be engaged in the discussion of what we need to do and will have opportunities to contribute to how we intend to do it. The government has offered to share information with the Assembly inquiry into heritage arrangements being undertaken by the Standing Committee on Environment, Climate Change and Biodiversity.

It is also a government priority to have a functioning, effective and collaborative Heritage Council in place as soon as possible, as I have noted. We have commenced a recruitment campaign and we have received a very strong response from high calibre applicants. Work is now also well underway to develop the requirements of the new systems that may assist ACT Heritage. Over 2023 the database project will also include an extraction of historical data so it can be more efficiently searched. I will continue to update the Assembly on the progress of this project as it progresses.

Workload pressures in ACT Heritage, particularly in the approvals and advice area, have increased over several years and is reflective of a growing Canberra. These pressures have resulted in extended timeframes for the processing of development applications and referrals for advice. The review identified the impacts and challenges of these pressures and the impact it has had on the staff in ACT Heritage and on the ACT Heritage Council. The directorate has moved quickly to augment resourcing within ACT Heritage. These augmented resources are helping to address the immediate workload pressure and there is workforce planning underway to identify resource gaps against future needs.

A key aspect of the heritage reforms being delivered by this government will be the development of a strategic framework for the management, conservation and protection of heritage in the ACT. The strategic framework will provide the government, the Heritage Council and the community with a comprehensive direction for heritage in the ACT. It will ensure we have an overarching framework for ongoing decision making and public engagement on heritage.

The initial document to support this will be the strategic business plan for ACT Heritage, which is proposed to be developed through 2023-24. This will identify the proposed pathway to implement the government's reforms, including key performance indicators, to ensure that the success of ACT Heritage can be measured and reported on. A strategic and outward facing heritage statement of intent will be developed as part of the future reform. It will clearly state the future vision for heritage and define the objectives and the direction of heritage in the ACT. This statement will reflect the combined learnings from the government's comprehensive review and the establishment of the interim council, as well as the findings from the Assembly inquiry.

The government continues to work hard to progress reforms to ensure the ACT's heritage is identified, protected, conserved and promoted. I would like to express my gratitude to the hardworking staff of the heritage unit who are bringing all of these changes to life. I commend the release of the FOI decision into the ACT Heritage Council review to the Assembly as an important first step to informing our reform journey.

I present the following papers:

ACT Heritage Council Review—Ministerial statement, 22 March 2023.

Review of the ACT Heritage Council—Report for internal use—ACT Environment, Planning and Sustainable Development Directorate (Redacted), dated November 2022, in response to the Assembly Resolution of 9 February 2023.

I move:

That the Assembly take note of the papers.

**MS LAWDER** (Brindabella) (10.32): I would like to thank the minister for her ministerial statement this morning. I have had the opportunity prior to today to look at the document that was provided because I received it under FOI. What we have seen

here is an 11-page document. Page 1 is the introduction and page 2 is an executive summary of the risks. Page 3 is completely redacted. Page 4 is completely redacted. Page 5 is completely redacted. Page 6 is completely redacted. On page 7 there are two lines—there is a heading and the rest is completely redacted. On page 8 there is maybe half a page, less than half a page, and the rest redacted. There is a little bit also on page 9. Page 10 is completely redacted. Page 11 is completely redacted.

It makes you ask, Mr Acting Speaker, what is the point? The government are only doing this because they have been compelled to do it. They are not doing it because they believe in transparency and accountability. To try to get this information, to perform our role of scrutinising the government and holding the government to account, we have tried to use many tools—the ones available at our disposal, including standing order 213A, which was introduced in 2019 as part of the Labor-Greens agreement that was signed at the end of 2008 about how to deal with disputes over crown privilege and the tabling of documents. Mr Rattenbury spoke in that debate. But how the tables have turned! How much has the discussion here changed! Now that the Greens are part of government and they have ministers in the government, they do not actually care about transparency and accountability. What they care about is that pattern of cover-up and secrecy. We have seen that in many instances here, including most recently just yesterday with regard to the data privacy issue. These issues do not come to light unless the media have an intervention.

This government thrives on cover-ups. I have said before in this place that it is quite possible the minister has done exactly the right thing, but how would we know? How can we perform our role as an opposition when we are treated like mushrooms? We are treated like mushrooms. Even trying to use all the tools at our disposal in the standing orders and FOI, we are stymied again and again. I think it is quite shameful. I do not really understand how the Greens can lie straight in bed at night, when they argue for something when they are not technically part of government and then when they become part of government they become complicit in trying to stop the opposition from performing their role as an opposition. It is very sad. There are a couple more than 11 pages, but the couple of other pages includes the front cover, the back cover and three pages such as the table of contents. So it is about 15 pages all up, the vast majority of which—maybe 11 pages, maybe 12 pages—has been redacted. Thank you very much, Minister, for your statement and for the release of that heavily redacted document, which is all but useless to an opposition trying to perform their role!

What this does is create a fire. It creates an understanding that there is something to hide. It creates a frenzy of speculation about what is going on, instead of being upfront, instead of coming out with it straight away. We had comments in the *Canberra Times* just this morning about that, with regard to the data privacy issues that we are talking about this week. Why not be upfront? Why try and hide it as long as possible, as often as possible and as much as possible? Why not just come out with it, saying, “Well, okay. Here it is. This is what we have done”? Instead, you are creating more and more and more questions—more and more unrest. In the meantime, people in the heritage community are unsure exactly what is going on. If you are one of those people who were previously on the heritage council, I think you would be deeply disappointed about the way that this has been handled.

Once again it is very, very difficult to see any positives in this, given the secrecy, the cover-up and the lack of accountability that this government chooses to apply across the board to any issue, whether it is about data privacy breaches right through to heritage. There are a huge range of issues there. I think it is really, really disappointing and devastating for the people of Canberra that this is the way this government chooses to operate.

**MR RATTENBURY** (Kurrajong) (10.38): I think that last contribution does warrant some response, because Ms Lawder has portrayed matters in a way that is simply inaccurate and reflects either a deliberate filtering of events to suit her political agenda or a lack of understanding. Ms Lawder has talked about the report that the minister has tabled today and talked about the minister. She has really inferred the minister redacted the document. It is quite clear under freedom of information processes that those decisions to redact are taken by an independent decision maker, that is not the minister, under the Freedom of Information Act. If Ms Lawder has a bone to pick about the way the FOI has come out, she either needs to recommend changes to the Freedom of Information Act or she needs to go to the ombudsman, as she is entitled to under the Freedom of Information Act. If she has not chosen to do that, that reflects a lack of diligence on her part.

**Ms Lawder:** What about 213A?

**MR RATTENBURY:** I will come to 213A. She has already interjected less than a minute into my remarks, after we sat and listened to her in silence while she besmirched the minister. I will come to 213A now but first of all, Ms Lawder should recall that if she wants to dispute the decision of the independent decision maker in the public service who made the decision under the Freedom of Information Act, she should go to the ombudsman.

Actually do some hard work—get onto it, have a go, challenge the decision and use the powers that are available to you. When it comes to 213A, yes, last sitting we voted to amend Ms Lawder’s motion under standing order 213A because there was a freedom of information process underway. There is already—

*Ms Lawder interjecting—*

**MR RATTENBURY:** Keep interjecting, Ms Lawder. Go for your life.

There was already a process underway through an independent decision maker. Whilst the opposition is happy to set all the hares running, I think it is reasonably sensible to let one process complete before the other one comes in. We talked about this ahead of coming in today. If Ms Lawder had the tactical nous to come in here again today moving another motion under standing order 213A because she was dissatisfied, we were prepared to support it. The fact that she has not thought that through is not our problem. You know, there is another process there; there are a series of things. But Ms Lawder has come in here and basically just thrown her hands up in the air because an independent decision-maker has made a decision she does not like. She is not availing herself of the tactics that are available to her.

On the qualitative issues, let me make this comment. Ms Lawder has talked about secrecy, cover-up, a lack of accountability and members being disappointed that this

report has not been made fully public. What she fails to reflect on is that these are difficult matters for which people's personal reputations are at stake. I think the minister has done an excellent job of trying to balance that difficult situation where we have seen a serious breakdown in the relations in the Heritage Council. The minister has acted swiftly and decisively to deal with those matters. Does everybody involved in that need to have their dirty laundry aired everywhere for general public discourse? That is a difficult conversation.

What I do know is that the Minister has sought to be proactive in briefing both Ms Lawder and the relevant standing committee in detail ahead of the public release of some of this material. That is not a minister who is seeking to be secretive or to have a cover-up. She has sought, in a sensitive way for matters that are difficult, to engage the relevant members of this Assembly in the nuance and the difficulty of the situation.

Now, there are debatable points here but I cannot accept the narrative that Ms Lawder has attempted to put on the table, nor her distortion of the decision-making processes that have led to this document being released in the form it is. I think it is important that those matters are put on the record in this chamber today.

Question resolved in the affirmative.

## **Variation in Sex Characteristics (Restricted Medical Treatment) Bill 2023**

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

Title read by Clerk.

**MR BARR** (Kurrajong—Chief Minister, Treasurer, Minister for Climate Action, Minister for Economic Development and Minister for Tourism) (10.43): I move:

That this bill be agreed to in principle.

I am pleased to present the Variation in Sex Characteristics (Restricted Medical Treatment) Bill 2023. This bill is an internationally significant reform in protecting the rights and choices of people with variations in sex characteristics. It recognises that people with variations in sex characteristics should not be subject to harm through inappropriate medical interventions. It affirms that they are entitled to make their own decisions about medical treatments that affect their bodies.

Having a variation in sex characteristics means that parts of your body, like genitals or features that emerge in puberty—breasts, body hair or facial hair—do not fit medical and social norms for female or male bodies. Variations in sex characteristics are about the body you were born with and are not the same as being transgender. Variations in sex characteristics are also called intersex.

Parents and families of intersex children have not all received the support and help that they have needed to navigate decisions and treatment pathways for their child. Some variations in sex characteristics can involve significant health risks, requiring

urgent medical care, which should always be provided. However, other variations result in differences that do not need any medical action.

Our society is not always accepting of diversity in people's bodies. For people who are intersex, this can lead to medical interventions driven by the assumption that all bodies should appear the same, fitting binary norms of male and female. Sometimes families are worried about their children growing up with bodies that are different from those around them, and this can happen even when the differences in their bodies do not cause health problems. This can result in proposals to undertake unnecessary medical interventions before the person can make a decision for themselves, and it is these treatments that this bill seeks to regulate.

Evidence from intersex people who have received these kinds of treatments in childhood or in adolescence, before they could decide for themselves, reveals the extent and the long-term impact of these experiences. For some intersex people this has included pain, complications requiring additional surgeries, anxiety, depression, or being subject to medical treatments to conform with agenda not in accord with their identity. For decades intersex people have called for these treatments to be deferred until a person is old enough to be able to decide for themselves.

National and international reviews have repeatedly recommended that changes be made to provide better care to intersex people and more support to families, and to stop practices that risk harm. This bill heeds those calls. The ACT is the first jurisdiction in Australia, and one of the first in the world, to make this a reality. Over the last four years, extensive consultation has occurred with experts and intersex community representatives across Canberra, across Australia and internationally. This work has been undertaken to design a nation-leading and world-leading scheme to protect the human rights of intersex people in medical settings.

Central to the reform I introduce today is a fundamental principle that people, including children, should always be involved in decisions about irreversible and non-urgent medical interventions made to their bodies. This bill establishes new decision-making processes to be applied when irreversible medical treatments are being considered for people with variations in sex characteristics. Its effect will be to permit these interventions only when they meet the criteria set out in the bill.

Under the bill, a restricted medical treatment is a surgical or medical procedure or treatment, including the prescription or administration of a drug, that permanently changes the person's sex characteristics or which makes changes to the person's sex characteristics that are reversible only with a further medical procedure or treatment.

Examples of treatments to which the bill will apply include labiaplasty, clitorrectomy, phalloplasty and gonadectomy. It also applies to hormone treatments that cause permanent changes to a person's sex characteristics, such as breast growth or change in vocal pitch. The bill is designed to protect the rights of people who lack the capacity to make their own decisions about treatments to their bodies. In most cases they will be children who do not yet have the maturity to make a legal decision. The bill will also protect adults who have been assessed not to have the legal capacity to make some health decisions and are under guardianship, to assist them with those decisions.

If such restricted medical treatments are proposed for a person with a variation in sex characteristics and they cannot make the decision for themselves then those treatments will need to be consistent with a treatment plan that has been approved by an assessment committee of the restricted medical treatment assessment board which is established by the bill. Assessment committees will be convened whenever a treatment plan application is received. The applications may be for an individual or for types of variation in sex characteristics or for particular types of treatment. The committees will be made up of people with relevant experience from the fields of medicine, human rights, ethics, psychosocial care and lived experience of variations in sex characteristics.

The committees will apply criteria set out in the legislation and will approve any application that meets the criteria. The central criteria are, first, that undertaking the treatment rather than deferring it is needed to avoid significant harm to the person, and, second, that the treatment proposed is the one that keeps the most options open for future treatment. The criteria also require committees to consider the views of the person who will be receiving the treatment and to test whether sufficient information and support has been provided to the person and their family before treatment is approved.

Once a treatment plan has been approved, treatment can occur, as is currently the case. If anyone affected by a treatment plan decision has a concern about the outcome, there are rights of decision review built into the legislation. They can seek a review by a fresh committee of the restricted medical treatment assessment board and, if still not satisfied, will have access to review by the ACT Civil and Administrative Tribunal.

I am proud to introduce legislation which is an innovation at the forefront of reforms nationally and internationally. We have committed to a review of the legislation after its first two years of operation to address any issues that arise during the early stages of implementation. Annual reporting of medical interventions under treatment plans, as well as reporting on exempted treatments, will provide insights into the effectiveness of the scheme and provide evidence to support future review and refinement of the scheme. The scheme will have a phased implementation so that new supports are available immediately, avoiding disruptions to care for families already navigating these treatments.

The bill will be supported by a regulation which provides greater detail about what variations in sex characteristics are protected by the bill, as well as other details about the bill's operation. I intend for this regulation to be in place prior to the commencement of this bill, if passed by this Assembly. I will be publishing a copy of the draft regulation, along with answers to frequently asked questions, on the Office of LGBTIQ+ Affairs website later today.

This morning I am encouraging all members in this place to read the draft regulation, in conjunction with the bill. I extend an offer to any member today who wishes to discuss this reform or to receive further briefings to get in touch with my office.

This bill is not about creating additional red tape in our hospitals or about curbing the rights of parents. This bill is about improving care for extremely vulnerable people,



including infants, and increasing the support available to parents when they are making very difficult decisions.

This bill does not regulate decisions where the person themselves is consenting to the treatment, including a legally consenting child. The capacity to consent is covered by existing common law and is unchanged by this reform. It does not replace parental decision-making. Parents will be able to choose and consent to any treatment that the committees have agreed should be available. Parents will be able to apply for treatments to be approved. Parents will remain the people who consent to a treatment where their child is not providing that consent themselves.

This bill does not displace the important role of hospital multidisciplinary teams. The government supports referral to these teams, and advice from these teams would be among the information a committee would consider when making decisions. This bill will not prevent urgent medical treatments. The focus is on treatments which can be deferred without medical risk and allowing children to be as involved as possible in the treatments they receive.

On behalf of all of my colleagues in the government, we are proud of the reform we present to the Assembly today, but it is important that we take this moment to acknowledge why the reform is necessary. We are here today because of the long journey and the traumatic experiences of many people in our community. Intersex people have been harmed. Some of the treatments they received did not meet their care needs. Treatments did not uphold their rights—treatments that were undertaken without their personal consent and that have caused them lifelong distress.

To people with variations in sex characteristics, and their families, who have experienced these harms, whether they are listening here in the Assembly today or whether they are out in the community, we offer a new approach, an approach that seeks to prevent those experiences from being repeated. The ACT government holds up this bill and the reforms that are implemented alongside it as a promise of change. We endeavour to work with each individual to ensure that each person is respected, celebrated and, most importantly, given every opportunity to make their own decisions about their own body.

I want to acknowledge the many people with variations in sex characteristics who have made this reform possible. For their advocacy, I thank A Gender Agenda, Intersex Human Rights Australia and Intersex Peer Support Australia. I particularly recognise the tireless work of Morgan Carpenter. Thank you, Morgan. I would also like to thank Equality Australia for their assistance. I express my deep gratitude to those who have engaged with us in this process and who have shared their stories with us. These people include two Canberrans I am very proud of, Cody Smith and Steph Lum, two champions of the intersex community who have called for changed behaviour and approaches to treatments and increased visibility of diversity of bodies.

The government is proud of Canberra—that we are an inclusive city, the most inclusive in Australia. We are proud to be continuing our steps in implementing our Capital of Equality Strategy. This bill is a really important element in fulfilling that strategy.

Alongside the bill, and really importantly, the government is investing in new services and supports. We are establishing the variation in sex characteristics unit at the Canberra Hospital, with specialist staff, to support people with variations and to support their families. We are boosting our commitment to peer support services and we are providing new training packages for health professionals.

The government recognises that there have been many advances in medicine over recent decades, including greater treatment choices and better recognition of the importance of providing options for intersex people to defer treatment. This bill strikes an appropriate balance between ensuring that medical professionals can provide timely and best practice care and support, and ensuring that intersex people, their carers and families feel informed and, most importantly, feel supported in their journey to make the right decisions about their own bodies and their own medical treatments. With all of my heart, I commend this bill to the Assembly.

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

### **Unit Titles Legislation Amendment Bill 2023**

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

Title read by Clerk.

**MR GENTLEMAN** (Brindabella—Manager of Government Business, Minister for Corrections, Minister for Industrial Relations and Workplace Safety, Minister for Planning and Land Management and Minister for Police and Emergency Services) (11.02): I move:

That this bill be agreed to in principle.

I am pleased to present the Unit Titles Legislation Amendment Bill 2023. The unit titles reform project commenced in 2016. The aim of the project is to look at unit title laws and policies and how they can be improved to better support those who live, work and invest in the ACT, and, in particular, to deal capably with mixed-use developments. Extensive consultation with stakeholder groups was undertaken in 2016-17 to identify key issues, followed by an internal government review.

The reforms are being progressed in two stages. Stage 1 of the reforms, outlined in the Unit Titles Legislation Amendment Act 2020, commenced in November 2020. This act introduced several positive changes for unit owners and prospective buyers. These included better decision-making processes for owners corporations to deal with financial matters and rules; improved disclosure requirements for buyers of off-the-plan units, including more information up-front and updates when important details in the development change; new requirements for building maintenance to make it clearer to owners and buyers what their responsibilities are; and encouraging more pet-friendly units plans, with improved pet rules and streamlining arrangements for assistance animals.

Further improvements to the unit titles laws were also made in the Planning and Unit Titles Legislation Amendment Bill 2020, which included some minor amendments to

support implementation of the stage 1 reforms; and the Planning and Unit Titles Legislation Amendment Bill 2021, which made some minor amendments to simplify the process for lodging a building management statement.

We have continued to work with the Unit Titles Reform Consultative Group on the second and final stage of this project. The consultative group includes representatives from the ACT Law Society; the Housing Industry Association, ACT/Southern NSW; Legal Aid ACT; Master Builders ACT; the Owners Corporation Network (ACT); Planning Institute of Australia (ACT); the Property Council of Australia (ACT Division); the Real Estate Institute of the ACT; the Strata Community Association (ACT); and the Surveying and Spatial Sciences Institute (ACT).

The consultative group made suggestions for reform, reviewed the draft legislation, provided feedback on implementing the reforms and distributed communication materials to their stakeholders. I thank each member of the consultative group for their time and their important contributions to this project.

The unit titles reform project completed a range of other ACT government projects under the Managing Buildings Better reforms, including the Better Building Quality program, the Planning System Review and Reform Project and implementation of the ACT Planning Strategy. In addition, improvements to the unit titles legislation support the reforms to residential tenancy and occupancy laws underway since 2016.

The bill amends the building damage scheme under the Unit Titles Act 2001. Sections 152 and 159 of the act provide that, unless it is reinstated, the elimination of a unit within a class A units plan may occur. The eliminated unit would then be included as common property for the units plan. In the circumstance of a two-unit class A units plan, the elimination of the unit should not be permitted, as a units plan cannot consist of only one unit. In this circumstance the units plan should be cancelled, in accordance with section 160.

The bill also amends the Unit Titles Regulation 2001 to update the process for unit titles assessment reports, as well as the specified content and accompanying material required for an application. The unit titles application process requires, amongst other things, a certificate of operational acceptance and a certificate of occupancy and use. The requirements for these certificates are similar; however, a certificate of occupancy and use can only be granted after a certificate of operational acceptance is issued.

Consultation with industry has indicated that the unit titling process, including the applications and approvals processes, could be further refined and expedited. It is therefore proposed to amend the regulation to enable a unit titles application to be lodged with the planning and land authority, and for assessment of the application to commence, with final approval being subject to asset acceptance and the issuing of a certificate of occupancy and use.

The bill amends the Unit Titles (Management) Act 2011 to simplify the requirements for updating a units plan's corporate register. Currently, the act requires owners to inform the owners corporation when they enter into an agreement to transfer the lease within 14 days of the contract exchange. The bill amends the legislation to only

require notification once the settlement has occurred, as this ensures that the lease change will proceed and avoids duplication of reporting.

The bill clarifies the fees and timing of the unit title certificates. The act currently requires an owners corporation to, upon request, provide a certificate to an owner with information about the unit and the common property. Section 119(1)(b) allows for an update of the certificate to be provided, and specifies a lower cost for updated certificates, but does not provide a time limit in which an update can be requested.

This has caused challenges, as some people have requested an update after a significant period of time, rather than a full certificate. This requires the same amount of work to be done as for a full certificate, but at a reduced cost, which is an onerous obligation to be placed on the owners corporation. The bill amends the legislation to limit the time for an update to be requested to be within four months of the original certificate being provided.

The bill provides a further clarification about recovering the costs of paying an insurance excess. Under section 100A(2) of the act, the responsible entity for a units plan is required to lodge an insurance claim and pay any excess in relation to the claim. There is some confusion about the interaction of this section with section 31 of the act, which allows an owners corporation to recover expenses due to a wilful or negligent act or omission. The bill clarifies that owners corporations may recover insurance excess costs where the requirements of section 31 are met.

The bill updates the requirements to register alternative rules on title. Executive committees are currently required to maintain a set of consolidated rules for the records of the owners corporation. However, the registration of rules with the Land Titles Office only requires an amended rule or rules to be registered. This can cause confusion for prospective owners and other people viewing a units plan's records and trying to establish what the current rules of the owners corporation are.

To address this, the bill requires a full set of alternative rules to be registered whenever the owners corporation makes amendments to the rules. It does not require them to provide a consolidated set of all rules, because the majority of owners corporations use the default rules set out in the act. The act further provides that if an owners corporation amends its rules it must register the rules within three months of the date of the decision; otherwise, the rules are deemed to have not been made.

Stage 1 of the unit titles reform project introduced building management statements and building management committees to help coordinate shared facilities, access and easements in multi-lease buildings. A building management statement is mandatory for any new multi-lease developments that include a units plan. This bill establishes a mechanism for existing multi-lease buildings with a units plan to opt in to a building management statement, via a special resolution. The special resolution process is appropriate, as signing a building management statement is a significant decision to make and commits the owners corporation to financial and legal obligations.

The bill clarifies the audit requirements under the act. The act prescribes that an audit must be completed if the annual budget of the owners corporation is more than \$250,000. It is unclear whether this applies to the budget of the general fund,

the sinking fund or both. The bill provides that the annual budget includes levy contributions, owners corporation income and any other amounts held. This is similar to the approach taken in New South Wales.

The bill improves the process for managing insurance in class B units plans. The act allows class B unit plans to exempt themselves from having building insurance for the whole complex, typically if each individual unit is insured. Once a decision is made, it later lapses at the next annual general meeting. This is an issue, as there is no notification of its exemption lapsing, which could leave prospective owners unaware that their unit or another one in the units plan is not covered by a plan-wide insurance policy, potentially even leaving it uninsured.

The bill requires the decision to be exempt from building insurance to be registered on the title. This will provide a proper process for the exemption and ensure that the decision has been notified to owners. The exemption can then only be lifted through a resolution of the owners corporation and the exemption will not apply to public liability insurance, which is still required.

The bill also allows owners corporations to sublease common property. The subleasing of common property within unit titled buildings for revenue purposes is currently prohibited under the act, but it is permitted in other jurisdictions, including Queensland, New South Wales and Victoria. This is a growing area of interest for many owners corporations who are looking to utilise unused areas of the property or provide additional services to residents. The bill allows the subleasing of common property through a special resolution for a maximum of five years, to enable minor activities such as businesses hiring the space for a coffee cart, florist or parcel locker. The bill makes clear that these businesses and activities must not unreasonably interfere with people's access to, and use and enjoyment of, those individual units.

The bill updates the requirements to provide multiple copies of units plans, now that they are lodged in an electronic format. Previously, upon approval of a units plan, the planning and land authority provided the approved plans to the Land Titles Office and to the applicant. Upon registration, the Land Titles Office notified the applicant and the authority in writing. The bill removes the requirement to provide multiple copies of the units plans and reflects the new process of notifying the applicant and authority of the registration of the units plan.

Finally, the bill makes further improvements to the provisions about installing sustainability infrastructure, to clarify when consent may be withheld. Following the stage 1 reforms, the owners corporation cannot unreasonably withhold consent for the approval of the installation of sustainability infrastructure in or on a unit or the common property, or make a rule prohibiting or restricting its installation, operation or maintenance. The installation of these provisions is to ensure that a unit owner can access or improve the sustainability of their unit or subsidiary, as well as improving the overall environmental impact of the units by, for example, reducing carbon emissions or water usage.

However, there are circumstances where the installation may be cost prohibitive or may impede another unit owner's equal access to similar sustainability infrastructure in the future. For example, the installation of an electric vehicle charging point for a

unit owner may require a major upgrade to the existing network or result in significant impact on the electrical loading for existing electrical conduits and prevent another unit owner from installing a charger as it may overload the electrical system.

In this instance, all members of an owners corporation might benefit from a more considered approach, such as upgrading existing electrical infrastructure to improve access to EV charging, or, in the short term, the installation of a shared charging facility. This provision will allow owners corporations to make decisions that avoid disadvantaging some unit owners and users. It will bring additional scrutiny to the consent process for application to install sustainability infrastructure, without conflicting with the original intention to allow and promote greater access to sustainability infrastructure. The bill provides two further examples where permission to install sustainability infrastructure is not unreasonably withheld—financial considerations and equity of access.

To complement the bill, a package of communication materials and legislative instruments is also being prepared to address further unit titles issues such as repairs, access to the sinking fund, payment of insured excess, attendance of non-members at meetings, independent building certification and the expiry of the developer control period.

I am pleased to present this bill, which delivers on stage 2 of the unit titles reform project, to deliver a fairer and easier way to live and work together.

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

## **International Women’s Day**

**MS STEPHEN-SMITH** (Kurrajong—Minister for Aboriginal and Torres Strait Islander Affairs, Minister for Families and Community Services and Minister for Health) (11.18), by leave: I move the motion circulated in Minister Berry’s name:

That this Assembly:

- (1) notes that International Women’s Day occurred on 8 March 2023 and that the theme this year was “Cracking the Code: Innovation for a Gender Equal Future”, and that:
  - (a) International Women’s Day is a global day to celebrate the social, economic, political and cultural achievements of women; and
  - (b) creating equal opportunities and removing barriers for girls and women to enter traditionally male dominated industries requires systemic changes;
- (2) notes that women experience disadvantage in a myriad of ways which are individual and unique, as are their circumstances, and:
  - (a) that culturally and linguistically diverse, disabled women, non-binary, transgender and gender diverse people experience disadvantage, abuse and discrimination at higher rates; and
  - (b) acknowledges that Aboriginal and Torres Strait Islander women experience domestic, family and sexual violence at higher rates and face higher barriers to their full economic and social participation than the general population;

- (3) notes the ACT Government has published the outcomes of the Second Action Plan under the Women's Plan 2016-2026, and that the key achievements include delivering 23 of the 29 actions, with the remaining six due to be completed in 2023;
- (4) acknowledges and congratulates the nominees and winners of the 2023 ACT Women's Awards for their contributions to achieving gender equity in our community, including:
  - (a) ACT Woman of the Year, Betty Machia;
  - (b) ACT Senior Woman of the Year, Jennifer Mobbs; and
  - (c) ACT Young Woman of the Year, Sophie Aboud; and
- (5) calls on the ACT Government to continue its nation-leading work in promoting gender equity within the Territory.

I am really proud to bring this motion forward today, on Minister Berry's behalf. International Women's Day is an important annual reminder that we cannot forget the challenges and discrimination that women and gender diverse people have faced and continue to face across the world. While I have the opportunity, I want to acknowledge the very important legislation that was introduced this morning, and to congratulate the Chief Minister on addressing a particular challenge for our gender diverse community and intersex community here in the ACT. I hope this will lead the way for the nation.

International Women's Day is also an important opportunity to recognise and celebrate the significant contributions that women make to our communities and to our society. In that theme, I would like to take this opportunity, on Minister Berry's behalf, and on my own, to congratulate the three ACT Women of the Year for 2023 and acknowledge their ongoing contributions to our community.

This year's ACT Woman of the Year is Betty Macharia. Betty received five nominations for her work as a leader in the African-Australian community and as an advocate in the culturally and linguistically diverse community on domestic and family violence and mental health, and for reducing the cultural stigma surrounding seeking help.

Jenny Mobbs was named the 2023 ACT Senior Woman of the Year. Jenny is the longstanding CEO of the Council on the Ageing ACT and someone most of us have worked with over the years. Jenny is recognised for, among other things, establishing an IT program for older Canberrans and for her work as Chair of the Elder Abuse Prevention Working Group. Jenny is a true champion for gender equity and an advocate for older women. She plays a significant role in policy development relating to addressing the abuse of older women, older people more broadly and women from diverse cultures.

The ACT Young Woman of the Year for 2023 is Sophie Aboud. Sophie has volunteered her time to lead the research and drafting of the STOP campaign's safe response toolkit to collate information about sexual violence and support services in the ACT. I want to thank these three remarkable women for their extraordinary contributions to the Canberra community.

I would also like to touch on some of the highlights from the year 3 report of the ACT Women's Plan Second Action Plan. The report highlights the flourishing and growing culture of female entrepreneurship and business leadership in the ACT. The Canberra Innovation Network, or CBRIN, held 43 introductory meetings during the last quarter of 2022 and 19 of those, just under half, were with female entrepreneurs. Seven businesses received funding from the latest round of the Innovation Connect grant program that closed for applications on 16 September 2022. Three of those businesses that received funding had female founders.

CBRIN also had several female founders events in 2022-23, including "Flourish, Thrive and Prosper", in partnership with Women with Altitude, which had 49 attendees, with 45 per cent of them new participants; and "More Than Money—Investing in Women", which had 58 attendees, with 74 per cent of them new participants.

The report also shows that there is growing interest among girls in the ACT to pursue careers in traditionally male-dominated industries, such as construction. Four pilot schools commenced the Understanding Building and Construction Program in 2022, with each school experiencing stronger than expected demand from students. The year 7 and 8 program had approximately 1,000 students participating in the pilot, and feedback from students and teachers has been overwhelmingly positive.

The year 9 to 10 Women in Construction program was heavily subscribed. There were an expected 60 places for this program. However, there were more than 100 female and gender diverse students participating.

The Strathnairn Early Childhood Education and Care to year 6 project, a primary school design and construction project, has been out to market. The requirement for female site management and participation has been written into the tender requirements and scope. The tender closed on 7 February this year.

The gender equality in schools team has been established. As part of this program, two gender equality coaches will deliver professional learning, develop teaching and learning resources and support schools to build inclusive and equitable learning environments. Work is now underway to finalise the program design and activities.

The report also notes that Transport Canberra and City Services has been developing a set of guidelines that will ensure that our city is a place that all Canberrans are proud to call home. A YourSay project page went live on 21 February 2022 to launch the program. The feedback collected from this survey will be used to inform Canberra's first gender sensitive urban design guidelines, which are expected to be released this year. The guidelines will help planners, engineers, architects, landscape designers and approval bodies, when designing urban spaces, to make a practical difference to the lives of women, girls, gender diverse groups and vulnerable people in Canberra.

Lastly, construction of Common Ground Dickson has been completed, providing 20 social housing and 20 affordable housing units, through a mix of one, two and three-bedroom dwellings. It also provides communal areas, community spaces and onsite support services. The delivery of this initiative is an important step in achieving



objective 4 of the Second Action Plan and responds to the needs of tenants, including older women, single parents and families with children.

I would like to take this opportunity to highlight the contribution of some incredible women in my own portfolio areas. I first want to acknowledge the invaluable contribution that our child protection workers, who are predominantly women, make to the Canberra community. Every child deserves a happy childhood where they feel safe and loved. The role that CYPS workers play is critical to ensuring that children and young people in the ACT can rise above difficult circumstances to experience such a childhood and to grow up to be thriving members of our community.

Being a child protection worker is an incredibly difficult and emotionally demanding job. Decisions are often complex and require balancing multiple views on what is in the child's best interest. They are also often working with people, both children and adults, who have experienced significant trauma in their lives. Yet these women, and many men as well, consistently meet the challenges of their work with professionalism and compassion.

I am in awe of the dedication of these women, supporting vulnerable children and young people. Sadly, this important work goes largely unrecognised by the community, so I want to take this moment to express my sincere thanks to all the women in CYPS for the work they do to support some of the most vulnerable young people in the community to live safe, connected and happy lives.

Nursing and midwifery are also predominantly female professions. The women in these professions make a vital contribution to the health of our community. Nurses serve the Canberra community in a wide range of roles. In our walk-in centres, in our hospitals and in GP clinics, nurses are there working hard to provide exceptional care to support the health and wellbeing of Canberrans.

Midwives in Canberra hospitals deliver outstanding care to women and birthing people during a period that is joyful and exciting but can also be frightening, extremely stressful and sometimes very, very difficult. The contribution that these women make to Canberra families will be felt for generations.

I do want to recognise the men who work in these professions as well. I acknowledge the importance of ensuring that, just as male-dominated professions become more welcoming for women, these professions become more welcoming for men and we see more men going into caring professions, which is vitally important.

I would like to acknowledge the contribution of Aboriginal and Torres Strait Islander women to our community. The work and activism of First Nations women leaders has been critical to improving outcomes for Aboriginal and Torres Strait Islander peoples in the ACT, across a range of areas.

The 2023 Canberra Citizen of the Year, Ms Katrina Fanning, is one example. Ms Fanning is a proud Wiradjuri woman who has made important contributions in our community across a range of roles, as the Head Secretariat of the Coalition of Peaks on Closing the Gap, Director at Coolamon Advisors, and past Chair of the ACT Aboriginal and Torres Strait Islander Elected Body.

Ms Fanning has also made a significant contribution to rugby league and the promotion of women's sport, as a player and in her leadership roles with the Australian Rugby League Indigenous Council, Australian Women's Rugby League, the Canberra Raiders and Canberra Women's Rugby League.

While there is still much work to be done to improve outcomes for Aboriginal and Torres Strait Islander peoples, and to write the wrongs of the past, I know that First Nations women will continue to lead the way to a more just and equitable Canberra and Australia. Of course, we have the incredible Megan Davis and Aunty Pat Anderson leading the Voice campaign and providing such incredible advocacy nationally in that space.

Finally, I want to acknowledge the incredible Labor women who I have the privilege of working with. My colleagues Ms Berry, Ms Orr, Ms Cheyne, Dr Paterson and Ms Burch all work tirelessly for their local communities and are dedicated to making Canberra a better place. I am very proud to serve alongside these fantastic women and for us to be supported by so many incredible women in our party who drive policy and reform.

I particularly think about the work that we recently did on abortion that was driven by young women in our party, through Labor for Choice, driving the Labor Party to think about the impacts of the costs of abortion on young women in particular and many women in vulnerable situations. I was very proud, with Minister Berry, to be able to address that issue that had been driven forward by the young women in our party, and many others who have been advocates for women's rights and choice for a very, very long time.

Achieving gender equity is a key priority for the ACT government. I want to thank Ms Berry, as Minister for Women, for her work and dedication to reaching this goal in the Women's Plan Second Action Plan. I look forward to her providing an annual statement on the status of women and girls in the Assembly next week. I commend this motion to the Assembly.

**MS VASSAROTTI (Kurrajong) (11.31):** I rise to provide a few reflections as we note the passing of another International Women's Day. I have been marking this day for some time and there are many of us in this place who have been attending International Women's Day events for years—sometimes, and probably most often, for decades. The female members of this parliament are the beneficiaries of the feminist trailblazers who have paved the way for us to take our place in public life.

When I think about International Women's Day, I do remember great celebrations of female leaders, inspirational talks and meeting great women. I remember the particularly memorable International Women's Day when I worked with global sisters at international UN forums to protect the rights of women. But I realised this year that I was not alone in feeling somewhat despairing of the fact that we are still here, and often still missing the important discussions that we need to have—the discussions about the impact of intersectional discrimination, violence and harassment faced by women daily, poor pay, and the misogyny and sexism that are part of the everyday working life of women.

This executive motion is important as it highlights the particular focus that needs to be given on ensuring that trans women, women with disability, non-binary and gender-diverse women can access these rights. The shocking events of this week, which have included actual Nazis coming out to intimidate and fight against trans rights, bring into sharp relief how far we need to come in this area.

The motion also notes the need for us to do much better in relation to First Nations women's rights. As we enter the important national conversations this year about the role of a Voice to Parliament, we need to understand that this is a first step and one that must translate to real action around equality for First Nations women. We also know that many women from culturally and linguistically diverse backgrounds face disproportionate barriers—racism as well as sexism—which make it even more difficult to navigate through, and thrive in, our community. While we are at times tired, distressed and concerned, there is still an important role for this day to play.

This year I was a bit discerning about the events that I attended, and I found the events that I did participate in particularly enriching. I loved attending, with other members of this house, the onsite barbecue with the CFMEU around women in construction on the morning of this day. I met there with extraordinary young women who are smashing stereotypes and building a community of women determined to carve out a role in the building and construction industry. I heard of the positive impact of training and conversations that are changing expectations and changing culture. I spoke to women who are determined to be role models and support young women who choose careers in the industry.

I also took some time out of my day to attend a protest rally at the ANU, where young women had come together to demand that we do better in relation to abortion rights and sexual and reproductive health rights. It was great to attend this rally with my ACT Greens colleagues Jo Clay and Emma Davidson, and reflect, like Minister Stephen-Smith, on how lucky I am to be walking this journey with my female Greens colleagues. They provide such support, and it is fantastic to do so.

This government can be really proud of the work we have done to ensure that there are no cost barriers to accessing termination. At the rally these young people identified that there are barriers around access to reproductive health rights and that there is still more work for us to do.

There is still a role for International Women's Day, and celebrating is an important element of that. We need to celebrate the amazing work that women are doing across our community—women like the ACT Woman of the Year, Betty Macharia, the ACT Senior Woman of the Year, Jenny Mobbs, and the ACT Young Woman of the Year, Sophie Aboud. It is also important to acknowledge this year's ACT Citizen of the Year, as Minister Stephen-Smith has done, Katrina Fanning, who is an absolute role model for all women across our community.

We must continue to celebrate but we must also work hard to remove barriers and ensure that all women and girls reach their potential. I know that women and men within this chamber will continue to do this in the work that we do.

**MS DAVIDSON** (Murrumbidgee) (11.36): International Women's Day on 8 March is an important day for us to reflect on the achievements so far, as well as on the work that is still ahead of us. I particularly enjoyed spending time with my friends from the women's movement on the day, starting with the Soroptimist breakfast raising funds for CIT scholarships for migrant women, where we heard from Sister Jane Keogh, someone who lives with radical love every day in her work supporting refugees and asylum seekers in our community.

I attended a protest at ANU with my colleagues Rebecca Vassarotti and Jo Clay, calling for pregnancy termination after 16 weeks to be more accessible for Canberrans, who currently have to travel to Sydney. On the Friday before, I attended a YWCA Canberra panel discussion on improving pay for thousands of women working in early childhood education in the ACT. It was great to see that their Campbell Cottage centre, where my own children were cared for, including while I was working in the YWCA office with Equality Rights Alliance many years ago, still provides great care for children and a supportive workplace for women.

I was delighted to see the diversity of women at the Canberra Health Services research strategy implementation workshop on International Women's Day, using their skills in maths, science and data to build on our healthcare knowledge.

As noted in this motion, the United Nations theme for this year's International Women's Day is "Cracking the Code: Innovation for a Gender Equal Future". I would like to say a few words today as the ACT Greens spokesperson on digital technology. In my own lifetime I have seen rapid change in the way women are seen and supported when it comes to working with digital technology. It is something of which I have personal experience. But we still hover at around 30 per cent of the technology workforce being women, and we have even worse under-representation of women who identify as Aboriginal or Torres Strait Islander, culturally or linguistically diverse, or with disability, according to the Australian Academy of Science Women in STEM Decadal Plan published in 2019.

Modelling in the Australian Computer Society's 2022 report *Australia's Digital Pulse* tells us that increasing digital technology workforce diversity in age, gender and people with disability would grow the Australian economy on average by \$3.1 billion a year for the next 20 years, creating almost 13,900 full-time equivalent jobs each year on average. And these are great jobs. Working in digital technology, in the knowledge economy, can be intellectually stimulating. It can contribute to meaningful change, with more technology workers needed than ever before in health and education, and it pays well. *Digital Pulse* tells us that pay rates for Australian technology workers grew by 10.4 per cent between 2019 and 2022, higher than the 6.9 per cent wage growth in non-ICT jobs during that time.

There are so many of these great jobs to be had in the ACT. In 2021, technology jobs growth in the ACT was 13.8 per cent, four times higher than the industry's national average of 3.4 per cent. Our average annual expected jobs growth in this sector is expected to be the highest in Australia for the next five years and more than three times higher than the Australian employment growth forecast. This is a sector with many jobs that enable remote work, allowing for greater flexibility in work-life balance or enabling people to work from home, both of which can be helpful for people with caring responsibilities or people with disability.

Why don't we have more women working in these great jobs? We know that fewer young women and girls enrol in STEM subjects for year 12 or university or CIT courses in maths, science and information technology. Discrimination is also part of the story. Fifty-eight per cent of workers in digital technology have experienced some form of discrimination during their careers, higher than the 30 per cent estimated for Australian workplaces generally. The Australian Academy of Science report tells us that graduate salaries for women in computing are 14.8 per cent less than for men with the same qualification.

It is not just that we do not have enough women coming into the career pipeline; we have a leaky pipeline, and we are losing great talent because of pay and promotion discrimination. The ACS report tells us that one of the top three reasons why women want to leave the technology workforce is insufficient opportunity for career growth. They also want more inclusive workplaces for people with mental or physical health conditions.

One suggestion that should be considered, at both the ACT level and nationally, is to encourage employers to consider more diverse pathways into the technology sector. Not everyone will go from being good at maths in year 12, to getting a computer science degree at uni, to a lifetime career climbing the ladder in technology-specific organisations. There is an army of women looking for a career change after disruption in sectors with traditionally high numbers of women in low-paid, part-time and casual work like retail, hospitality, tourism and the arts.

There are women in our health and social services sector in community organisations with great skills who want to develop their skills in technology, which would help our community sector enormously in transitioning to better communication and delivery of services online, as well as data analysis and social research. We also know that employers are looking for staff with combinations of relationship management, project management and design skills, which many women already have in their existing roles, alongside technology skills.

CIT's fee-free courses in cybersecurity are a great opportunity for retraining for a new career, and there is also more than \$480,000 per year in community sector technology upgrade fund grants that can be used for training and education for NGO employers who need to skill up their workforce or upgrade software and hardware to support their staff with new ways of working.

We are doing what we can in the ACT government, but it would be great to see us working more closely with the ACT's universities, especially on getting more women into open-source software, and more programs within CIT to support diversity of age, gender and disability among students in digital technology courses.

I would love to see the commonwealth government supporting employers to broaden their recruitment and retention programs to be more inclusive, and more work to end gender-based discrimination in workplaces, to help stop that leaky pipeline out of technology and into other sectors that already have a higher proportion of women in the workforce.

This International Women's Day, I have been thinking a lot about how we can crack the code and how we can work together throughout our community to support more women into technology careers.

**MS LAWDER** (Brindabella) (11.43): I rise today in support of the motion presented by Minister Stephen-Smith on behalf of Minister Berry. I feel that International Women's Day has an important role in terms of celebrating and supporting women in all aspects of our life. As perhaps one of the older women in our Assembly, I can see how far we have come. I have been in the workforce since the late 70s, and there have been huge changes in that time. Equally, I can see that there is still quite a way to go.

It may sound trite, but it is true that we stand on the shoulders of those who have come before us, women who were trailblazers in their way, and many of us would not be here without those people, not only in politics and public life but in all aspects of life. It enables us—whether we mean it to be so or not—to become role models for those who will come after us.

I, too, would like to add congratulations on behalf of the Canberra Liberals to the winners of the ACT Women's Awards, such as Betty Macharia, Jenny Mobbs and Sophie Aboud—and, of course, Katrina Fanning, the ACT Citizen of the Year. They are strong, smart, kind women who are doing absolutely fantastic work in their chosen areas.

There are many organisations that are also doing great work, and many of them held International Women's Day events. There is always something that you can take away from every event, and at one that I went to there was a woman in the STEM sector who told us that research shows that, even from a very early age like two or three, parents tend to treat their boy and girl children differently. An example that stuck with me is that, if you are walking down the street with a little girl, a parent will tend to talk about the colours of cars and flowers, and a parent who is walking down the street with a little boy will tend to count the number of cars and flowers. These types of differences perpetuate, so girls at age eight, nine or 10 say things like, "I'm not very good at maths." It is a reminder to us to be aware at all stages and in all areas of the types of things we are talking about with our children, grandchildren and any children that we interact with.

There have been so many fantastic examples that I can touch on. NAWIC ACT had a great breakfast for International Women's Day. I would like to commend the work of Canberra Women in Business, Women with Altitude, Fearless Women, YWCA, Women's Health Matters, and the Canberra Innovation Network for their Female Founders program. HIA and MBA ACT both held great events for International Women's Day, celebrating women in their sectors. Of course, there were many multicultural events for International Women's Day.

I would also like to mention, as it is coming up for auction this week, the Strathnairn Charity House, which was built largely by women—women builders and tradespeople—under the direction of Jo Farrell of Kane Constructions. Not only is that a great achievement; it is likely to raise a huge amount of money for charity. It is coming up for auction, I think, on 25 March, this weekend, so I will look forward to that.

Once again, we are supportive of this motion today, and I would like to thank Ms Stephen-Smith for bringing this forward on behalf of Ms Berry.

**DR PATERSON** (Murrumbidgee) (11.47): I thank Minister Berry and Minister Stephen-Smith for bringing forward this executive motion for International Women's Day. I am proud of all that this government has done to support women in the ACT, and for advancing gender equity. I am proud to work alongside the fabulous Labor women in this chamber and through our party. I also have great women in my office, who have worked in my office and are currently in my office, and in my constituency. It is a pleasure to work with them every day.

This International Women's Day, I want to raise awareness of gender equity in sport and highlight why a gender equitable future in sport is connected to minimising the proliferation of gambling through sport. Australia's major sporting codes all work actively to improve women and girls' participation in sport. While we still have a long way to go, there are shifts and moves afoot from the local to the professional level to address gender equity in sport. Just as there are attempts to push for a major cultural shift in gender equity in sport, from the board level, to the wages and facilities that are provided to players, to the behaviour of fans at games, there is more that can be done.

On a local level, I have been particularly excited to see all of the good work by the Canberra Royals Rugby Union club to support Royals women and girls through their club. In addition, I am really buoyed by examples of small changes that can make a big difference. I commend Minister Berry on her commitment to upgrading the ACT's sportsgrounds to ensure that changerooms and facilities cater for women and girls. There is a shining example of this at the Rivett oval, where small, simple changes have made a really big difference towards having a more gender-inclusive future for sport in the ACT.

Something that really concerns me is Australia's sporting codes' reliance on advertising revenue from online wagering companies, and the extent to which we see contracts worth hundreds of millions of dollars. These international companies that sponsor our sport do not contribute anything to our society—no jobs, no community facilities and no social contribution. All that these companies do is take billions of dollars from our community overseas.

Apart from the fact that children and young people are exposed to the advertising of an adult product, which is potentially harmful, there is very little public critique of the actual messages that are being perpetuated through gambling ads in Australia. Every 91 seconds there is a gambling ad on Australian TV. My argument is that, despite all of the good work that Australia's sporting codes are doing to promote gender equality, every 91 seconds their sponsors perpetuate messages that contradict this.

Many of these messages from gambling advertisers reinforce harmful gender stereotypes, and the research on this is eye-opening. Research has shown that gender has been a primary identity marker used in gambling ads, with much research outlining the targeted ways in which stereotypical gender roles are used to sell these products. University of New South Wales researcher Dr Emily Deans found that most Australian adverts were targeted at young men. They feature male friends engaging in gambling.

When a woman is featured in the advertising, they are often hyper-sexualised or passive objects present only to serve the men in the adverts. The settings of these ads are generally pubs, barbecues and parties, and referrals are made constantly to “mate”, “boys” and “lads”. The central actors in all of these adverts are primarily Caucasian, heteronormative men in positions of power in relation to the women. The call is, “If you’re a real Aussie bloke then you will gamble with your mates.”

We know how gender stereotyping reinforces inequalities, promotes sexist behaviour and attitudes, and perpetuates violence against women. It is simply not good enough to let these adverts slide, especially when Australian sporting codes have been doing so much to address gender equity in sport.

It is not only researchers and gambling harm minimisation advocates who are concerned about this growing issue; so, too, are the players themselves. During International Women’s Day I spoke to professional Rugby player Louise Burrows about gender equity in sport and the impacts of advertising. She told me:

Women’s sport in Australia is growing and as a female athlete we are always grateful for the opportunities we have to play at all levels from grassroots to elite. There is however such a long way to go in many aspects as a female being involved in sport especially at the professional level. Being involved in elite level sport for almost 3 decades it is disappointing to see we are still underrepresented in the majority of sports from participants, coaches, administrators and board members compared to our male counterparts.

She continued:

Sport is often seen as an opportunity for women to feel respected, equal and empowered. Unfortunately, through certain sponsorships displayed on team uniforms and advertising that play on TV throughout sporting games these only perpetuate the gender stereotypes that we work so hard to address. We need to do better, be better now and for the future.

I agree with Louise; we need to do better, and I believe we can.

This International Women’s Day, my action was to write to the Coalition of Major Professional and Participation Sports and all of the major professional sports in Australia and their ACT branches—this included the AFL, Cricket Australia, Football Australia, the National Rugby League, Netball Australia, Rugby Australia, and Tennis Australia—to express my concerns about this issue. I also requested that they engage with their sponsors about this messaging.

I look forward to continuing my conversations and working with Australian sports to ensure that these dangerous, harmful gender stereotypes are not perpetuated through our sport.

**MS ORR** (Yerrabi) (11.53): I would like to start by thanking Minister Berry for bringing forward this motion to the Assembly, and Minister Stephen-Smith for moving it in Minister Berry’s absence.



Gender equity is an ongoing project for governments, institutions, organisations and individuals across the globe. I very much welcome this forward-facing motion, which seeks to celebrate hard-fought achievements and address a diverse range of ongoing and contemporary gendered barriers.

I am also of the opinion that, on days such as these, prioritising a considered historical reflection of their original purpose and evolution is necessary. There is a commonly held belief that the origin of International Women's Day began as an anniversary of a textile workers strike on 8 March 1857. However, it is now generally accepted that this was invented retroactively to give the holiday a compelling, non-socialist backstory.

The true origins of International Women's Day, according to scholars, began in July 1889, when Clara Zetkin, the editor of the German Social Democratic Party's women's newspaper *Gleichheit* attended a Bastille Day meeting in Paris where leftist groups assembled, and called for a May Day demonstration for workers' rights. Zetkin was apparently inspired and began to lay the groundwork that eventually established International Women's Day as a communist holiday.

The first use of 8 March to celebrate the day occurred in 1907 to commemorate the strike. It is thought that this shift in date occurred due to the longstanding conflict between feminists and communists over whether women have rights beyond those they hold as workers.

In the same year a group of socialist women met in Germany to discuss how to publicise their goals of equality, while New York City's Social Democratic Women's Society held a large meeting on women's suffrage the next year, signifying the first signs of a united political front between European and American activists.

On 18 March 1911, the first International Women's Day was held in Europe, focused on women's rights and suffrage, with the date chosen for the anniversary of the Paris Commune. Marches and demonstrations were held across Europe, and Americans continued to celebrate on the last Sunday in February. However, this work was abruptly paused as World War I made any kind of social reform functionally impossible during this time.

In February 1913, Russian Bolshevik women marched to protest poor living conditions, high rents and food prices, and widespread lay-offs. They chose the last Sunday in February to celebrate the day "American-style". On 7 March 1915, Zetkin gathered socialist women for an anti-war demonstration and, by February 1917, in the name of Women's Day, Russian Bolshevik women took to the streets again, ultimately leading to the February Revolution, after the Russian army was ordered to shoot the strikers. After the war, in 1922, Zetkin worked with Vladimir Lenin to establish International Women's Day on 8 March as a communist holiday, which also came to be celebrated in China and Spain.

By the 1950s, 8 March was being used to celebrate International Women's Day across the West without reference to this broader history and relying upon the textile strike date. In 1967, a Chicago women's group revived the day, which included daughters of American communists who remembered having heard of the holiday. Finally, by 1975,

the United Nations International Women's Year codified International Women's Day as 8 March.

What is clear to see is that, as the United Electrical, Radio and Machine Workers of America have stated, International Women's Day's "origin was both socialist and feminist in nature, specifically calling for the celebration of working women and the mobilisation of all workers to fight for women's social, economic and political equality".

Mr Assistant Speaker Davis, I think that celebrating and organising on International Women's Day become much more effective with the benefit of understanding its full historical context. This year, International Women's Day's reach has been more politically and geographically accessible than ever, but the value of this effort is best appreciated when you understand how we got here. It also serves as a valuable reminder that women's social, economic and political equality have always been and remain in close proximity to the social, economic and political equality of workers, in both the domestic and industrial spheres.

Mr Assistant Speaker, on further reflection, when you look at the history, it is clear that women have been fighting for a very long time in many different ways and through many different avenues in order to get their equality. If you look at the theme of this year's International Women's Day, which is "cracking the code", many of the women who put in place the motions that would see this Women's Day come to be an annual event would not even have had a concept of what cracking the code would be, nor an idea of the technology we would face today.

When we put this back into its historical context and look at the struggle that women have been having, we can see that it is continuing in many various forms, and it is something we still have to keep working for. That is why I congratulate the ACT government on all of the work it is doing through the Women's Plan and its other initiatives to continue to break down barriers for women.

I think that it is entirely fair to describe the fight for women's social, economic and political equality as comparable goals for International Women's Day as it is currently celebrated. Taking the time to teach and learn about the material history of the day will also serve activists and policymakers moving forward in understanding where we are coming from, where we are going to and how the struggle continues to be real. I thank the Minister for Women for providing us with the opportunity to reflect on this today.

**MS CHEYNE** (Ginninderra—Assistant Minister for Economic Development, Minister for the Arts, Minister for Business and Better Regulation, Minister for Human Rights and Minister for Multicultural Affairs) (11.59): I rise to speak in support of the motion. It is a truism that you cannot be what you cannot see. That extends, of course, to the portrayal of women in the arts. The portrayal of women by women and for women is critically important. By excluding and silencing half of the population, we exclude and silence women's, non-binary and gender diverse people's experiences.

According to the National Museum of Women in the Arts in the USA, 51 per cent of visual artists today are women; but, when it comes to exhibitions and gallery

representation, the numbers tell a less optimistic story. Indeed, in the ACT the National Gallery of Australia has acknowledged that only 25 per cent of its Australian art collection and 33 per cent of its Aboriginal and Torres Strait Islander art collection are by women artists. It is encouraging to see that they are working to correct this imbalance, as women artists were represented in 55 per cent of the works that the National Gallery acquired in 2022.

The ACT government, of course, recognises in our own public art collection that women are poorly represented, not only as artists but also as subjects in the collection, and we are working to address this. We acknowledge that this poor representation creates barriers. It denies opportunities across so many areas, from representation to reinforcing disadvantage. It is important that we reflect on who is missing in the record, in the stories of our history—both the subjects and the creators of those stories—and begin to correct that.

I was privileged to attend the unveiling of the new commemorative sculptures of Dame Enid Lyons and Dame Dorothy Tangney by Lis Johnson at Old Parliament House on International Women's Day. It seems extraordinary to note that these are the first sculptural depictions of women politicians—women at all—in the parliamentary triangle; just as they were the first two women elected to the Australian parliament on 24 September 1943, some 40 years after women gained the right to vote.

It is not hard to imagine what their elections would have meant for other women in 1943 and beyond, bound to their role as caregivers and homemakers in the domestic sphere, to have felt represented for the first time. But that is the story time and again: what it takes to succeed as a woman is extraordinary perseverance.

Again I note that it was through perseverance by both sides of government that, 80 years later, this imbalance in the parliamentary triangle has finally started to be corrected, but there is a long way to go. Indeed, before this imbalance was corrected, as the fantastic leaders of She Shapes History have noted, there were more dogs represented in sculptural form in the parliamentary triangle than women. It is great to see that this change has occurred. There is more to do, but I certainly commend both the federal government and the previous federal government for this work.

I concluded International Women's Day by taking part in the launch of Chris Wallace's history, *Political Lives: Australian Prime Ministers and their Biographers*. Listening to Professor Wallace discuss the utility and power of contemporary political biographies with Minister Tanya Plibersek was compelling and insightful. The potential to inform understanding of history is clear, but biographies can also serve as touchstones, and motivating ones at that.

I note that it is particularly important when you think that so many of our political leaders declare themselves to be avid readers of biographies and political biographies, and how that motivates them; yet if our women leaders, particularly in the political sphere, do not have biographies written about them, what does that mean in terms of the reinforcing culture of political leadership?

There is a quote towards the end of Professor Wallace's book, that biographies present a picture, and pictures hold us captive, in that they are reinforcing. The power

that the biographer can wield, unintentionally or not, serves as a call and a caution about how those who document can change our future. It begs the question: who is missing from our biographies and how can we best be serving our future generations?

The ACT government has been reflecting on this question in our public art discourse. We are working to address this by considering ways to promote and encourage female and gender-diverse artists through the development of the third action plan, under the ACT Women's Plan 2016-26. Of course, there is also work from Minister Gentleman about the representation of women in public life, including on our streets and in our suburbs.

As part of this plan, we are working to improve representation of women in the ACT public art collection. It already includes works from many world-class ACT artists, including on the streets of our city. We are working to commission a sculpture to commemorate the Hon Susan Ryan AO. This commission will provide an opportunity specifically for a woman or non-binary artist. Susan Ryan was the ACT's first woman senator and the first woman to serve in a Labor federal cabinet. Susan Ryan is remembered for her leadership in gender equality. In her 1999 memoir *Catching the Waves*, she said she was driven by the view that women should be able to pursue opportunities "unencumbered by stifling stereotypes".

Before I conclude, I would again like to underline the work that all of my colleagues have stressed that Minister Berry has done, and particularly around representation, including on boards. I also pay tribute to this year's nominees and winners of the 2023 ACT Women's Awards, and particularly Betty, Jenny and Sophie, and Katrina Fanning as our ACT Citizen of the Year. It is wonderful that we have been able to shine a light on their contributions to our community; and may that continue and may we continue to be inspired by their efforts.

I encourage us all to reflect on who is missing from the records that we are creating, and I reaffirm my commitment as a member of the government to continue our nation-leading work in promoting gender equity in the ACT. I commend this executive motion to the chamber.

**MR STEEL** (Murrumbidgee—Minister for Skills, Minister for Transport and City Services and Special Minister of State) (12.06): I am pleased to rise today to speak in support of this executive motion recognising International Women's Day on 8 March.

A key part of creating a gender equal future is to create equal opportunities and remove barriers for women to enter traditionally male-dominated industries. One of those industries is construction—I think that is well known—and the ACT government is actively prioritising increased participation of women in construction and breaking down gender barriers in that industry.

We know that achieving gender balance is still very challenging in the construction industry, where nationally women currently make up 13 per cent of the building and construction industry's workforce in Australia and, of those, only two per cent are in trades.

On the CIT Woden Campus Project we are actively trying to turn that around, at least at a very local level, and we are working closely with the delivery partner, Lendlease,

to create a diverse workplace where individuals are supported, respected and connected, and to go some way to address this gender imbalance.

A key objective of the project is to improve employment and social outcomes in the construction industry. That is why one of the social aims of the project is to increase the participation of women through apprenticeships and traineeships. As of February, women make up 17 per cent of people working onsite on the project, with that number due to increase as construction ramps up over the coming months.

At a recent event for the CIT project, where we demolished—at least in part—the old Woden bus interchange, I met trainees Katie and Cacie. They are two of eight women who joined the Lendlease team after completing the SPARK Women in Construction Program in late 2022.

The Women in Construction Program combines theory, practical hands-on learning, site tours and work preparation sessions. Upon completion, participants can access apprenticeship and traineeship opportunities with contractors working on the future CIT campus and also the transport interchange.

Trainee Katie said she was motivated to have a career in construction after growing up around the industry. She said that she wanted to demonstrate to her peers that women can make it in the industry and that there is a lot of positivity around working in the construction industry at the moment. Cacie said she has enjoyed the friendships she has made already working on the project and hopes to start a career in tiling or carpentry upon completing her traineeship.

Both Cacie and Katie took part in the Women in Construction Program alongside 13 other participants. Their program had around a 100 per cent completion rate, which is fantastic. That means that there are now 15 new enthusiastic, talented and capable women working and studying in the construction industry in Canberra. I look forward to seeing the outcomes of the next round of the program in October and wish them the best of luck.

In addition, in February, eight female high school students commenced an Australian School-based Apprenticeship with the CIT Woden Project. Those trainees will attend CIT to complete the Certificate II in Construction Pathways. They will also complete a placement week working with Lendlease and subcontractors on the project, which is valuable experience.

They are just a few examples of how we are increasing opportunities on that project, but we would like to see more systemic change across the industry. Through the application of the ACT government's Charter of Procurement Values, we are putting gender on the tender, welding these initiatives into projects across government from the start.

In the case of the CIT project, which has, I think, provided a benchmark and a template, we have set out requirements for vocational training and diversity from the successful tenderer and made it a requirement to detail how they will measure and achieve the number of the targets for women in construction.

Our commitment to providing gender equity for women in the construction industry is evident across other projects as well. In 2022, the Office for Women, the Education Directorate and the National Association of Women in Construction in the ACT, NAWIC, launched the Understanding Building and Construction Pilot Program. That innovative and nationally awarded program seeks to enhance opportunities and remove barriers to preventing young women from choosing a career pathway in the construction industry. It is currently running as a pilot program in four high schools in the ACT.

That commitment was further demonstrated with last year's announcement by Minister Berry—who cannot be here for this debate today—of the all women-led construction of a new public primary school in Strathnairn, due to open in 2025. It is positive to see that women are not only working on our major public infrastructure projects in the ACT but also leading them.

I am proud of those achievements, but there is of course a lot more work to do in increasing the participation of women in construction in the ACT. The ACT government will continue to provide opportunities for women through apprenticeships and traineeships. We will also not just focus on targets on one project; we will be setting social objectives as part of key principles in tender processes for construction projects.

I am looking forward to doing some more consultation with industry on that, and supporting other initiatives and organisations that encourage more women into this industry and other male-dominated industries.

**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) (12.12): The date of 8 March is an international day to celebrate the social, economic, cultural and political achievements of women globally. It is important to remember that the day is deeply rooted in the activist movement and acts as a permanent reminder to uphold women's achievements, recognise the challenges they continue to face, and focus greater attention on women's rights and gender equality.

I would particularly like to reflect and celebrate the efforts of our women frontline workers here in the ACT—firefighters, policewomen, paramedics, correction officers and volunteers for our Emergency Services Agency.

They are tirelessly working to keep our community and city safe and they do so without hesitation. They provide care, compassion, leadership, and dedicate their time to helping Canberrans, and they often do so whilst being mothers, caretakers, sisters, partners and more. We are aware of the stark gender imbalance within these roles and we are working to fix this. We use this day to reflect on the challenges still faced. I thank them for their ongoing service and echo that the ACT government is committed to continuing to enhance gender equality within our territory.

Women are an integral part of our society, and this day, every year, continuously reminds us of the amount of work left to do. It is important that we reflect on, direct efforts towards and remind ourselves of the issues women continue to face.

On International Women's Day it is also important to reflect that the issues faced by women are disproportionately felt within our Indigenous communities. May the ACT government also continue to support female Aboriginal and Torres Strait Islanders and work to reduce the barriers these women encounter.

I thank Minister Berry and Minister Rachel Stephen-Smith for bringing this motion as an important topic to the attention of the Assembly today.

Question resolved in the affirmative.

**Sitting suspended from 12.15 to 2.00 pm.**

**Questions without notice**  
**Canberra Health Services—data security**

**MS LEE:** My question is to the Minister for Mental Health. Minister, on at least nine occasions yesterday you refused to answer questions about the release of private patient records by government employees—referring instead to police investigations. A few months ago, you similarly hid behind police investigations to avoid answering questions about the violent death of a patient in one of your facilities.

Minister, have you actually sought advice on precisely what is or is not appropriate to disclose to the community when a matter is the subject of a police investigation? And if so, when and from whom?

**MS DAVIDSON:** Thank you for the question. Our priority in these situations is always to look after the patients that are affected by what is happening in facilities. I have heard what you are saying about wanting more information, and I have provided as much information as I can while there is an ongoing police investigation. I think if you want to take up the matter of what is and is not appropriate to talk about in a police investigation, you should probably talk to the minister for police.

**Ms Lee:** Point of order. The question was very specifically about whether she had actually sought advice and, if so, from whom and when. I ask that you direct the minister to be directly relevant.

**MR ACTING SPEAKER:** Minister, if it is possible for you to be directly relevant to that question, that would be nice.

**MS DAVIDSON:** I have sought advice about what specifically I can say about the incidents in question, and I have provided as much information as I can about the details of those events while there is a police investigation underway. Our priority needs to be, in this situation, the patients who are affected by the privacy breach.

I have heard what you are saying about wanting more information, but what about respect for privacy and dignity, and the patients and their carers who are impacted by the breach? They deserve to have as many conversations as it takes with CHS to understand how—

**Ms Lawder:** Point of order under standing order 117. The minister is now debating the question rather than answering. Who did she seek advice from and when?

**MR ACTING SPEAKER:** I am not sure that the minister is debating. There is no point of order. Minister, you have 18 seconds left. Or will we move on to the supplementary?

**MS DAVIDSON:** I am happy to move on

**MS LEE:** Minister, why do you persist in hiding every detail of these serious breaches of trust and safety when the community, including those whose privacy has been breached, needs reassurance?

**MS DAVIDSON:** Thank you. I am really glad she is talking about the importance of the privacy of those people who are affected personally by this breach. It is really important that they are able to have as many conversations as it takes with CHS to understand how this impacts on their health care and lives, and what can be done to protect them. They deserve to have external investigators work through proper processes free from political commentary.

This is about the health care of people who are at risk in our community. Everything we do should be about what is best for the individuals involved, and that is exactly what we are doing. I will not be discussing the details of external investigations that are underway.

**MR COCKS:** Minister, what else are you hiding about these serious breaches of community trust?

**MS DAVIDSON:** If we are going to talk about trust, what I would like to talk about is the amount of trust I have in our healthcare workers, because these privacy breaches we are talking about involve a handful of people in one mental health team, and I have been assured by CHS that those workers are no longer in a position to engage in that behaviour. I know that our healthcare workers are there because they want to support people to get well and to stay well, and they know how important patient privacy is.

I have shared with you everything I am able to that is not the subject of those internal and external investigations. As we have discussed before, Mr Cocks, when you brought this up in December of last year—when there is a police investigation underway, it is really important they are able to do their job without political commentary.

### **Canberra Hospital—Fetal Medicine Unit accreditation**

**MS CASTLEY:** My question is to the Minister for Health. Minister, the Fetal and Maternal Medicine Unit had its accreditation suspended due to a lack of subspecialists able to perform their regular duties and train staff. On 12 January you advised that mitigation strategies have been implemented to enable continuation of the service. The opposition have heard that another subspecialist has recently left the unit. Can you confirm if any additional subspecialists have indeed left the fetal medicine unit in the past few weeks?



**MS STEPHEN-SMITH:** I thank Ms Castley for the question. I am reluctant to talk about the individual circumstances of staff in the Canberra Health Services. However, I can confirm there are ongoing conversations with the remaining specialist in the fetal medicine unit about the extent to which they want to continue working in that unit as a CHS employee. I can reassure the ACT community: I think in Ms Castley's question she said the accreditation for the unit had been suspended. That is not accurate. The accreditation as a training site has been suspended by RANZCOG, the relevant college, during a period where there is not sufficient staff specialist permanent employees to undertake training. I can advise the trainee who was affected by this is continuing to be trained in another hospital. Canberra Health Services has supported them to go to another place so they can continue their training and return to the ACT in due course. I want to really reassure the community that the service itself continues to be a safe service. Canberra Health Services is ensuring there are sufficient locum staff to come in and support the service. They have been working with network hospitals to ensure the service can be provided safely and we can get back to a point where RANZCOG is happy to accredit the training as quickly as possible.

**MS CASTLEY:** Minister, how many staff have left, gone on leave or reduced their hours since accreditation was suspended?

**MS STEPHEN-SMITH:** Again, the accreditation is for the training. We have talked about this before. This is not a new issue. We have discussed this before. The suspension of the accreditation for training was specifically about those fetal medicine staff specialists. Now Ms Castley seems to be drawing a wider net around staffing. I am happy to take on notice any changes in staffing for the fetal medicine unit but I again want to emphasise that Canberra Health Services has worked to ensure the service continues to be a safe service. It continues to be provided to the ACT community. I want to reassure anyone who needs that service that it is available and it is a safe service.

**MR COCKS:** Minister, what specifically are the mitigation strategies you say are being implemented by CHS to continue the tertiary level services for women with complex pregnancies?

**MS STEPHEN-SMITH:** I thank Mr Cocks for the supplementary. I have already said primarily this is around ensuring we can get locum or temporary staff in those specialist positions. That has been successful. There is also work underway to ensure there is then a more permanent solution in having those staff available that cannot only undertake the care of people who require care from the fetal medicine unit but can also re-institute the training program. It is my understanding that RANZCOG has indicated to CHS that they understand the circumstances and once those staff specialists have capacities back in place to ensure the training will be able to be delivered, they will re-accredit the training at the fetal medicine unit.

## **Education—NAPLAN**

**MR DAVIS:** My question is to the Minister for Education and Youth Affairs. Minister, could you update the Assembly on what, if any, additional support the government provided to schools to enable the delivery of NAPLAN?

**MS BERRY:** Not much has happened with the delivery of NAPLAN, with the exception of it occurring earlier in the year so that the data on the results of that assessment can be provided earlier. Teachers were supported to ensure that they had the time to prepare for that, late last year and earlier this year, once the decision was made.

**MR DAVIS:** Minister, are you aware of any disruptions to classes, lapsed classes or missed learning opportunities for students not participating in NAPLAN, such as classes being cancelled or divided or students being sent home?

**MS BERRY:** No, I have not been advised of that occurring. However, if Mr Davis is aware of any schools where that might have been the case, I would of course be interested to understand what the concerns were within those individual schools so that we can address them in future years.

**MR BRADDOCK:** Minister, what other measures are used to monitor the academic performance of students in ACT schools?

**MS BERRY:** NAPLAN is one assessment that occurs across our school communities. It is a two-year test. As far as our schools are concerned, it is a very narrow measure. It does not measure whether a school is a good school or a school that needs more assistance. NAPLAN has changed over the years. Fortunately, it is starting to look like—particularly under this new government—it is not having the circus around it that it has had in previous years, confusing families about what NAPLAN is and also taking up additional time for schools.

Regarding the purpose of NAPLAN and whether it provides the data that schools need to ensure that students are receiving the right supports, teachers assess students every day in different kinds of ways. As I said, NAPLAN is a very narrow measure of a couple of areas within the curriculum, to understand where children are at a particular point in time. It also is a way that parents could use to initiate a conversation with teachers to see where their children might need support or where their children might be excelling.

### **Canberra Hospital—cardiology department**

**MS CASTLEY:** My question is to the health minister. Minister, the scathing letter you received from five private cardiologists says that Canberra Hospital has deteriorated to standards far below national and international guidelines. The letter also states that representatives of the Royal Australasian College of Physicians visited the Canberra Hospital because of concerns about the welfare and education of local trainees. In a radio interview with the ABC on 16 March, Minister, you said, “The feedback from our junior medical officers is that actually they’re seeing a significant improvement in the cardiology department.” Minister, did the college visit the cardiology department because they wanted to inquire about the welfare and education of local trainees?

**MS STEPHEN-SMITH:** My understanding is that no, they did not visit for that reason. Ms Castley is conflating a couple of things, because my reference—

and maybe it was not clear from the transcript or maybe it was open to interpretation—in relation to the junior medical staff in the cardiology department was to culture, and the feedback was in relation to their working environment.

I can also assure Ms Castley, as I think I said on radio, that, in looking at the Health Round Table data that compares peer hospitals, and in looking at the quality and safety data that is available, Canberra Health Services has assured itself about this, and provided this information in the meeting with cardiologists that I held on Monday evening, with the CEO of Canberra Health Services and a couple of other executives from Canberra Health Services and the Health Directorate. That information was provided to cardiologists; in terms of benchmarking, in terms of the quality and safety information that we have, our cardiology department at Canberra Health Services is operating at or above benchmarks with its peers.

**MS CASTLEY:** Minister, have you received any advice in the last 12 months from CHS or the Royal Australasian College of Physicians that the cardiology department has fallen below national or international standards?

**MS STEPHEN-SMITH:** Not to my recollection.

**MR COCKS:** Minister, will you remove all doubt on these matters by tabling all correspondence between CHS and the Royal College of Physicians for the past 12 months?

**MS STEPHEN-SMITH:** I will take that question on notice.

### **Gambling—harm minimisation**

**DR PATERSON:** My question is to the Minister for Gaming. Minister, 10 per cent of our population experience harm from gambling. We are about six months out from Gambling Harm Awareness Week. What evaluation of the impact and reach of last year's Gambling Harm Awareness Week activities was conducted?

**Mr Hanson:** Does it cover the Labor Clubs?

**MR RATTENBURY:** Mr Acting Speaker, I think Mr Hanson wants to answer this question. I think he is keen to get up and have a go!

**Mr Hanson:** I really do!

**MR RATTENBURY:** There has been some really good feedback from last year's Gambling Harm Awareness Week. Last year, particularly, there was an approach that sought to work in a partnership model that has proved to be quite effective. The partners were the Gambling and Racing Commission and community stakeholders.

This approach avoids the perception of the Gambling and Racing Commission or the ACT government lecturing the community with messaging about signs of gambling harm and aims to support a whole-of-community focus. The fact that that comes from the partner organisations and, particularly, peer-type representatives of those organisations, is considered to have been a really effective feature of last year's

Gambling Harm Awareness Week. Off the back of that, the intent is to continue to take an approach like that this year.

Gambling Harm Awareness Week does not have a determined date for the coming year. The reason for that is that there is still a bit of time to go and the Gambling and Racing Commission seeks to align with other jurisdictions to do it at the same time. That is considered to be a more effective approach. So both the theme and the date for this year's Gambling Harm Awareness Week have not yet been determined.

But in terms of an approach, which I think is the core of Dr Paterson's question, certainly the lessons learnt from last year about the role of partner organisations being the primary deliverers of the message is the key take-out of last year's Gambling Harm Awareness Week.

**DR PATERSON:** Minister, what planning is underway to prepare for this year's Gambling Harm Awareness Week?

**MR RATTENBURY:** As I touched on, the Gambling and Racing Commission will be coordinating with other jurisdictions to pick the date and the theme and we will then work with those partner organisations in the community. Last year we worked with MIEACT, a mental health organisation here in the territory, and also a range of the gaming outlets in the ACT. We had some very enthusiastic supporters of Gambling Harm Awareness Week. So the planning will also include a close liaison with those partner organisations.

**MR PETTERSSON:** Minister, how will the ACT government measure the impact of Gambling Harm Awareness Week activities in the community for this year's awareness-raising actions?

*Mr Hanson interjecting—*

**MR ACTING SPEAKER:** Please do not encourage him, Minister.

Enough, Mr Hanson.

**MR RATTENBURY:** Sorry, I have actually forgotten the question.

**MR PETTERSSON:** Minister, how will the ACT government measure the impact of gambling harm awareness activities in the community for this year's awareness-raising actions?

**MR RATTENBURY:** Thank you for repeating the question, Mr Pettersson. My apologies that you needed to.

There are a number of measures. One is the number of participant events and some of the obvious measures you would expect. In terms of the broader understanding of the impact, it comes from the feedback from the stakeholders. As I touched on, there is a real sense that last year's approach has been successful. The macro response is, of course, the prevalence survey that the ACT undertakes every couple of years on gambling harm in the ACT. The prevalence survey is certainly an important measure of broader directions. So that is the approach that will be taken.

## Health—Garran Surge Centre

**MS CASTLEY:** Mr Acting Speaker, my question is to the Minister for Health. I refer the minister to her repeated blaming of staff shortages for the government's inability to stand up the Garran Surge Centre as a supplementary emergency department. At the outset of a world COVID pandemic, with no vaccines on the horizon and with emergency departments overseas overwhelmed, why did the government not ensure that the Garran Surge Centre could be staffed over the long term before it was built?

**MS STEPHEN-SMITH:** Ms Castley is drawing an incredibly long bow there. I am not going to have time in two minutes to go through all of the challenges with the way that she has determined this question. Let me put some context around it.

In early 2020, when the surge centre was built, if we had seen the kind of wave of COVID-19 that we were seeing in Europe and the United States, with our hospitals overwhelmed, our emergency departments overwhelmed, every health worker would have been working to address this challenge. In London, dieticians were working in intensive care units! So that was the challenge we were facing in early 2020.

Subsequently, Ms Castley is talking about a period in 2022 when she was talking about, "Why do we not switch the surge centre back on as an emergency department?" I made the point at that time, more than two years later, that at that time while our emergency departments were busy, it would not help to create a third emergency department and to spread the staff over three sites rather than two when our primary challenge that we were facing at that time was a staffing issue, because a lot of staff were ill with COVID, with other respiratory illnesses, or they were isolating as a result of coming into contact with someone with COVID, so they were in quarantine. Our challenge at that time, more than two years later, was a completely different challenge, and Ms Castley is drawing a ridiculous comparison again.

**MS CASTLEY:** Minister, given the government contracted Aspen Medical to staff the Garran Surge Centre as required, was it prudent to limit this contract to six months and not ensure the facility could be staffed beyond that?

**MS STEPHEN-SMITH:** Again, I have absolutely no idea what Ms Castley is getting at. The Garran Surge Centre was being used. It was not sitting idle and empty. It was being used throughout the pandemic as a testing site, as a vaccination site, and then as a testing site.

In the period of time that Ms Castley I suppose is talking about the surge centre was being used. I actually do not know what she is talking about in terms of when we were expected to use these Aspen staff that she is talking about—and I would emphasise, Mr Acting Speaker, that in those later periods of the pandemic, Aspen itself was struggling with staffing issues, and we can see that in other jurisdictions.

But the surge centre was being used, and so any change in use of the surge centre and that use was being staffed. It was also used as a COVID-19 walk-in centre for people who had COVID-19 who needed access to treatment for minor injury and illness. It was being used effectively as part of our pandemic response, and that use was being staffed. I actually have no idea what Ms Castley is talking about.

**MR COCKS:** Minister, was it not short-sighted to build a \$14.3 million surge centre, which for \$60,000 to \$75,000 could have been used as a treatment space, without ensuring it could be staffed, given COVID patients ended up being put in a tent outside the ED?

**Mr Hanson:** Can you understand that one?

**MS STEPHEN-SMITH:** I understand that we can draw multiple connections between different unconnected issues, but Mr Cocks, I have just indicated the Garran Surge Centre was staffed. It was staffed for the use that it was being used for.

I have to say, Mr Acting Speaker, that Ms Castley did actually probably pick the right issue when the story about the surge centre was running, which was the question that she has asked, which I think was a legitimate question of “if it was only going to cost you \$60,000 to \$75,000 to turn it into a space that could be treated as a ward or treatment space, why did you not do it?” But the answer to that question was the exact answer that I gave her at the time. That was not the best use of the surge centre at the time. That was not the best use of the surge centre at the time. The surge centre was being used as a testing site. It was being used as a COVID-19 clinic. That was determined to be the best use of the surge centre at the time, and it was staffed for that.

### **Schools—staff welfare**

**MR HANSON:** My question is to the Minister for Education. Minister, I refer now to multiple reports outlining the problems with violence, bullying and harassment in ACT schools. Recently released statistics show that the ACT runs one of the most unsafe workplaces in the country in its schools, with three-quarters of ACT principals facing threats of actual violence.

In response, the Australian Education Union issued a statement:

Sadly, this result does not come as a surprise ... What it reveals is a lack of effective action by the ACT Government.

Let me say that again from the Australian Education Union:

Sadly, this result does not come as a surprise ... What it reveals is a lack of effective action by the ACT Government ... The ACT Government is big on reassurance and commitment to supporting Principals in their safety and wellbeing, but light on action. We cannot wait any longer. Our members deserve respect and they have a right to be safe in their workplace.

Minister, why has there—as stated by the Australian Education Union—been no effective action by your government, when these studies show that ACT schools are now one of the most unsafe workplaces in the country?

**MS BERRY:** I thank Mr Hanson for the question. In responding to that, my first statement would be that violence is never acceptable anywhere and it is definitely not acceptable in any of our schools. Unfortunately, this is a broader societal problem

which is reflected in our schools; however, the government is working closely with the Australian Education Union with respect to our public schools. It has been a challenging couple of years with regard to how that behaviour has played out within our school communities.

I have been meeting with the education union through our agreement negotiations, as well as with the ACT Principals' Association. What I have heard from them is what they have represented in their letter to me, which has also been in a media release—that they are concerned there needs to be more done, particularly in representing their members within our public schools.

With regard to the national survey, of course it relates to all school principals across all systems; I do not have any information or data on the breakdown. However, with regard to all our school principals—of course we place their health, safety and wellbeing as a priority as leaders within our school communities. We will work very closely with them to ensure they feel safe and can go to work in a safe and healthy environment, and to ensure they can lead a safe and healthy workplace for all teachers and school staff within their schools.

**MR HANSON:** Minister, what conversations have you had with the Australian Education Union since they released their statement?

**MS BERRY:** I understand the statement was released on Monday, or certainly a letter was received by my office on Monday, and I know that my office has had discussions with the education union.

I met with the ACT Principals' Association last week, where they raised a number of these issues. One of the issues the ACT Principals' Association raised was a national conversation on the expectations of our communities on school principals and within our schools—and that should be a national conversation. So today I am writing to the federal education minister, Jason Clare, to have that discussion as an item on our agenda for our education ministers meeting, at the next time we have the opportunity to meet. I agree that whilst in the ACT there are issues around violence and the safety of our teachers and school principals, which have been identified in these surveys, that is not something the rest of the country is immune from. I agree that there should be a national conversation around this.

**MRS KIKKERT:** Minister, when will you actually take action about violence in ACT schools to make sure that our principals are safe?

**MS BERRY:** I am taking action. As I said, I have been meeting directly with principals—

**Mr Hanson:** Not according to the union.

**MS BERRY:** and the union about the issues they have raised. Some of issues are complex issues. Some of the work has commenced. The AEU are doing their job in representing their members' interests by ensuring that their members' voices are heard through these letters and through their media release. We will continue to work closely with the education union and the members, and particularly with the ACT

Principals' Association, to ensure we can meet their needs and understand the complexity of these issues and what we can do as a government to ensure they are safe and healthy at work. Also, we will continue to work as a community to make the message clear that violence or bullying behaviour of anybody within our schools—students, school principals, school leaders, all support staff—is not acceptable and will not be tolerated.

### **Education—Future of Education equity grants**

**MR PETTERSSON:** My question is to the Minister for Education and Youth Affairs. Minister, can you please update the Assembly on delivery of the ACT Labor election commitment for a Future of Education Equity Fund?

**MS BERRY:** I thank Mr Pettersson for his question. I am very pleased to give an update on the ACT government's Future of Education Equity Fund and the impact that it is having on people's lives, particularly families and young people in the ACT, to ensure they get an equal start with a great education. Of course our Future of Education Strategy recognises that not every child comes from an equal start, they have different backgrounds and different starting points. The Future of Education Equity Fund aims to address that.

It was a 2020 ACT Labor election commitment to ensure that children no matter their background or circumstances have the best possible start to their education. We started in 2022 with the first round of the education fund which supported over 3,400 families. The ACT government continues to deliver on this \$11.46 million election commitment. In 2023 we started the second round of the equity fund which opened last month. In the past month 1,519 students and 700 families have been approved payment. This represents over \$880,000 already going to ACT families who need it most. The fund provides one-off payments of \$400 for pre-school students, \$500 for primary school students and \$750 for high school students and college students. These funds can be used for families with educational expenses including things like school uniforms, school excursions, sport equipment as well as other activities and music lessons.

**MR PETTERSSON:** Minister, how can ACT families apply for funding support?

**MS BERRY:** There are a number of ways that families can access the funds. They can go to the Future of Education Equity Fund page on the ACT Education Directorate's website and complete an online application form. However, if there are families who require assistance with their application they can call the equity fund team on 6207 1818. The fund is open to families and students in public, Catholic and independent school sectors. We know that families might encounter financial difficulties at any point in the year, which is why the applications for the fund will remain open until term 4.

**MS ORR:** Minister, what else is the ACT government doing to support families with the costs of education?

**MS BERRY:** I thank Ms Orr for her interest in equity across our schools. The ACT government believes every child deserves the best possible start when it comes to



their education. Every ACT child should have access to a quality education and the life chances that flow from it. That is why in 2016 ACT Labor promised to make sure that every high school and college student in our public schools would have equal access to technology to support their learning. In 2018 we delivered on the promise by providing 17,000 laptops to ACT public school students. For over five years now the ACT government has been leading the nation by ensuring that access to technology for learning would not be an educational barrier in the ACT. The ACT government is also working with schools and stakeholders to commence our meals in schools pilot in 2023, another ACT Labor election commitment. No student should have to learn, or be expected to learn, on an empty stomach. We know they learn much better with a full stomach and we want to make sure our children have the support and the nutrition they need to enable them to get the most and the best experiences with their education.

### **Schools—staff welfare**

**MR HANSON:** My question is to the Minister for Education and Youth Affairs. Minister, yesterday, when informed that over 75 per cent of ACT principals faced threats of violence, which is the highest in Australia, and that over 73 per cent faced actual violence—also the highest in Australia—or that sexual harassment in ACT schools is over four times higher than the national average, the Chief Minister said it was a societal problem. Minister, if this is simply a societal problem, can you explain why sexual harassment is four times higher in ACT schools than in the rest of Australia, based on recent reports?

**MS BERRY:** The Chief Minister was right: these issues of bullying and sexual harassment do reflect a broader societal problem. Without having looked into the data of the Australian Catholic University's research, I do not know the data behind the reports that they have provided, what I can say is that our schools have, over a number of years now, adopted a high reporting culture, which means that we can understand very clearly what is happening with our schools and then work with our school communities to address it.

We have worked very hard with our schools to ensure that when issues like these arise they are not kept hidden; they are reported. We continue to work with our schools to address these problems. The question suggests that it is not a reflection of a broader societal problem. We need to have a national conversation on this, which I understand the ACT Principals' Association have asked for. I have agreed with them and will be writing to Minister Clare to have that conversation. Our reporting culture in the ACT means that we know more about what is happening in our schools than perhaps any other state or territory does.

**MR HANSON:** Minister, can you explain why violence rates are so much higher in the ACT than in the rest of Australia?

**MS BERRY:** As I have just described, particularly within our public schools, we have a very high rate of reporting of incidents, which we encourage so that we can understand and address them. I am not sure of the case within our non-government schools in the ACT. As I said, I do not have a breakdown of the data or of whereabouts within our school system the data that was reported on by the Catholic

University came from. I can certainly say that within our public schools we have that high reporting culture, which we encourage.

**MRS KIKKERT:** Minister, why do you stand by the Chief Minister in dismissing these factual concerns by saying that they are societal problems?

**MS BERRY:** That is ridiculous. That is not what I said.

**Mrs Kikkert:** You said he was right, in your first answer.

**MR ACTING SPEAKER:** Mrs Kikkert, you have asked your question.

**Mrs Kikkert:** I was paying attention.

**MS BERRY:** If Mrs Kikkert had listened to the interview on ABC Radio with an ACT school principal who described the issues within society as being reflected in and playing out within our schools, then she would understand that it is not something that the Chief Minister made up or that I made up.

**MS BERRY:** It is a reflection of what is happening in our society and the high expectation of what our schools are required to address, above and beyond them being, as a priority, a school facility and providing education for our young people. These are the issues that our school principals are raising with us as well. It is a national conversation that we need to address nationally. I am very proud of the high reporting culture within our school communities, because we want to understand what is going on. We do not want these issues to be hidden. We want to be able to address them, together with our schools.

### **Education—funding**

**MR HANSON:** My question is to the minister for education. Minister, yesterday the Chief Minister blamed not only society but the federal government for the problems in ACT schools. However, the *Report on Government Services—RoGS*—shows that it is the ACT government that has cut real expenditure for full-time students in public schools by 3.3 per cent during the period 2010-11 to 2019-20. During the same period, federal government funding to ACT public schools increased by 42 per cent. Minister, do you accept that some of the real problems in ACT schools stem from the fact that this government cut real expenditure for every full-time student in public schools by 3.3 per cent over the last decade?

**MS BERRY:** Again, Mr Hanson is deliberately trying to misuse data to mislead and confuse our community with regard to schools funding. He knows that our ACT public schools are the highest funded public schools in the country, and we pay well above the schooling resource standard.

**MR HANSON:** Are you denying, Minister, that this government, as is reported in *RoGS*, cut real funding by 3.3 per cent over the last decade?

**MS BERRY:** Our schools pay above, with the exception of the Northern Territory, the schooling resource standard.

**MS LEE:** Minister, if you will not or cannot acknowledge these basic financial facts that are captured by *RoGS*, how on earth can you be trusted to solve the problem?

**MS BERRY:** Could I ask for that question to be repeated? It did not quite make sense to me.

**MS LEE:** If you will not or cannot acknowledge these basic financial facts, how on earth can you be trusted to actually solve the problem?

**MS BERRY:** If the opposition cannot understand that the ACT government pays well above the schooling resource standard and uses data in a way—

**Mr Hanson:** On a point of order—

**MR ACTING SPEAKER:** A point of order?

**Mr Hanson:** the question was very specific, and the supplementary was very specific, about the fact that *RoGS* has reported that the ACT government has cut real expenditure over a period of a decade by 3.3 per cent.

**MR ACTING SPEAKER:** What is the point of order?

**Mr Hanson:** It is not about whether we have the highest funding level in the country; it is about the fact that they have cut it, per capita.

**MR ACTING SPEAKER:** So your point of order is on relevance?

**Mr Hanson:** Absolutely, it is. Thank you, Mr Acting Speaker.

**MR ACTING SPEAKER:** Minister, could you be relevant to the question.

**MS BERRY:** I can be relevant again, in that the ACT government funds our schools the highest, second to—

**Mr Hanson:** Not as high as it used to.

**MS BERRY:** Okay, so you've got it now; the opposition finally agrees and understands that schools in the ACT are funded to the highest level in the country.

### **Gungahlin—multipurpose centre**

**MR BRADDOCK:** My question is to the Chief Minister. Chief Minister, both the Greens and Labor went to the last election promising a multipurpose community centre in Gungahlin Town Centre. Can you please provide an update on this project?

**MR BARR:** I thank Mr Braddock for the question. I understand close followers of the budget would be aware that in fiscal year 2021-22 we provided funding over two years to progress feasibility and design work as well as further community consultation and input as part of a co-design approach.

This has included a community panel to work to identify functional requirements, preferred location, facility design and ongoing building management models. I want to particularly acknowledge the efforts of Ms Orr and Mr Pettersson—as well as yourself, Mr Braddock, in asking this question—around engaging on the process.

I am advised that the concept design process has now concluded and it is broadly supported. So from here, through usual budget processes, the government will consider the construction business case for the project.

**MR BRADDOCK:** Chief Minister, can you please explain why the particular site was chosen?

**MR BARR:** It was through a process that assessed functional requirements, design requirements, building management and, indeed, community engagement. Projects of this nature do need to go through a concept design process. The level of detail and engagement to ensure a functional facility in an accessible location is testimony to quite a period of work.

**MR DAVIS:** Chief Minister, what services or programs do you expect to run at the facility? In particular, which ones do you expect to cater for young people?

**MR BARR:** The range of services can adapt over time, reflecting the changing needs within the community. I do want to acknowledge that there are interim needs at this point ahead of the construction of the new facility. The government, with particular input from Ms Orr and Mr Pettersson, have been focused on an interim solution whilst the new centre is being built. So we have looked to existing facilities that we could lease to provide space for community organisations, including youth focused ones, to ensure that, whilst the new centre is being built, there is also service provision in a temporary location.

### **Government—LGBTIQA+ inclusion strategy**

**MS ORR:** My question is to the Chief Minister. Minister, the Capital of Equality Strategy was launched in 2019 and provided a long-term vision for Canberra to be the most LGBTIQ+ welcoming and inclusive city in Australia. Can you please provide an update on actions from the strategy and what has been achieved so far?

**MR BARR:** I thank Ms Orr for the question. The strategy that she has asked about clearly has launched a substantive body of work to make Canberra the most welcoming and inclusive city in the nation. The First Action Plan laid a very solid foundation. It banned harmful sexuality and gender identity conversion practices. It led to an amendment to the Births, Deaths and Marriages Registration Act to improve processes for changing birth registration and birth certificates. It saw an investment in support systems for Canberra's schools including the Safe and Inclusive Schools initiative. It led to the funding of specialist, peer-led community-controlled services, such as Meridian and A Gender Agenda, to provide support for the community.

The Second Action Plan that was launched in March this year builds on that work and presents a range of actions to be achieved by the end of this current calendar year.

Through programs like the Capital of Equality Grants Program we have funded 30 innovative initiatives which have given opportunities for connection, belonging and community in a range of community and cultural areas, events, sports, research capacity building and many others. There has been a particular focus on projects led by Aboriginal and Torres Strait Islander and culturally and linguistically diverse communities. We are expanding the grants program for 2023 and 2024 to support more projects. We are funding more research to better understand lived experiences and barriers to equality. For example, we have invested in the ACT component of the *Writing Themselves In 4* study conducted by researchers at La Trobe University and we now have much more comprehensive information about the health and wellbeing of young, sexually and gender diverse Canberrans.

**MS ORR:** Minister, how does the legislation introduced today link with the Capital of Equality Strategy?

**MR BARR:** Thank you Ms Orr for that follow up question. As I am sure members are aware today the Territory parliament took another step, another nation-leading step, in legislation to protect the rights and choices of people with variations in sex characteristics in medical settings. This reform was an action of the Capital of Equality Strategy. The legislation upholds the human rights of intersex people to not receive non-essential medical treatment without consent and the rights of children to special protection, free of discrimination. The legislation is only one part of this important reform though. The government has invested in new services and supports as well, including the establishment of a variation in sex characteristics psycho-social support unit at the Canberra Hospital with specialist staff to support people with variations, to support their families and to provide training packages for health professionals. These reforms give intersex people and their families more support and more expert guidance for their medical treatment choices. We are the first jurisdiction in Australia to undertake this legislative reform and to put in place the associated support framework. I hope though that it will be quickly followed in other states and territories. I acknowledge that Victoria I think will be the next state to pursue this legislative reform.

**DR PATERSON:** Chief Minister, Sydney recently hosted WorldPride. What did the ACT do to help celebrate WorldPride and promote the ACT as the most LGBTIQ+ welcoming and inclusive city in Australia?

**MR BARR:** WorldPride promotes and advocates for human rights across the world. It was a major coup of course for Australia to host the event. It was held in Sydney. It coincided with the 45th anniversary of the Sydney Gay and Lesbian Mardi Gras, with over 500,000 participants taking part in activities across the 17 days. ACT's participation included my role in the human rights conference that was a major part of the event. We also had a particular focus through VisitCanberra on developing specific WorldPride marketing campaigns to support post-event visitation into Canberra, to encourage people to spend a few nights in the national capital. To further encourage visitors as a celebration of WorldPride, members would, I am sure, be aware that Enlighten incorporated a dedicated pride weekend that saw attendance and participation in events I think at a record level for those activities in Canberra.

With that, Mr Acting Speaker, I ask that all further questions be placed on the notice paper.

## Leave of absence

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

That leave of absence be granted to Ms Clay for this sitting due to illness.

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

That leave of absence be granted to Mr Cain and Mr Milligan for this sitting due to personal reasons.

## Light rail stage 2—traffic disruption

**MR HANSON** (Murrumbidgee) (2.51): I move:

That this Assembly:

- (1) notes that:
  - (a) Canberrans are starting to feel the impacts of construction of Light Rail Stage 2A;
  - (b) Government projections show these construction works will:
    - (i) reduce Commonwealth Avenue’s traffic volume by 80 percent;
    - (ii) increase traffic on Parkes Way by 45 percent in the morning, and 59 percent in the evening;
    - (iii) increase traffic on Monaro Highway by 46 percent in the morning, and 38 percent in the evening; and
    - (iv) increase traffic on Kings Avenue by 28 percent in the morning, and 24 percent in the evening;
  - (c) the Government has not published data for the impacts of other roads around Woden, Weston Creek, Molonglo and Tuggeranong;
  - (d) Minister Steel’s response is to tell Canberrans to “find a different way into the city”; and
  - (e) Light Rail 2B will cause traffic congestion for the southside of Canberra for up to a decade; and
- (2) calls on the ACT Government to:
  - (a) research and publish current delay statistics for the areas of Woden, Weston Creek and Tuggeranong including Tuggeranong Parkway, Cotter Road, John Gorton Drive and Hindmarsh Drive;
  - (b) explain to Canberrans how to “find a different way into the city” when all major roads from the south are affected; and
  - (c) end this traffic chaos as soon as possible by not proceeding with Stage 2B.

The core of the problem about the tram is that it has been sold as the cure for congestion but it is in fact the cause of congestion.

If you travel from the south side of Canberra, you will see how this has unfolded. Indeed, if you travel from the north side today, you are affected by it. But it is certainly the south of Canberra that will, for a decade, pay the price of Mr Barr and Mr Rattenbury and their inner-city focused policies. There will be a decade of delays and disruption for families in my electorate, in your electorate, Mr Acting Speaker, and in Ms Lawder's electorate if this continues.

We know, from our lived experience, that there will be a bunch of delays. We have all been experiencing it, but the minister has admitted that there will be delays. I will quote from the *City News*, which reads:

“There will be a number of years of traffic disruption,” Transport Minister Chris Steel said today, announcing that London Circuit will be closed to extend the light rail from Civic to Commonwealth Park.

They made it clear from 2A that there was going to be a problem here.

Another article:

Traffic upheaval on way as date set for London Circuit closure

The flagged disruptions for Canberra road users at the southern end of the city will soon become a reality, with main works set to start on raising London Circuit, a key step in the extension of light rail ... to Commonwealth Park ...

Another article:

“The proposed construction is predicted to cause significant disruption to Canberra's main routes for several years,” according to Transport Minister Chris Steel.

Of course, we do not quite know how many years that is, because the government will not tell us. It is secret, apparently, when stage 2B is going to be progressed! So let me repeat: these delays are not actually curing congestion; they are causing congestion.

The government has released some figures. It created a task force, which has predicted that there will be delays on Commonwealth Avenue as traffic volume will increase by 80 per cent and increase on Parkes Way by 45 per cent in the morning and 59 per cent in the evening. The increase in traffic on Monaro Highway will be 46 per cent in the morning and 38 per cent in the evening and an increase on Kings Avenue.

But there is a lot of disruption elsewhere as well. My morning routine, depending on whether I am dropping kids to school, is to go down Hindmarsh from Western Creek to Woden and then up Adelaide Avenue or, alternatively, I might try and go up Streeton Drive onto Cotter and in either on the Parkway or Adelaide Avenue—and there are significant disruptions.

Hindmarsh Drive is significantly affected and so is the Cotter Road. At that intersection of Streeton Drive and Cotter Road cars are at a standstill—it is a car park! That is a problem that is now being exacerbated by light rail, but it is a problem of this government's creation. It has completely stuffed up the planning for Molonglo.

This government must really hate the people of Molonglo, with what it has done there in all of the infrastructure planning but, in particular, when it comes to the traffic congestion. If it were not for the federal Liberal government offering to pay for half of the bridge, that would not even be on the cards either!.

People are facing this every day. We were not warned about the delays on Hindmarsh or about the delays on Cotter, but this is happening. It is in real time. People are being delayed.

I also note that the government is shutting a whole bunch of car parks. I will wait to see what the impacts of that will be. It is interesting to note that 165 spaces at 41 Marcus Clarke Street will be closed and the south-west corner car parks on London Circuit will be shut—overall, about 665 parking spaces available in the city centre.

I sometimes wonder why it is that this government hates cars so much. About 94 per cent of adult Canberrans drive a car. We all drive a car. I see it in the car park every morning, that you are all driving cars. Even those of you who say you hate cars and you are all for active travel are all in your cars!

I see other members of Murrumbidgee driving their kids to school occasionally in their cars, because they have no choice. They have no choice. If you have kids, these are sorts of things that you have to do. You have to drop kids at school and you have to pick them up from school. You do not always necessarily work on a tram route from Gungahlin. If you may be trying to your get kids to school on the bus but then they cancel your bus, as this government did with my kid's school bus, it makes life very difficult. I know that that member for Murrumbidgee over there drives her kids and drives to work, as a lot of us do.

So why do you hate parents who are trying to drive their kids to school? Why do you hate them so much? Why do you make their lives so much more difficult because of this obsession you have with the tram? You are not helping anyone. You are causing pain, annoyance and disruption to families across the south. Why? Because you have this obsession with the tram.

We are calling for evidence about what the delay statistics are. But it is pretty clear that it is happening. Let us get some evidence about what these statistics are. But what is the government's answer to this? I know what my answer is: do not do stage 2B. It is a pretty simple answer. That is the Canberra Liberals' answer. That would stop a decade of pain.

Over the next decade, because Mr Steel wants to run his tram out, he is going to cause pain, misery, and disruption to Canberra families. So what is his answer? What has he said to these families? He has said, "You have to just rethink your routine.". So I have to rethink my routine? I will have a chat to my son's school about whether he can turn up to school late?

**Mr Parton:** 11 o'clock maybe?

**MR HANSON:** At about 11 o'clock. What about the sitting days? Are they going to start earlier or later?



**Mr Parton:** We could rethink it!

**MR HANSON:** Rethink your routine! So we all have to adjust our lives and our families have to disrupt themselves so that Mr Steel can have his little tram: “You have to disrupt your life and rethink your routine.”

Dr Paterson wanted women to get on pushbikes and ride around the city, as an alternative. I think that was in the paper that she put out last year. That is pretty feasible, is it not—“Do not get in your car because of the congestion; get on a pushbike and ride”! Or you might want to commute slightly later or earlier!

So we have all got to disrupt our lives for a decade to fit in with Mr Steel. “Rethink your routine,” is his answer. It is hard for some people to do that, and Mr Steel just does not get it!

It is not like you can catch a bus very effectively in this town. Even the Greens are appalled at the number of buses this government has cut—and they are the government. They came out with a press release saying, “This government has cut all these buses”—since 1990 or something—a massive number of buses. They forget that they have been in government with this mob since 2012 and they have been part of the problem. They have been the ones cutting the number of buses. They forgot to mention that in their press release. So even they accept that this government has cut transport routes and it has cut buses. We have significantly less patronage now.

I bet Mr Parton would have all the statistics to hand on exactly how many people used to catch a bus and how many catch it now because the services are cut, including my son’s school bus: “We will impose a decade of disruption on you and we will cut your son’s school bus.” That is pretty handy, is not it?

*Mr Steel interjecting—*

**MR HANSON:** Mr Steel is interjecting with something. I cannot wait to hear what his answer is on how I can change the routine for my life and my family’s life. What is his answer for all those families across the south side who actually want to drive their cars? I cannot wait to hear what he has to say beyond “change your routine”.

We have had some real examples provided to us. A lot of people who are trying to get to appointments, trying to get to work or trying to get their kids to school have come to us saying, “Hey, it is just getting harder. What is going on with the traffic?” In some cases, they are unaware of the reason that this is happening. They are unaware that there is a flow-on from what is happening with the works on London Circuit down to other roads in Woden, Western Creek and up from Tuggeranong.

Those people are now aware that this is going to happen for a decade. Once you let them know that what they are experiencing now is going to happen for 10 years—

**Mr Parton:** Or more!

**MR HANSON:** Yes, or more. Thank you, Mr Parton. I am often out and about chatting—and I am sure that you get this when do you your mobile offices. I am sure

Dr Paterson has people coming up and telling her this—and you would not believe the number of people from the union movement who have come up to me at mobile offices saying, “Why has this government, this Labor Party, abandoned its workers and is stuffing us around and will not fund the particular areas that we work in?”

There are senior Greens’ members—I will not out them—who do not support the tram, because they understand the disruption that this is causing in people’s lives. I was talking to one at the mobile office and he said, “How is your mobile office going?” I said, “It is pretty good. I think that our message about the tram is resonating out here.” He said, “Yeah, I know.” I said, “I think people understand that this is not helpful for the environment.” “I know,” he said. I said, “It is not helping with public transport.” He said, “Yeah, I get that.” I said, “It is causing disruption.” “Yes,” he said. I said, “Well, what is the point of it?” and he said, “It will be great for development on Adelaide Avenue.” That was the response of this very senior Greens’ member!

The Greens’ only argument to justify the tram is “It is going to be great for development.” It is going to be great for the developers. That is the only argument for this tram—it will be great to do a whole bunch of development. Mr Rattenbury might be able buy another unit—I do not know!—along Adelaide Avenue or others might want to do that. If that is their only argument, they have lost their way.

Mr Barr yesterday said, “Do not worry about, because we can do it all.” When we asked him about funding for schools, he said, “Do not worry; we can do it all. We can have the tram and we can have everything else.” As we have heard just this week, no, we cannot.

We have heard about the disaster in our health system in the gynaecological cancer services and the foetal medical service. We know what is happening in ED with the longest waiting times in Australia and the longest elective surgery wait times. We have heard about the threats of violence and that the violence impacting on principals in our schools system is worse than anywhere else in Australia. We have heard that 94 per cent of principals facing this have all said that it is because there are not enough resources. And the Chief Minister is saying, “We can do it all.”

Look at what is happening in our health system and look at what is happening in our schools system. How can this government possibly come in here and say, “We can do it all,” when we have heard quite clearly what is happening in health and in our schools and we know that we have the lowest number of police per capita in Australia? How can those opposite possibly say, “We can do it all”?

As shadow education minister, when I talk to teachers, it is pretty clear where their priorities are. It is teachers, not trams. I bump into teachers all the time who are frustrated by the lack of resources that they have got and principals who are frustrated about the lack of support. I talk to nurses and frontline workers, I was talking at mobile office to about the problem with mowing in this city and the disgraceful state of this city, and someone came up to me and said, “I do the mowing, and you are dead right: we do not have enough resources to do it”—and he was a union member.

This is a pretty simple motion. We need to get a real grip on not just the traffic disruptions that the government has outlined but also all those other consequential

effects that are happening across the south of Canberra. Let us have some evidence about what is happening there, because we know anecdotally that we are all suffering it on a day-to-day basis.

There is no justification for this tram that is plausible. The disruption, the pain and the suffering that you are going to cause Canberra families on the south should be compelling reason enough for you to stop with stage 2B, stop at the end of 2A, and end the traffic jams that you are causing.

**MR STEEL** (Murrumbidgee—Minister for Skills, Minister for Transport and City Services and Special Minister of State) (3.07): I would like to start by thanking Mr Hanson for putting this motion forward today. It has provided us with a great opportunity to highlight the investment that our government is making to build the infrastructure that our city needs as it grows and the work that we have done to prepare for the construction of major infrastructure projects that are really important for our city's future.

Over the past decade, the ACT's population has grown from around 370,000 to 460,000. Canberra is now on track to be home to more than 500,000 people by 2027—this decade—and three-quarters of a million people in the decades ahead. We are no longer Australia's best kept secret. More and more people are choosing Canberra to live because it is a great place to live, and we want to maintain our status as one of the world's most liveable cities. We are going to need transport solutions and infrastructure for a city that is home to more people—to half a million people this decade and even more in the decades ahead. We are committed to delivering our future-focused transport infrastructure that Canberra needs to maintain our status as a liveable city.

We need to make balanced and considered investments in public transport, in roads, and in active travel, and we are building the infrastructure that our city needs to support all of these modes of transport, including mass-transit. The solution is not one or the other. We consider them all holistically as part of an integrated transport network and we are investing in new and renewed infrastructure across all modes. We are getting on with delivering the mass-transit infrastructure that our city needs as it grows. As we do this, as we have always said, this infrastructure comes with some unavoidable disruption impacts in the short term that provide long-term benefits with the completion of those infrastructure projects.

Many of these projects, like extending our mass-transit light rail line, are about reducing congestion in our city in the long term by moving more people more efficiently. In terms of stage 2A of light rail, we started planning for this disruption over two years ago because, unlike the Liberals, we have a policy for the future of Canberra's transport network and how we move more people around a city that will be much larger in the decades ahead. This is about building infrastructure now to support a better connected and sustainable city where we avoid the congestion problems faced by other cities that have not invested in mass-transit solutions at the right time.

Mr Hanson's motion refers to indicative transport or traffic modelling which I published in July 2021. This was part of a media release to inform the community of

the potential traffic impacts and the formation of the Disruption Taskforce, because we have been upfront about the impacts of important infrastructure for Canberra's future. This traffic modelling was based on the worst case impacts that could occur on Commonwealth Avenue if it needed to be reduced to a single lane of traffic in both directions.

However, I am pleased to say that, working with our construction partner, Abergeldie, on their construction methodology for raising London Circuit, this will include the construction of a side track on Commonwealth Avenue. This will allow four lanes of traffic to be maintained—two each way—during the large majority of construction, including during the demolition of the existing Commonwealth Avenue bridges over London Circuit.

This is just part of the work that we have done to minimise the impact of construction of major infrastructure projects around the city. Of course, in 2021, when we established the Disruption Taskforce, we brought together expertise from across ACT government in road and public transport network planning, behaviour change, community engagement and communications. The taskforce's focus was to minimise the impact of construction on the transport network. That is not just light rail. It goes to a whole range of different infrastructure projects, including road infrastructure projects like the strengthening and renewal of Commonwealth Avenue Bridge—a federal government project—as well.

We are looking to identify opportunities through the taskforce for infrastructure improvements to support traffic flow, such as intersection and road improvements, managing network demand during construction, including by encouraging a shift in routes and travel times to spread peak congestion, and providing alternate transport options. That is what a responsible government does to plan for the infrastructure that is required for our growing city.

Although some disruption is unavoidable during that major construction, I am pleased to confirm that the Disruption Taskforce has been undertaking extensive preparation and planning and has successfully implemented a range of interventions to manage and reduce the impact of expected traffic congestion while construction takes place on these projects.

The ACT government has implemented some intersection upgrades to reduce congestion and maintain traffic flow. New traffic lights have been installed on Coranderrk Street and Parkes Way roundabout to better regulate traffic flow and improve the capacity of the intersection, which is assisting with traffic flow and reducing time travel delays. It is working really well. I have had a lot of positive feedback from the community about the impact that it has had on traffic movements on Parkes Way eastbound in the morning.

New traffic lights have also been installed on Vernon Circle to allow safe right turn movements onto Constitution Avenue and London Circuit, particularly for buses but also for other vehicles. The installation of a new bus lane was also essential to enable bus diversions in the area following the partial closure of London Circuit.

A new shared path has also been constructed on Vernon Circle to allow pedestrians to walk safely between Constitution Avenue and Edinburgh Avenue, and that is a

long-term measure that will exist well beyond the life of the project. It will provide benefits in terms of east-west pedestrian connections.

We have invested in smart technology to better manage our road traffic network and respond to incidents that occur on the network. We have installed 40 additional Bluetooth sensors as well as 30 new cameras to improve real-time monitoring of the traffic network. Again, that is a benefit for our road network that will last well beyond the life of this project and construction period. The Roads ACT Traffic Management Centre has been using that technology, as well as advice from Transport Canberra Bus Operations and ACT Police, to monitor the road traffic network and make interventions as required during the morning and afternoon peak times.

Transport Canberra has implemented a new public transport network with a focus on maintaining service reliability during disruption, particularly making sure that we have high-frequency public transport connections during the peak periods when most traffic disruption is experienced and when many people are travelling, particularly those who want to find an alternative to their car. We realise that not everyone can do that, but those who can make a real difference to the traffic network. This is providing a good alternative for those who can choose public transport to get on board and avoid the traffic disruption.

The ACT government has also implemented additional interventions to mitigate disruption impacts on Canberrans, including a new Park and Ride facility at Mawson Oval. We have expanded the e-scooter scheme for those that can make short trips around the capital, and we have developed a workplace travel program and school-based travel planning as well.

All of these interventions have been underpinned by a very prominent behaviour change campaign which encourages Canberrans to rethink their routine during this period. The campaign encourages greater uptakes of alternatives for those that can use them, like public transport and active travel, to help relieve road congestion for all road users, even those who are travelling on the road. Every person that takes public transport benefits every single person on the road network. It does mean rethinking the way that Canberrans travel in our city during construction, whether it is the route, the mode of travel or the time of travel. They are all things that we need to do to reduce the congestion.

The interventions to minimise traffic impacts during the construction of this important city-shaping project are working. The ACT government has considered current and future users of our integrated multimodal transport network when planning for the delivery of major transport infrastructure. We will continue to do that during the delivery of light rail to Woden and future stages beyond that.

stage 2A involves light rail moving onto the western side of London Circuit. It is one that is quite different. It is actually on the road itself, not on the median of a road corridor, so there are extra impacts that come with that. But, with stage 2B, we have the opportunity to use the very wide median on Adelaide Avenue, which we hope will be less disruptive for Canberrans compared to elements of stage 2A. Thanks to the extensive preparation and planning work that has been undertaken, the traffic impacts that have been monitored have been better than anticipated thus far in the construction period.

We have been comparing the average journey time during the morning peak between November 2022 and February 2023 and we found that the maximum increase in the average travel time has been approximately: 4.5 minutes from Cotter Road to the City via Parkes Way; 6.5 minutes from the Cotter Road to the City via Commonwealth Avenue; 1.5 minutes from Hindmarsh Drive to the City via the Monaro Highway and Parkes Way; and four minutes from Hindmarsh Drive to the City via Monaro Highway and Canberra Avenue.

An initial review of traffic volume comparisons at key intersections within the city in that same period indicates that, during the morning peak, inbound traffic on Kings Avenue has increased by 17 per cent, inbound traffic on Commonwealth Avenue has decreased by about 23 per cent, and inbound traffic on Edinburgh Avenue and Parkes Way has increased by 20 per cent.

These statistics are based on the short period of disruption data that we have available. They do not take into consideration other factors that may impact travel delay and congestion on our roads, such as recent major events, including the Multicultural Festival, unplanned incidents and wet weather. The actual road and traffic impacts will fluctuate as various major public and private infrastructure projects are progressed, including the NCA's bridge works, which do not have a confirmed construction methodology yet.

Just yesterday, we commenced a temporary one-week closure on the ramp leading from Parkes Way eastbound onto Commonwealth Avenue southbound. I would like to thank Canberrans for rethinking their routine during this very temporary closure and thank them for their patience on the roads, particularly with the wet weather. We will continue to be upfront about the traffic impacts and will be communicating regularly so that Canberrans have the information that they need to rethink their routine as we continue to build infrastructure that our growing city needs.

If the Liberals had their way, based on today's motion, no existing infrastructure in Canberra would ever be renewed and no new infrastructure would ever be built in our city, despite its growth, because every infrastructure project—road infrastructure, rail infrastructure, health infrastructure and even upgrading shopping centres—has construction impacts, including traffic impacts. What the Liberal Party are effectively saying today is that they would never make any investment in any infrastructure, especially transport. They would never build light rail; they would never build the Molonglo River bridge or the Molonglo commercial centre, or do the Monaro Highway upgrades or the Athllon Drive upgrades. They would never build infrastructure if it has impacts. Well, every infrastructure project has impacts. It is important that we invest in them, renew our existing infrastructure and build new infrastructure to maintain our city's liveability in the future.

This reinforces what the community already knows about the opposition—that we have a short-sighted Liberal Party with no plan about how to meet the needs of our growing city. Despite the success of Stage 1 of our city-wide light rail network and the start of construction on the next stage, the Canberra Liberals want to drag the community back to the same old tired debates of the last decade. They are treating Canberra like a country town, not the growing city that it clearly is. Canberrans deserve better than their short-sighted policies and scare tactics.

In contrast, our government is investing in roads, public transport and active travel and other infrastructure projects—health, education and community services—to help avoid future traffic chaos which plagues other cities. If we want Canberra to remain a great place to live with this growth, we have to change. We have to renew our infrastructure and we have to invest in new infrastructure.

To move more people more efficiently in the future, we need to prepare our system now, not when congestion and traffic impacts will be, in fact, far worse in the decades ahead. That is exactly what the ACT government is doing as a future-focused government. We are committed to delivering the transport infrastructure that our growing city needs now and into the future. I look forward to delivering on our comprehensive transport plan.

**MS LAWDER** (Brindabella) (3.20): I rise today to speak in support of Mr Hanson's motion. As I have talked about previously in this chamber, Tuggeranong residents often feel neglected, they feel unsupported, they feel left out and they believe that they will either never get the light rail, if it comes to that, or it will be when most of them that I speak to now have already passed on.

I am talking here about nearly 90,000 residents of the ACT who live in Tuggeranong—the best part of 90,000 residents. About 20 per cent of the ACT population currently live in Tuggeranong; and in Tuggeranong there is quite an anti-tram feeling.

Recently, I was out doorknocking. In one particular street there were 24 homes—actually, it was a close, rather than a street—plus 10 units, so there were 34 dwellings. Of the people who were home on the day when I was doorknocking, every single person told me they were anti-tram. I only did that suburb. I love that street. It is great. There is a very positive feeling when I am out and about in Tuggeranong because the anti-tram feeling is there; it is very real.

Despite this, Tuggeranong residents are experiencing the direct consequences of stage 2 of the tram—the traffic chaos—and it overwhelmingly impacts those living on the south side, such as Tuggeranong residents, who will not receive any benefits from the tram, ever, or, if at all, for decades to come.

As Mr Hanson's motion points out, government projections show that these construction works will increase traffic on Parkes Way by 45 per cent in the morning and 59 per cent in the evening. Parkes Way is used daily by south side residents who travel to the city via the Tuggeranong Parkway.

Similarly, traffic on the Monaro Highway will increase by 46 per cent in the morning and 38 per cent in the evening. That is another route that south side residents access daily when travelling into the city. Of course, we do have some upcoming roadworks planned for the Monaro Highway, which we have welcomed, but it will mean there will be virtually no way for Tuggeranong residents to get into the city without being impacted. All we need is some problem on the Tuggeranong Parkway—sadly, accidents do happen—and we will all be stuck in gridlock, trying to get out of Tuggeranong.

These are the residents who will have the negative impact of previously promised road projects which have been dropped by this government. Remember that, in late October last year, we heard through Senate estimates that funding for several previously announced road projects had been scrapped—projects that amounted to savings of \$85.9 million, exactly the same amount that had previously been allocated to stage 2A of the tram in the federal budget.

The Labor-Greens government have been consulted about these road projects and they volunteered the road project funding to be relocated to the tram extension. These road projects included upgrades to the Tuggeranong Parkway and improvements to intersections and feeder roads along the corridor—gone, in a puff of smoke. They will no longer get that benefit to help residents of Tuggeranong get into the city. As the president of the Tuggeranong Community Council pointed out, it would have also benefited those coming from the Molonglo area who use that feeder route into the city. Time and time again, it seems that it is Tuggeranong residents that pay the price for this Labor-Greens government's obsession with their oversized pet project.

Let me explain a little bit about Tuggeranong residents. On census day in 2021 in Canberra, 64 per cent of people travelled to work in a private car, six per cent used public transport, 6.1 per cent used a bike or walked and 10.9 per cent worked at home. This government have failed to shift use of public transport. For years, they have been trying to do it, because it just does not suit the lifestyle of many Canberra people, especially those in Tuggeranong.

Tuggeranong has a higher than Australian average of people who work—that is, participate in the labour force. In Tuggeranong, 67.9 per cent of residents participate in the labour force, compared to the Australian average of 61.1 per cent. With respect to the method of travel to work by Tuggeranong residents specifically, the figure by car, as the driver, is 66.8 per cent compared to 59 per cent for the ACT as a whole and 52.7 per cent for Australia. For travel as a passenger, the figure for Tuggeranong is also the highest—higher than the ACT average and higher than the Australian average.

In total, those people using a car to travel to work, either as a driver or as a passenger, in Tuggeranong is 73.4 per cent compared to the overall ACT average of 65.6 per cent or the Australian average of 57.8 per cent. For Tuggeranong, 3.5 per cent of residents used public transport, compared to 6.3 per cent for the ACT and 4.6 per cent for Australia as a whole.

What is also relevant is the family composition of Tuggeranong. The figure for couples with children in Tuggeranong is higher than the ACT average and higher than the Australian average, so this change will not suit people with families. It is really anti-families in the suburbs, especially in Tuggeranong. These are families who are trying to get their kids to school, themselves to work, the dog to the vet, after-school activities, get some shopping done, get kids or themselves to doctors and dentists, and generally keep their lives going.

They live at least 20 kilometres from the city centre. I live 20 kilometres from my office here, and whilst I would like to ride my bike—it is probably too far to walk—physically I am not able to ride my bike to work and back.



**Mr Hanson:** Just change your routine, then.

**MS LAWDER:** Yes, just change my routine. I am not sure exactly how. I could leave the night before, perhaps, and walk to work! That might be a great option of active travel.

Tuggeranong, as we know, also has an ageing population, and ageing populations—like me—have hip problems and knee problems. Whilst they like to stay fit and do some physical activities, riding to work or walking to work is not the same if you live in Tuggeranong as it is if you live in the inner north and the inner south, which is where many of the people making these decisions live.

**Mr Steel:** I don't.

**MS LAWDER:** I said “many”, if you would like to listen rather than interject, Mr Steel, with a spurious comment that is not actually relevant at all. If you are from Tuggeranong, you have at least 20 kilometres to get to work, plus all of the other things you are trying to get done in your life. It is just not feasible to force us, not just out of our cars but to have to spend huge proportions of our daily life stuck in travel.

2CA will have to rename their time-saver traffic report to the “time-wasting traffic report”, because that is what we will get every day. “Yes, there’s a lot of congestion on the parkway; there’s a lot of congestion on the Monaro Highway; there’s a lot of congestion everywhere, if you’re coming from the south.”

Basically, that is the story that Tuggeranong residents will get, over and over again: as the money continues to be redirected to the tram, as basic local services, roads and all of the facilities in Tuggeranong get neglected, we will continue to get that same neglect that we have had for years from this Labor-Greens government.

Labor and the Greens should reflect on how their choices impact Canberrans’ everyday life and whether they will continue to ignore and neglect Tuggeranong residents and treat them with contempt. I personally find it appalling that that is the way they treat Tuggeranong residents. I commend Mr Hanson’s motion to the Assembly.

**DR PATERSON** (Murrumbidgee) (3.30): Mr Hanson started his speech by identifying the core of the problem with light rail. Really, I see the core of the problem with light rail as being the lightweight Canberra Liberals. Mr Hanson seems to be having a lot of conversations with Labor-Greens voters at the shops these days, but perhaps he needs to be talking to his own voters. I talk to a lot of Canberra Liberals voters at the shops, and they shake their heads in shame at their party—a party that shows no leadership, a party that is set and determined to keep Canberra in the 1970s. We have to grow up as a community, and the Canberra Liberals are being left behind!

Minister Steel gets it. He gets that Woden needs light rail and that Canberra needs a light rail network. I am passionate about seeing this integrated mass-transit network delivered to our community. I see the disruption as an opportunity. As Minister Steel

says, a lot of adjustments have happened to our traffic set-ups over the last year in response to the disruption, through paths, through traffic light installations, bus lanes, cameras and Bluetooth set-ups. These all make our roads more efficient.

In response again to what Minister Steel said, four to six minutes extra for a commute at this stage, for infrastructure that will benefit our community for generations to come, is a very small price to pay.

Mr Hanson also mentioned the *Her way* report that I tabled in the Assembly last year. The key aspect of that report was around people having a choice in transport. Currently, if you live on the south side of Canberra, you have limited choices, and we want to expand those choices to include light rail—choices that will improve our daily routines and lives.

I am very passionate about seeing light rail come to Woden. I think that the benefits to our community are exponential, so I do not support Mr Hanson's motion today.

**MR BRADDOCK** (Yerrabi) (3.33): Madam Assistant Speaker, 2016 just called; they have asked for their campaigns back! I am speaking on behalf of Ms Clay, who is unable to attend parliament today.

*Mr Hanson interjecting—*

**MR BRADDOCK**: I would like to refer to the point that Ms Lawder made earlier about interjections; maybe she could refer to her own colleagues while she is at it.

I want to say a few words today in support of what Ms Clay has asked me to talk about. If Mr Hanson is worried about traffic congestion, I do not blame him. In Canberra, according to the 2019 HILDA traffic survey by the University of Melbourne, the ACT saw the greatest increase in daily average commuting times of all Australian capital cities between 2002 and 2017. That is a 65 per cent increase, which is more than three times greater than the average of mainland capital cities.

According to Infrastructure Australia's *Urban transport crowding and congestion* report of 2019, the annual cost of road congestion and public transport crowding in the ACT and Queanbeyan will reach \$504 million in 2031. That is half a billion dollars of productivity each year lost while just sitting in traffic. Our urban footprint has also grown significantly. In my district of Gungahlin, it has grown from around 23,000 in the year 2001 to over 90,000 residents today, with tens of thousands more additional homes yet to be developed in Jacka, Kenny and the Gungahlin town centre.

As we know, in the ACT half of all jobs are in central Canberra, which makes commuting to and from the city and the parliamentary triangle a big deal for residents, regardless of their district.

I personally remember the gridlock that used to be a fact of life on Northbourne Avenue and Flemington Road before the light rail had even started construction. This was driven by residents from Gungahlin and other areas having to commute via car into Civic. I used to catch those red rapid buses that were stuck in the traffic. They were limited in terms of the timeliness of the service they could provide and the capacity they could provide.

That is where light rail is so important. Without having a high capacity, frequent and reliable public transport option, we would see even greater congestion for residents as they try to commute into the city. Instead we have seen residents take to light rail, and its popularity and patronage have grown significantly, a feat which the old red rapid buses could never have achieved.

I would ask Mr Hanson: why does he hate those commuters who utilise the light rail each and every single day? Also, as the Molonglo district progresses and an estimated 75,000 residents move into Molonglo between now and 2060, it will be impossible to service the volumes of people moving around our city with cars, buses and bikes alone. These new residents will commute to central Canberra on the same roads as residents of Belconnen, Woden, Weston Creek and Tuggeranong. Without a high capacity, frequent and reliable light rail network servicing those town centres, we will see unprecedented levels of traffic gridlock in our city.

If the Canberra Liberals are worried about traffic, they should worry about what traffic would be like in Canberra in 40 years without the world-class public transport system that they are trying to scrap. They are too focused on the short-term pain and cannot see the significant long-term gain of these investments in Canberra's future.

We must build a city where everyone has access to frequent, reliable and gold-standard public transport. Without this, we will end up in a city with traffic chaos, with daily commutes taking hours from Canberrans every day. Canberra can be, and deserves to be, a world-class city, a nation's capital of national and international renown where people speak highly of our high-quality, comfortable, zero-emission and modern public transport system, where residents choose light rail, buses, bikes and walking as their first option, not their last choice.

This requires significant investment. It requires disruption. It requires us to make long-term decisions which have short-term impacts. As anyone who has been to a large city with a sub-par public transport system knows, the cost of doing nothing is significantly greater.

The ACT Greens understand and are working towards a vision of Canberra as a city that people look to as a leader in providing excellent public transport city-wide. This means expanding our bus network and our light rail network in order to be able to service our growing city. We will not let Canberrans down when it comes to delivering on this vision. The ACT Greens will not be supporting Mr Hanson's motion.

**MR DAVIS** (Brindabella) (3.38): Let's go back. The year is 2016. We have lost Alan Rickman, Gene Wilder and Muhammad Ali. *Hamilton* becomes a sensation both on and off Broadway. Hulk Hogan and Peter Thiel take down Gawker Media. If you are not familiar with it, go back and check the story. *Batman v Superman*, *Deadpool* versus *Suicide Squad* versus *Captain America* versus *Doctor Strange* takes out the box office, and Jeremy Hanson leads the Canberra Liberals to another election defeat on the promise that they will can the tram.

That was my second election as an ACT Greens candidate. I had been an ACT Greens candidate in the 2012 election, which was the first election—

**Mr Hanson:** How did you go?

**MR DAVIS:** Well, I have got a seat here, haven't I, Mr Hanson? I have got one today. I have a seat in this place today.

*Mr Hanson interjecting—*

**Dr Paterson:** Point of order.

**MADAM ASSISTANT SPEAKER (Ms Orr):** Dr Paterson, on a point of order.

**Dr Paterson:** I cannot hear Mr Davis over Mr Hanson's heckling.

**MADAM ASSISTANT SPEAKER:** Yes. Thank you. Mr Hanson, I remind you that when you are making loud interjections it is hard for the people down the back to hear the speech. Mr Davis, please continue.

**MR DAVIS:** I am telling a story, Madam Assistant Speaker, because we have heard a lot today from members about what people in Tuggeranong want and what they do not want, what they say and what they do not say. Unlike other members for Brindabella in this place, I will not be selective. Let me be clear that I have had many representations from constituents who are opposed to this government's plan to build a city-wide light rail network. I understand that. I have also received representations from many constituents who are enthusiastic about and supportive of this ACT government's plan to build a city-wide mass transit network.

*Mr Hanson interjecting—*

**MR DAVIS:** I have heard from many constituents who have been genuinely fearful of the misinformation spread by the Canberra Liberals opposition about the suggestion that the government cannot do more than one thing at a time. I have heard from concerned constituents, worried about accessing lifesaving health care at the Canberra Hospital, because they are under the false belief from this Canberra Liberals opposition that they cannot have a city-wide mass transit network and a good hospital. That is despite the fact that the government is currently making the single biggest investment in public health care in the history of self-government, in the Canberra Hospital expansion project.

*Mr Hanson interjecting—*

**MR DAVIS:** I could take this debate from so many angles, but if nothing else, on the political strategy--

**Dr Paterson:** Point of order.

**MADAM ASSISTANT SPEAKER:** Dr Paterson, on a point of order.

**Dr Paterson:** Madam Assistant Speaker, there is a constant babble from Mr Hanson in response to every single thing that Mr Davis says. It is very frustrating when I am trying to listen to Mr Davis.

**MADAM ASSISTANT SPEAKER:** Thank you, Dr Paterson. Mr Hanson, I remind you again of being courteous to the other members.

**MR DAVIS:** Thank you, Dr Paterson. I understand that my place in this Assembly particularly aggravates Mr Hanson, because I was elected on a platform of building a city-wide mass transit network and I was elected to represent the people of Tuggeranong, and those two things are not mutually exclusive.

So many of my constituents understand the need, in the nation's most rapidly growing city, to build public transport infrastructure that will accommodate for that massive population growth. Equally, in the interests of accurately reflecting the representations my constituents have made to me, I understand that many of my constituents have reservations about the rate and pace of that change and that population growth. These are, unfortunately, policy issues outside the remit of this ACT government. We have a similar conversation in the planning space.

The responsibility of people in this place is not to decide how many people come to Canberra. I understand why so many people do want to come to Canberra. It is a bloody great place to live. It is our responsibility to make sure that everyone who does come here has a safe and affordable home—and that is another planning conversation—and it is our responsibility to make sure that all those people have a safe, accessible and fair way to get around our city.

Unfortunately, for too long my constituents have been told, “Buy a car, register that car, pay to park that car, pay to service that car, pay to put petrol in that car or you are denied equitable access to this city and this community.” I do not think that is good enough, which is exactly why I will continue to be a passionate advocate to ensure that my constituents are connected to a city-wide mass transit network.

Unfortunately, that will not happen overnight. Unfortunately, we would be a hell of a lot further down this road if we had been able to start building light rail when the ACT Greens first released a comprehensive plan for a city-wide mass transit network, way back in 2008—a comprehensive, fully costed plan. As the reforms to the Residential Tenancies Act this week proved, unfortunately we Greens sometimes have to wait a couple of years to get our Labor friends on board. But we are all on board now. We are so on board that they painted the tram red. That is how on board we are.

**Mr Hanson:** Is it a tram or light rail? I thought it was light rail.

**MADAM ASSISTANT SPEAKER:** Mr Hanson, we have had this conversation.

**MR DAVIS:** You know what? I will take Mr Hanson's interjection because he lost the 2016 election on big posters that said, “Can the tram?”. Call it the tram; call it light rail. The last time you called it the tram you lost, so I do not mind what we call it. It is a city-wide mass transit network. I am enthusiastic about it, and I support it on behalf of my constituents.

When I discussed this with my constituents, because I am regularly wont to do that on social media, I made the points that I was referring earlier. I will go back to those

points before I am further distracted. It was 2012 that I first ran for office for this Assembly—more than 11 years ago. That was the election that we took a fully costed, comprehensive city-wide mass transit network plan to the people of the ACT, and since then we have done a lot.

We have built stage 1 from Gungahlin to the city. We are starting the construction on stage 2A from the city to Commonwealth Park and we are having, let's say, a robust conversation on the Commonwealth Park to Mawson extension, but these conversations are ongoing. Major infrastructure projects like a city-wide light rail network do not happen overnight. These things take time. But the work is happening. Light rail is working, with higher patronage numbers than expected.

My best friend, Madam Assistant Speaker Orr, has terrible taste. You see, he lives in your electorate and not in Tuggeranong—but I will try not to hold that against him—and catches light rail to work every day. He continues to bait me maliciously about the fact that my part of town does not have access to this high quality service. I remind him that I will continue to advocate and I will continue to proudly represent a political party and a constituency excited about that change.

Over the holidays we all tried to get away, out of town. I spent some time in Melbourne with friends and I got firsthand experience of what a safe, frequent, reliable and sustainable public transport network looks like. I want this for Canberra, and I want it for my constituents in Tuggeranong.

It is very telling that my colleagues in the Liberal Party who represent the same electorate can look on the other side of Telstra Tower, can look to the good folk of Gungahlin, can see their infrastructure, can see their public transport network, and say, “My folk can't have a bar of this. I am not interested in any of my constituents getting light rail. They will get their bus and they will like it.” You know what? I aspire for more for my community than it would appear Ms Lawder and Mr Parton do. I will not allow my community to fall into the trap of believing that good government cannot deliver public health care and public education, pick up the rubbish, fill the potholes—

**Ms Lawder:** They do not seem to be. They are not doing a good job at the moment.

**MR DAVIS:** I can tell you from personal experience that the potholes are getting filled. I got a nasty gash in the windscreen of my car because I was chuffing up Drakeford Drive the other day on my way into the office. It had just been resealed, and I probably should have been a bit more careful. That is how I know the potholes are actually getting filled, because now I have to replace my windshield. Thank you, Minister Steel.

**Mr Pettersson:** Shame.

**MR DAVIS:** Shaming me. You know why it is a shame, Mr Pettersson? Because I would love to have come into the office on light rail. Unfortunately, we have started a few years later than we Greens would have liked, and we are starting a few decades earlier than the Canberra Liberals ever would!

To paraphrase Paul Keating, we are stripped down to the proverbial battles and we are ready to go. If you want to have the next election campaign in Tuggeranong fought on who has a vision for the future of our community, who has a vision for the infrastructure that Tuggeranites deserve—just as their friends in Gungahlin deserve it—and if you want to have an election campaign in 2024 that is based on ratepayers in Tuggeranong getting something different and something lesser than ratepayers in Gungahlin, be my guest, because I like my job!

**MR PARTON** (Brindabella) (3.48): I want to start by apologising to the guests who have joined us in the gallery, because I know this is the curtain-raiser. I know you are here for the next one, so we will keep it moving as quickly as we can.

I stand in support of Mr Hanson's motion because it lines up absolutely with the feedback that I am getting on the ground in Tuggeranong—and, indeed, that Mr Davis has suggested, to a point, he is getting on the ground in Tuggeranong as well.

I recall when the initial announcements were made by government about the longer term road closures. I remember standing on a bridge above Parkes Way—making a video, of all things—and saying, “If ever you have wondered what it is like living in Jakarta, you are about to find out.” And we are. We are!

When I was coming out of the Assembly yesterday, dead set, I was driving up to turn onto Constitution Avenue and there was some clown in an Audi in front of me who put the indicator on to turn right onto Constitution Avenue. We sat there for 15 minutes. We had the traffic backed up all the way down. I did not toot the horn. My wife would not have been proud of me, as a Colombian. Eventually this motorist worked out, “There is no possible way that I can turn right there.” It is a bit disastrous. Canberrans are absolutely feeling the impacts of the construction of the tram, and if the current government is returned in the spring of next year they will feel those impacts for many years to come.

I was doorknocking in the Lanyon Valley last week, and Rosa was very agitated about Minister Steel's suggestion to rethink her routine. She said to me, “Can you give me this Chris Steel's phone number? Can I get him to come down here and take the twins to child care? While we are at it, can you get him to run Hayden to football training after school?” She said to me, “Look, my routine is messed up, but there's no other way I can do it.” She said, “We don't live in this fairytale in which we can choose when we turn up to work or just work from home.” She was absolutely ropable. Many Canberrans on the south side are indeed ropable. They know that the project will not get to Tuggeranong in their lifetime, if at all.

**Mr Steel:** Under you, because you don't want to build it.

**MR PARTON:** Mr Steel retorts, “It won't happen under you.” It will not get there in their lifetime, whichever party is in power. It will not get to Tuggeranong in the lifetime of most current residents of Tuggeranong and that is a fact. They know that they will have years of rethinking their routine. They know that it is a struggle to get police to attend a burglary. They know that it is unlikely that their much-needed surgery will be done at Canberra Hospital when it is actually needed. They know that rates are skyrocketing, and they are pretty annoyed with all things tram related.

They also know that, once this white elephant is in place, if it ever gets to Woden, it is unlikely that Adelaide Avenue will ever be a genuine car commute option again. I have to tell you: they worry that the whole of Adelaide Avenue could be turned into a 15-kilometre per hour zone. We could put up six associated speed cameras. Can you imagine the revenue? Imagine the revenue from that! It is revenue that the government will need because they will have to keep on shovelling your cash into this black hole of tram expenditure.

I had a Greens voter question me on this motion—a friend of yours, Mr Davis—while I was out in the community. She said to me, “Would you people be carrying on as much about delays caused by, for argument’s sake, the roadworks on the Monaro Highway?” I reflected for a moment there and I said to her, “You know, I think one of the differences is that the vast majority of those who will be caught up in traffic delays as a result of those roadworks will actually benefit from the project.” The people who are in cars driving on the Monaro Highway will actually benefit from the project.

The reality is that the vast majority of those people who are being impacted by the current chaos, the majority of those who arrive late to work, having to juggle their parenting responsibilities, missing out on family time, sometimes missing out on walking the dog because they have got to leave early, will not actually benefit from the project. Whichever way you want to spin it, most of them will continue to drive. The majority of those lives being impacted by the construction of stage 2 of light rail will not actually ride the tram.

I want to read some of the comments that have been placed on the public record, mainly through social media, pertaining to this topic. Many of these comments refer to the lack of transparency. Martin says:

Unfortunately the government do not see that wasteful investment also damages the environment and requires mining, power generation, noise pollution, traffic disruption, resulting in extra air pollution and lost times in people’s lives that could be much better utilised if a more efficient option was chosen.

Ray says:

The people who actually use public transport say the core bus routes between Tuggeranong, Woden, Civic and Belconnen have always been among the best in Canberra. It has been the fastest and most convenient service and it is difficult to see how it could be improved.

There is an email that went to most members from Louisa. I know it went to Mr Davis. It is not my Luisa; it is a different one. She said:

I am writing to you as a constituent of your electorate—

this is Tuggeranong—

to inform you of my displeasure at your government’s commitment to extend the light rail to Woden. I have attached some information regarding the light rail.



I would like to advise that at the next election I will be voting Liberal if your government pushes ahead with extending the light rail to Woden and it will be for the first time.

I have been a staunch Labor Party supporter all of my life but I cannot vote for a party that I think is being irresponsible with ratepayers' money by pushing forward with a project that, for financial and logistical reasons, cannot be justified.

I spoke to another constituent in Greenway who wondered whether the seaplane trial was to set up a service between Lake Tuggeranong and Lake Burley Griffin, because there is no way you can drive! You will not be able to drive, so we could just start picking people up and go lake to lake. I think that could be what is on the cards there!

As for Mr Steel's response to Mr Hanson, Mr Steel knows absolutely that the numbers do not stack up. He knows that the pain from the traffic disruption is far greater than should be warranted by this project. He knows full well what the project will cost, but he is not brave enough to reveal that. He knows what it is going to cost. He is not brave enough.

He knows full well when the final product to Woden will be delivered, but he is not brave enough to admit that delivery date. Mr Steel says that he is part of a responsible government, but this is not what a responsible government does, as we dive deeper and deeper into the debt well. A responsible government would not be adding another \$3 billion to the debt that will quite likely never, ever be paid out.

Mr Barr stands here often and says, "This is just like a home mortgage. Everyone goes into debt to pay off their home mortgage." It is not like a home mortgage because the biggest difference is that Australians eventually pay off their mortgages! We are never paying this debt off. We are never paying it off. My grandkids will be paying for this in the back half of this century. That is all well and good, because I know that Mr Barr also says it is not fair for the current generation to pay for all of it.

But here is the thing: the numbers will just keep growing. stage 2 to Woden will be \$3 billion-plus. Stage 3 to Belconnen; what is that—another \$3 billion? Stage 4 to Tuggeranong has got to be another \$4 billion. Mr Barr tells us that future generations can pay for this. I gather they will also be paying for stages 3, 4 and 5 and beyond. It is the Labor-Greens way, though, isn't it? As long as someone else is paying for it, it does not matter how much anything costs because somebody else is going to pay for it.

And then there is Mr Davis. Mr Davis was courageous enough to tell us that he has had representations from Tuggeranong residents who are extremely worried about this government's obsession with the tram. But he is locked into this project steadfastly, irrespective of what it costs. He spoke of what he called misinformation from the Liberals in that we have been saying that, as a city, we cannot have a mass transit network and a functioning health system. I think the proof is in the pudding. I do not think you have to look around for long.

I certainly support the motion as put forward by Mr Hanson and I have high hopes that it might get over the line.

**MR HANSON** (Murrumbidgee) (3.57), in reply: What a spirited debate! It was great, and I would like to thank you all for your contributions.

In closing, though, I will turn to the point that Mr Steel made, which was nonsensical. He said that, because we do not support light rail, the Canberra Liberals would therefore do nothing—which is clearly not the case.

But let me give you a list of a few things that we would not do. I will give you some that we will do as well, but what we will not do is do what you did, which was cancel a hospital—to put money in the budget for a hospital in 2011; get through the election in 2012, as you did, with \$41 million in the budget and \$375 million in the outyears and then rip the money out of a hospital and put it on a tram. We will never do that! One thing we will never do is cut hospital funding—hundreds of millions of dollars—to put it on a tram and then leave people waiting the longest for emergency treatment in Australia. We will not do that. So that is one of those things that we will not do.

We will not cut, like Mr Gentleman has, the police numbers to the lowest number in Australia per capita. Even the Chief of Police Officer has had to come out and say, “I do not have enough police to do my job.” We will not do that. No, we will not do that.

We will not run a school system that, as we heard in reports and we heard from the union today, is the most violent in Australia. The report showed that, on sexual harassment and on violence against principals, our school system is the most violent in Australia. We will not do that. That is something that we will not do!

We will not run down and cut down the number of buses and cut the routes, like this mob has. Even the Greens do not like it but are doing it, which is strange because they put out press releases saying, “We do not like the number of buses that have cut,” whilst they cut the number of buses. We will not do that.

We will not triple your rates, either. We will not triple your rates and try and get all the money in. In 2012 they said, “We will not triple the rates.” Remember; you said you would not triple rates in 2012?

*Members interjecting—*

**MR HANSON:** I have a lot more corporate memory than you. I have been around here a bit longer than that. Back in 2012, you said that you would not triple the rates—but you did. But we will not triple the rates.

We will not deliver endless deficits. I think you are the only government in all of Australia that is not even projecting a surplus. You have given up; you are not even projecting your surplus! We will not do that. We will not give up on actually managing the books.

We will not close 23 schools. That goes back even further. That is what your boss did, Remember? That was the election before. He came in and the first thing he did was shut 23 schools. We will not be shutting schools. We will not be closing schools like you lot did.

We will not have \$9 million contracts for complexity thinkers. Is it \$9 million? Mr Steel would know. It was his portfolio. He will know exactly how much was spent on complexity thinkers. I would hope that we would not have to call in people to do investigations into the culture of the minister's office. That is not something we would look to do.

We will not cut road funding and ring up old mates up on the hill, as Ms Lawder said, and say, "Hey, there is some road funding here that we used to think was a good idea. Can you cut that and put it on the tram, please?" Was it \$150 million or \$89 million?

*Members interjecting—*

**MR HANSON:** We will not cut road funding the way that you do. We will not do that.

*Members interjecting—*

**MR HANSON:** Do you want a summary of what we will do? I will tell you what we will do. We will not tell families to change their routines.

*Dr Paterson interjecting—*

**MR HANSON:** Ms Cheyne loves that. She wants to tell families to change their routines. We will not do that. We will not impose things on the ACT population—

*Members interjecting—*

**MR HANSON:** Sorry; it was Dr Paterson injecting, "It's choice; it's choice". You cause all this congestion, but you are removing people's choice by doing that.

We will not cause a decade of delay with stage 2B. We will not make people feel guilty about driving a car. We will not make life harder for families, as you lot are. We will not build high rises everywhere. We will not sort of do a map of Canberra and shade it all different colours and say, "There is an opportunity for a high rise." There are all those yellow shaded bits on your new plan. Mr Gentleman, sees it everywhere—he can build a high rise!

*Members interjecting—*

**MR HANSON:** Oh, it is the only position, is it? We will not spend billions on a tram that we do not need and shut down school buses. But I will tell you a few things that we will do.

We will put teachers before trams. We will listen to the Australian Education Union and our teachers. We will support our teachers. We will give in-principle support to their plan that they come up with that this government is refusing to support.

We will put health treatment for Canberrans in front of trams. You will not hear that from that lot—where you will wait longer for a colonoscopy than anyone else

probably in the world, but certainly in Australia. There are sums of analogy there about how long you wait for a colonoscopy in this town under this government.

**MR HANSON:** We all invest in buses. We will not cut buses. They cut my son's school bus and they cut a whole lot of other services. We will not be cutting buses. Mr Parton—deliverable buses and more bus drivers.

We will increase police numbers. We have made that commitment. We will not do what Mr Gentleman did and just put police numbers in the budget all the time saying, "We have got more police; trust us," and put out six press releases. Then we find out that there are actually fewer police now than a decade ago. We will not do that. We will not cut police numbers!

We will respect families. We will always respect families. This mob do not. If they respected families they would not be doing this.

**Ms Orr:** Mr Hanson, what will you do?

**MR HANSON:** I just said what we would do. What I will not be doing is doing illegal U-turns in Yarralumla when I am stuck in traffic congestion, as has been reported to me about certain members of Murrumbidgee—not you, Mr Cocks. I will not be doing that.

Mr Davis is very concerned about this back to the future in 2016. I remind you that we did not support the tram in 2016.

**Mr Steel:** You did in 2020.

**MR HANSON:** We did in 2020. Thank you, Mr Steel, for that very useful interjection. We did not do so well in 2020. There were six of the Greens. This place was infected by Greens. We were infected by Greens in this place in 2020. But let us look back to the good old days of 2016. What happened in 2016?

*Members interjecting—*

**MR HANSON:** There were two of them. What happened to the Greens down in Tuggeranong in 2016? Mr Davis got 1.5 per cent of the vote and the Green vote was 5.1 per cent. He is trying to make the point that in 2016 you opposed the tram and everybody loved the Greens. But not so much! So good luck. You said you like your job and you want to stay in here. You keep supporting that train, Mr Davis—

**Mr Davis:** It is a tram.

**MR HANSON:** and I will look forward to your 1.5 per cent of the vote—back to the good old days. But I did enjoy his statement that it is a tram. I think it is good that the Green position now is that it is a tram. I cop a lot of, "It is not a tram; it is light rail, Mr Hanson. You do not understand. Why do you keep calling it a tram?" But Mr Davies said, "It is a tram." He said, "I do not mind if you call it a tram; it is a tram." So that is the new government position—that it is a tram. He wants to paint it red. I would have thought that he would want to paint it green.

I think it is great that he is finally acknowledging that it is a tram. That had been a bizarre debate. The Canberra Liberals have been saying for years that it is a tram. Although the Greens do not often support our policy positions, but today we have got it that the Greens now agree with us that it is a tram!

But back to the serious issues. You are not going to support this motion—I get it—because you do not care about southside families. You do not give a stuff about people who are trying to run their lives. Your only response is, “Basically, this is your problem; you change your routine.” If this mob continues on, families will be doing it for decade.

Question put:

That the motion be agreed to.

The Assembly voted—

Ayes 6

Ms Castley  
Mr Cocks  
Mr Hanson  
Mrs Kikkert  
Ms Lawder  
Mr Parton

Noes 13

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

Question resolved in the negative.

## **Retirement villages—dispute resolution**

**MR PETTERSSON** (Yerrabi) (4.12): I move:

That this Assembly:

(1) notes:

- (a) the *Retirement Villages Act 2012* (the Act) commenced on 4 March 2013 and regulates retirement villages in the ACT;
- (b) the Act has been amended on several occasions. A review of the Act was presented to the ACT Legislative Assembly by the Minister for Justice and Consumer Affairs, Shane Rattenbury MLA, in 2016, and resulted in a number of amendments being made to the Act;
- (c) the Act provides methods for the resolution of disputes between a resident of a retirement village and the operator of the village, including via:
  - (i) the disputes committee of the retirement village which can make a non-binding decision to resolve the matter;
  - (ii) the ACT Civil and Administrative Tribunal (ACAT) which can make a binding decision to resolve the matter; or

- (iii) another informal way to resolve the matter as agreed between the parties;
  - (d) that decisions made by ACAT can be appealed to the ACAT Appeal Tribunal;
  - (e) that review of decision rulings made by the ACAT Appeal Tribunal can be appealed to the ACT Supreme Court; and
  - (f) that ACAT, ACAT Appeal Tribunal, and ACT Supreme Court processes to resolve disputes can be costly, and extremely complicated for vulnerable senior members of the community to navigate;
- (2) further notes efforts made to establish a retirement villages ombudsman in other jurisdictions, including the:
- (a) Victorian Parliament's Legal and Social Issues Committee inquiry into management standards, pricing, and dispute resolution processes within retirement housing, undertaken in 2017, which recommended the establishment of a low cost, accessible and binding dispute resolution process, either by expanding the jurisdiction of an existing ombudsman, or through the creation of a new ombudsman;
  - (b) Australian Housing and Urban Research Institute's report *Business models, consumer experiences and regulation of retirement villages*, published December 2022, which recommends the establishment of a national ombudsman to advocate for the rights of older people navigating disputes with retirement village operators;
  - (c) Ontario Government's Retirement Homes Regulatory Authority, mandated to protect and ensure the safety and well-being of seniors, with the power to make binding decisions on complaints;
  - (d) New Zealand Government's Te Ara Ahunga Ora Retirement Commission, which oversees the retirement villages regulatory framework, and supports dispute resolution by making binding decisions;
  - (e) South African Government's Community Schemes Ombud Service, an alternative dispute resolution service which can make binding decisions regarding housing schemes for retired persons; and
  - (f) United Kingdom Government's Housing Ombudsman Service which resolves disputes involving the tenants and leaseholders of social landlords and voluntary members by making binding orders; and
- (3) calls on the ACT Government to:
- (a) investigate the establishment of an ACT retirement villages ombudsman that is non-adversarial and accessible with the power to make binding decisions to resolve disputes between a resident of a retirement village and the operator of the village, and report back to the Assembly by the last sitting day in September 2023; and
  - (b) advocate for the Federal Government to establish a national retirement villages and aged care ombudsman to further support and advocate for the rights of older people.

I rise today to call on the ACT government to investigate the establishment of an ACT retirement villages ombudsman and to advocate for the federal government to establish a national retirement villages and aged-care ombudsman.

Right now, here in the ACT, there is no accessible, non-adversarial recourse available for residents in disputes with operators that can make enforceable decisions to resolve disputes. This should change.

But, before I dive into the legislation, let us set the scene. After a lifetime of hard work, perhaps once all the kids have grown up, many senior Canberrans seek to downsize and sell their family home in pursuit of something easier to maintain as they age.

That is where the retirement village comes in. They are a whole lot easier to run than a normal home. These places are spruiked as a vibrant community environment with easy access to health care, security and entertainment. There is also no need to worry about the ongoing maintenance of your home that you would typically do in your own home, since the maintenance is outsourced. Also, as the friends developed over one's lifetime begin to sadly pass, the retirement village environment presents a fantastic opportunity to connect with peers who are also ageing.

For many seniors, moving into a retirement village sounds like the perfect opportunity. If you have the financial resources, buying in is a no-brainer. And, for a while, things might run smoothly. Life might be good. Strong friends will be made and many games of lawn bowls will be played.

But sometimes things can go wrong. I have heard countless stories from retirement village residents of this being the case—tales of neglect, abuse and false promises and tales of serious roting being undertaken by big for-profit retirement village operators who could not care less about the people who they are supposed to be caring for. It is unacceptable.

I am going to share some of those stories with you today. In one village, I met with a resident who described how it took the operators two whole years to fix the bathroom floor, which was not draining properly, in their newly constructed residence. Big pools of water would accumulate all over the floor even after the quickest of showers.

It goes without saying that, when you are getting older, you become more susceptible to falls which can result in painful injuries. For this resident, simply taking a shower or going to the loo became a massive slip hazard. Every time they went to the bathroom for two entire years, their safety was put under risk, all because the village operator refused to take the issue seriously.

I also met with a resident of a retirement village who had been unable to get the village operator to respond to their concerns about heating and cooling issues in their home. Canberra, of course, has brutal winters and hot summers, and the elderly are particularly prone to the dangers of extreme temperatures.

They were experiencing uncontrollable temperatures in their home, comparable to being outside themselves. This was a source of much confusion for the resident because the property was brand new. They thought initially the problem was a lack of insulation. So they paid for new insulation themselves. It had no effect. It was still impossible to temperature control the house.

Then they got an independent air leak assessment undertaken of their newly constructed home. The results of the air leak assessment? Huge air leaks throughout the house. It explained the huge temperature issues. There is no temperature control in their home because the air flows in and out freely. Yet, throughout this process they have struggled to get a response from the village operators acknowledging the problem, let alone fixing it.

In another village, I met with residents who hold grave concerns about the operator's planned expansion. The expansion will be incredibly lucrative for the developer and the operator.

Retirement living is not cheap and there is a huge demand in this city for retirement village living. Plans had been drawn up by the operator that showed the large number of new residences and the beautiful communal spaces. Truly, it does look beautiful. I am sure that it will be appealing to many prospective future residents. But hidden away in the detail is the increase in cost for the existing residents for the increased maintenance fees. For some residents, this is an unexpected increase in their fees that they may struggle to meet. There is little recourse for them, as the operator pursues the lucrative expansion. But their interest is not solely the wellbeing of their current residents, of course. The operator has a profit motive to pursue, and their residents have little recourse.

At another village, residents told me sordid tales of operator mismanagement, stemming from the fact that the managers live all the way in Sydney and rarely come to visit. The great physical divide between residents and managers allows the managers to stonewall residents to the point that they literally cannot even report issues—out of sight, out of mind. If residents do manage to report an issue, it takes months or even years for the managers to arrange a fix. Because of the operators, this village has such a bad reputation for not paying invoices that sometimes the managers have trouble getting tradespeople to come onsite at all. Many tradies outright refuse the job request unless they have full payment beforehand. As a result of this dynamic, residents have taken it upon themselves to become de facto managers. They scrape together any spare funds that they can and try to persuade a tradesperson to come along to make the fix.

In the background of this particular village, a much bigger battle looms. They are in a protracted battle with the operator over the budget they have proposed for the residents. They cannot come to an agreement. They have even gone to ACAT. They won, but ACAT decisions are not enforceable. So it looks like they will need to go to the Supreme Court to get the decision enforced.

Retirement village operators should just do their jobs. I have found in village after village a reoccurring trend of management refusing to engage with residents when issues appear. There exists a sinister practice in that they often will not engage in written communication and instead make verbal promises that are never followed through.

It kind of makes sense. Retirement village operators have commercial imperatives to meet. Spending money on maintenance and repairs costs them money that they do not



want to spend. If they delay and delay enough, maybe the resident will give up. And they know, ultimately, that residents have little recourse because of the extreme costs borne by residents if they choose to sell and move.

Unfortunately, if residents choose to fight back against this behaviour, they often find that the legislated methods to resolve disputes are not designed with their vulnerabilities in mind.

For the benefit of members and those observing who might not be immediately across the detail of the Retirement Villages Act, let me give you a short explanation of the methods for dispute resolution that it provides. First, we have the disputes committee of the retirement village, which can make a non-binding decision to resolve the matter. The disputes committee consists of a member appointed by the residents, a member appointed by the operator and an independent chair.

If the disputes committee is unable to resolve the dispute, then the parties may choose to engage in another informal way to resolve the matter, such as mediation. The Human Rights Commission is the most likely place at which this mediation would occur, but it does not have to be. But, like the disputes committee, mediation results in a non-binding and unenforceable decision. Many residents that I have spoken to have complained about this.

Even after going through all of the stress associated with trying to resolve the dispute, the resident might find that, at the end of the day, the operator can choose to ignore the final decision of the mediator or committee altogether. At this point, there is still nothing that residents have to force the operator to fulfil their obligations.

If the resident is not completely demotivated by this lack of resolution, they may choose to take the dispute to ACAT. ACAT has the power to make a binding order in relation to a village contract to which the resident is a party and that resident considers to be unjust, unconscionable, harsh or oppressive. But filing a matter with ACAT can be arduous and even expensive if the resident engages legal representation to do the work on their behalf. Thousands of dollars, or instead countless hours, might have to be flushed down the drain just to get the operator to fulfil their obligations. I am told that these are the reasons why there has only been three retirement village disputes ever filed at ACAT.

Put yourself in the shoes of a senior Canberran who is up against a massive multi-national corporation with endless streams of money to fight court battles. What are your chances, really? It is not hard to see why so few seniors have the energy or will to fight back.

If all else fails, then rulings made by the ACAT Appeal Tribunal can be appealed to the ACT Supreme Court, which finally and, importantly, has the power to enforce rulings. But, again, very few people have the time, energy or resources to take their dispute to this next level, even if they wanted to.

All too often, I have found that residents have said that it is too hard to raise an issue at all, which is why they remain silent. They tell me that it is intimidating raising it with the residents' committee, who have a financial interest in the value of the estate

and do not want to see any reputational harm and that the prospect of taking on a big multinational company and their management, all represented by lawyers, is daunting. For most residents, they do not want to cause an issue in their tightknit community. They do not want to be the squeaky wheel. They would rather just suck it up than cause a problem.

It is clear to me that the measures in the Retirement Villages Act which provide for dispute resolution are not currently fit for purpose. I think they can be improved. I think there should be someone on their side.

In an ideal world, residents who seek resolution for retirement village disputes would be able to access that dispute resolution in a timely manner and in a non-adversarial one. It would also help, I believe, if there were a national body to regulate retirement villages and also aged-care disputes, so that residents across all states and territories have the same access to justice as each other. That is exactly what I have heard from hundreds of people who are living in retirement villages right now.

They have come out in droves to support the petition of Mr John Beagle and his wife Katie, who are here today, to establish an ACT retirement villages ombudsman, which I had the great honour of tabling in this place yesterday.

As a young member of this Assembly, I will be the first to admit that I had not previously turned my mind to the complex issues that are facing retirement village residents. But, thanks to the advocacy of Mr Beagle, the Retirement Village Residents Association and the generous engagement I have had with residents in villages across the ACT, this has changed. Their stories of neglect and mismanagement are compelling, and it is clear to me that swift action needs to be taken to investigate the best way to fill the dispute resolution gap which I believe currently exists in the legislation.

A dedicated ACT retirement villages ombudsman plus a national retirement villages and aged-care ombudsman could very well be the answer to this problem. We need to investigate it further. Given the groundswell of community support for this matter, I am hopeful that members will see the merit of my motion today and vote in favour of it.

**MS LAWDER** (Brindabella) (4.25): I thank Mr Pettersson for bringing this motion on today. It calls on the ACT government to investigate the establishment of an ACT retirement villages ombudsman and to advocate for the federal government to establish a national retirement villages and aged care ombudsman. I note that Mr Pettersson also had a petition on this matter tabled in the Assembly yesterday. I would like to take the opportunity to thank the principal petitioner, Mr John Beagle, for his outreach to me and my office, to Mr Pettersson and to others about this particular issue.

The notion of an ombudsman specifically for retirement villages and aged care is one that has been raised by industry stakeholders, policymakers and, most importantly, by residents for several years now. There is quite a bit of background to this. In 2017, for example, there was a joint investigation by the ABC *Four Corners* program and Fairfax Media which unveiled the exploitation that vulnerable residents had

experienced whilst living in retirement villages. I think it is fair to say that these findings shocked Australians, particularly those with loved ones in retirement villages. The show detailed stories of residents being hit with exorbitant fees, complex contracts and, in many cases, a refusal to undertake much-needed work.

This was just the tip of the iceberg regarding what was to come. Over the last few years there has been more media coverage and exposes of the poor treatment, and in some cases abuse, of elderly people in aged-care facilities. I have to say, sadly, this is not even as recent as 2017, in the last few years. I recall many years ago some terrible instances involving, I think, kerosene baths in aged-care properties, and terrible instances of abuse.

There have been a number of inquiries and reports across various jurisdictions. Of course, there was the royal commission into the aged-care sector that was commissioned by Prime Minister Morrison in 2018. It is worth noting that the final report of the aged-care royal commission did not recommend a retirement village ombudsman; however, it did examine the handling of complaints, significantly, recommending that a complaints commissioner should be appointed under a new system of aged-care governance.

As Mr Pettersson's motion points out, the Victorian parliament's Legal and Social Issues Committee inquiry into retirement housing, which was undertaken in 2017, recommended the establishment of a low cost, accessible and binding dispute resolution process, either by expanding the jurisdiction of an existing ombudsman or through the creation of a new ombudsman.

In New South Wales, the 2017 Greiner report into the retirement village sector noted that there was broad support for a retirement village ombudsman, after this was suggested in 40 submissions and raised in many of the community fora that were held.

Aged care is a policy area that technically falls largely under the federal government; however, state and territory governments also have legislation relating to retirement villages and aged-care facilities. They intertwine with the federal legislation. It is a complex area, and whether improving the complaints process should be a role for the federal government or the states and territories, or both, as suggested, is something that will take consideration, but it is absolutely worth taking that consideration, from all of the stories and the case studies that we have seen over the years.

It is clear that the process must be improved. Seniors must be supported through a complaints process, and there should be more awareness amongst residents of the process that is available to them. The process must be simple, so that people can see it through without complex legal arrangements.

I hear about these types of issues from older Canberrans in my role as shadow minister for seniors, and in the past through resident associations of individual retirement villages and through the Retirement Village Residents Association.

The Canberra Liberals are supporting this motion today. We look forward to hearing the ACT government's findings on the issue by the last sitting day in September 2023.

**MR RATTENBURY** (Kurrajong—Attorney-General, Minister for Consumer Affairs, Minister for Gaming and Minister for Water, Energy and Emissions Reduction) (4.30): I am pleased to have an opportunity to talk on this matter today. As the Minister for Consumer Affairs, I am responsible for retirement villages policy, so I am pleased to have the opportunity to talk about this in the Assembly today. The government will be supporting Mr Pettersson's motion today.

I want to start by acknowledging the many people in the ACT who live in retirement villages. Over the years I have had the opportunity, as an MLA and as the relevant minister, to meet many of these Canberrans and to visit quite a few of the villages across Canberra. Canberrans living in retirement villages are often very closely engaged with the laws governing their villages—they are, thankfully, quite effective advocates—as well as with many local issues and, indeed, civic life generally. I always enjoy a good discussion whenever I go to a retirement village.

In my time as the responsible minister, the government has reviewed the Retirement Villages Act and made a range of amendments over several tranches to try and improve life for Canberrans who live in these villages and ensure they have a good experience, they are treated well and fairly, and that the rights and responsibilities between residents and village operators are balanced fairly.

It would be fair to say that those were really engaging conversations. They are complex laws and the residents association did an excellent job advocating for Canberrans across the city. I think we got some really good improvements to the legislation and clarified elements that, after a couple of years of implementation since the legislation was first put in place, did warrant a tidy-up.

I have met with retirement village operators as well. My experience is that, like many industries, there are some operators who are excellent and care about the experience of their residents; there are others whose attitude is perhaps not what we had hoped for or expected, if I can put it politely. This is not always something that can be regulated, but we need to ensure that we have effective dispute resolution processes where we find operators who either do not meet standards or where we simply cannot have resolution through informal discussion.

Residents of retirement villages need access to affordable, fair and user-friendly dispute resolution options. Retirement village laws can be complex, as I touched on earlier, especially around financial issues, including costs associated with entering and departing a village, as well as recurrent fees and charges. Housing is, of course—we talk about that often here—fundamental to people's wellbeing, and disputes in relation to housing can be extremely stressful. It is important that residents know where they can go for help. Of course, the timely resolution of disputes benefits operators as well, so the system is actually there for both parties.

As the motion sets out, the existing framework provides multiple dispute resolution options, each with differing advantages. There are a number of pathways that residents can take to have disputes resolved. As has been touched on, there is the village disputes committee, which is a panel comprising a member appointed by residents, a member appointed by the operator and an independent member. Residents can also go to the ACT Civil and Administrative Tribunal, which can make binding

decisions on disputes arising under retirement village laws, and there is the mechanism with the ACT Human Rights Commission, which has not really been discussed here today, which can offer its conciliation services in response to complaints from residents in an effort to bring the parties to mutually agreed outcomes.

It is particularly important to highlight the role of the ACT Human Rights Commission since the option for residents to make complaints there only commenced in 2019. It was an innovation that this government brought in, in recognition of wanting to make sure we had good channels for residents of retirement villages to take these up, and in recognition of the fact that having experienced parties could be quite beneficial in helping to resolve disputes. It is meant to be informal and accessible.

The Human Rights Commission process is free. It draws on the commission's skills in conciliating disputes in other complex areas, such as discrimination law. The commission staff have considerable expertise in working with vulnerable Canberrans. The commission also has a broad education role in which it conducts outreach to retirement village operators to raise awareness about their obligations under the law. Where the commission cannot resolve a complaint through agreement reached in conciliation, residents can request that a complaint be referred to ACAT for more formal and binding dispute resolution.

It is my hope that more Canberra retirement village residents will utilise the Human Rights Commission conciliation services. I understand that, as we have transitioned out of pandemic settings, the commission is conducting outreach through multiple avenues to promote its services to older Canberrans. It is fair to reflect on the fact that, given the timing of the launch of the service in 2019 and what we all know has happened in the intervening years, the opportunity to get out and draw attention to this service has been limited.

It is important to make sure residents are supported to navigate their dispute resolution options. In the ACT the Older Persons ACT Legal Service, known as OPALS, is operated by Legal Aid ACT. OPALS provides free and confidential advice to older Canberrans about their rights, including residents of retirement villages, when it comes to legal questions.

While I have confidence in the strength of the existing framework and have highlighted in some detail the many services that the government has put in place to support older Canberrans in retirement villages, I am always open to considering whether there is room for improvement.

The motion points to developments in other jurisdictions, and it may be that lessons can be learned from elsewhere. I am aware of the Australian Housing and Urban Research Institute's report on retirement villages that Mr Pettersson referred to. The Justice and Community Safety Directorate has been looking at and considering that report.

I support the government considering further the issues raised in the motion and reporting back to the Assembly. I can inform the Assembly that the Justice and

Community Safety Directorate has already been doing some work for me in this space, as I have already received representation from both Mr Braddock and members of the community. I am also supportive of the idea that older Australians need advocates and that sometimes these voices can be highly effective when coordinated at the national level. Problems and issues often do not stop at state and territory borders. We need to plan for an affordable, accessible retirement villages sector where residents' rights and wellbeing are paramount. It is certainly a shared priority around the country.

I will also, as the motion requests, consider the appropriate opportunities to raise with my federal counterparts the idea of a national voice for older people in relation to retirement villages and aged-care facilities. I note, of course, that aged care is a federal responsibility and that the Royal Commission into Aged Care Quality and Safety in 2021 made a series of recommendations around enhancing governance arrangements for that sector. Some of these recommendations related to the establishment of new advisory and oversight bodies, and the federal government has accepted many of the commission's recommendations.

It will be important for any new proposals to complement and not duplicate other arrangements. That is where I will endeavour to flag these issues with the commonwealth, in the various fora that I am participating in. I will canvass with other ministers across the ACT government the most appropriate place to take this up, because it can potentially cut across a number of portfolios. We will consider within the government the best way to canvass these issues with the federal government.

With that broader context and those undertakings, I would like to thank Mr Pettersson for the motion today. I reiterate the government's support for this motion. I look forward to further discussions on the topic within the Assembly and, of course, when the government reports back later in the year, with the further considerations that we have made of these matters.

**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) (4.38): As the Minister for Veterans and Seniors, I thank Mr Pettersson for his interest and advocacy in supporting older people in retirement villages.

As Minister Rattenbury, as the responsible minister for retirement villages, has already stated, the ACT government will investigate and consider the establishment of an ACT retirement villages ombudsman, and I thank him for committing to this work.

As the Minister for Veterans and Seniors, recognising that we have a population that lives longer and that Canberrans want to live independently at home for as long as possible, I would like to share with you some of the work we are currently doing to protect the rights and safety of older people in our community.

Minister Rattenbury has spoken about the role of the Human Rights Commission, the ACT Civil and Administrative Tribunal, the Crimes (Offences Against Vulnerable People) Legislation Amendment Act 2020 and the review of this legislation currently underway as mechanisms to prevent and respond to abuse of older people. I thank

Mr Rattenbury for his work and commitment to protecting our Canberrans from abuse as Attorney-General and Minister for Consumer Affairs.

As a human rights jurisdiction, we believe that older Canberrans have the right to dignity and security. That is why focus area 2 of the government's Age Friendly City Plan is "Safe, secure and free from abuse". The government is delivering for older Canberrans through this plan and focus area. Under the plan's latest progress report, which I updated the Assembly on last year, the government has delivered on five of the eight actions under this focus area, with the remaining three measures in progress.

The completed actions include introducing legislation that makes elder abuse an offence; promoting the Home Safety Program for older Canberrans; delivering an inclusion and age discrimination social media awareness campaign; amending record-keeping requirements under power of attorney legislation; and strengthening ACAT powers to provide compensation and other remedies for misuse of substitute decision-making powers.

The three remaining actions in progress are working with the commonwealth and other jurisdictions to develop a national register of powers of attorney documents and improve consistency of powers of attorney legislation; monitoring community attitudes of older Canberrans; and piloting a series of e-learning modules for ACT government employees on ageism awareness.

The Ministerial Advisory Council on Ageing also advises the government on policies and initiatives to support better outcomes for older Canberrans, including on the Age-Friendly City Plan and the promotion of positive ageing and tackling ageism and discrimination. I would like to thank the council for their continued hard work and invaluable advocacy.

The ACT government funds COTA ACT, as the peak body to support seniors in the ACT as well as for a wide range of services and programs, and ADACAS for individual advocacy to promote and protect the rights of people with disability, including older Canberrans. ADACAS is also the ACT member on the Older Persons Advocacy Network.

Further, the Older Persons Safety Network, formerly known as the Elder Abuse Network, provides a forum for organisations handling elder abuse situations, including suspected elder abuse. The Older Persons Safety Network shares information which may assist other organisations to manage issues relating to elder abuse and to support each other in their work to prevent this kind of abuse, to assist victims and support older people's safety.

I am immensely grateful for the network of community sector organisations involved in this ongoing work to end the abuse of older people in our community, including COTA ACT, led by ACT Senior Woman of the Year, Jenny Mobbs.

I also note that the Royal Commission into Aged Care Quality and Safety has handed down its final report. The ACT government will work with the commonwealth to play our role in ensuring the safety and wellbeing of older people in aged care.

In closing, I thank Mr Pettersson again for bringing this motion to the Assembly and I thank Minister Rattenbury for committing to the work on this matter. As Minister for Veterans and Seniors, I reaffirm my commitment to supporting older Canberrans, including promoting and protecting their rights.

**DR PATERSON** (Murrumbidgee) (4.42): I am just going to speak very, very briefly in support of this motion. Many constituents of mine live in retirement villages, and I have also heard stories of problems and issues in retirement villages that people cannot get resolved. It is really clear that the time is right that we should have an ombudsman for retirement villages in the ACT.

**MR PETTERSSON** (Yerrabi) (4.43), in reply: In closing, I would like to thank all members for their contributions today. I think it has been a positive and helpful debate for this city. It is a bit of a contrast to Mr Hanson's light rail motion. There was not as much shouting, and it was a little bit less heated, but I think it is just as important for our city.

I would like to particularly thank John and Katie, who are with us today. Their continued advocacy in this space is appreciated by their peers and I think all of us in this place; many of whom you have lobbied personally. I know you have got a lot more on your plate, and I look forward to your advocacy in this space continuing. There is still more work to be done in the retirement villages space.

Question resolved in the affirmative.

## **Revenue Legislation Amendment Bill 2022**

Debate resumed from 1 December 2022, on motion by **Mr Barr**:

That this bill be agreed to in principle.

**MS LAWDER** (Brindabella) (4.44): I rise today to speak on behalf of my colleague, the Assistant Shadow Treasurer, Mr Cain, who is away today.

The Revenue Legislation Amendment Bill is part of an ongoing series of amendments that aims to support the more efficient administration and operation of the ACT tax system. The amendments proposed in this bill will close some loopholes and weaknesses identified by ACT Treasury. The bill also updates some definitions and some other technical amendments.

While the bill does propose both minor and consequential amendments, I am happy that the amendments are productive and do indeed intend to preserve the tax system's integrity, which is the purpose of the bill. Based on the above, the Canberra Liberals will be supporting the bill today.

**MR RATTENBURY** (Kurrajong—Attorney-General, Minister for Consumer Affairs, Minister for Gaming and Minister for Water, Energy and Emissions Reduction) (4.45): I will be similarly brief, as Ms Lawder was. I am pleased to confirm that the ACT Greens are supporting this bill today.



The bill makes several changes, primarily to the Duties Act, with some cross-referencing to the Land Tax Act. The changes are minor and technical in nature and are intended to ensure the ACT's tax system operates efficiently.

The primary amendments to the Duties Act include some clarifications to definitions as well as some minor changes that align provisions with those of other jurisdictions. These amendments make no changes of significance to the actual operation of the tax system, except to make it better aligned and more efficient.

It is part of a regular series of bills in the revenue space that make minor and technical changes to update this complex administrative function of government. We certainly support this objective and are pleased to support the bill today.

**MR BARR** (Kurrajong—Chief Minister, Treasurer, Minister for Climate Action, Minister for Economic Development and Minister for Tourism) (4.46), in reply: I thank colleagues for their contribution and support for the legislation. Not every revenue bill gets unanimous support; so I will cherish this moment and thank colleagues that we end today on a harmonious note with the more efficient collection of revenue in the territory being supported across all parties. Thank you.

Question resolved in the affirmative.

Bill agreed to in principle.

Leave granted to dispense with the detail stage.

Bill agreed to.

## **Adjournment**

Motion (by **Mr Gentleman**) proposed:

That the Assembly do now adjourn.

## **Shepherds Lookout—Brontë Haskins tribute**

**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) (4.47): Saturday, 18 March at noon marked a very special and a very moving occasion. A bench was unveiled at Shepherds Lookout, down Parkwood Road in Belconnen. Many people would know this place for exercise, for dogs and humans alike; for its incredible views and sunsets against the backdrop of the Murrumbidgee River; and for its tranquillity, being a place of quiet contemplation.

This was not just any bench, as welcome as that may be. It is so much more, and it will continue to be so much more for decades to come. It is a bench which commemorates the life of Brontë Elouise Haskins, known affectionately as Poppy. It continues her legacy as a caring person and as a lover of animals and a rescuer of

animals in a place that she loved, where she felt that calm and was able to just be, and where animals love to be.

There is now a space which is beautiful, comfortable and safe for any person in that spot for whatever reason there may be, whether they are simply enjoying the space exercising or maybe they too just need to be. It continues her legacy through justice reform. It is no secret that Brontë is gone too soon, and there is so much more work to do.

The bench was unveiled in the same month that the coroner's findings were handed down regarding Brontë's death. I know how the family feels about those findings, but also that there are some very pointed remarks in those findings that will be the subject of further consideration and certainly further conversation.

Also, it was just after the three-year mark of Brontë's death, which occurred in February 2020. I think that underlines just how hard the family has been working in that time to bring justice to Brontë and to others like her, and just how difficult that has been. Could I pay tribute to Janine Haskins, to Peter McLaren and to their son, Bailey, for that incredible hard work and acknowledge just how much more needs to be done.

The bench—and I am looking at my phone because there is a most stunning photo of it that I took—has an inscription: “In loving memory of Brontë—Poppy—Haskins and others gone too soon.” That is again a pointed reminder to all of us about the work that we need to do to ensure that this does not continue for others.

The bench, by Innovative Metalworks operating out of Queanbeyan, is stunning in its beauty. It includes an etching of a dog, a wolf, eagles, butterflies and a dream catcher, as well as red and purple poppies. It is a stunning piece of artwork. There is also an inscription which reads, “Just hold me in your heart and let the ocean take me,” and, when the sun is shining just right, that is also reflected as light through shadow on the ground behind it. I think that is incredibly moving for anyone who will be in that spot and deserves to know about the contribution that Brontë made in her life and her legacy that will continue.

I acknowledge that the bench came about through a petition through the work of Mr Cain and then the support of the ACT government, but it was the result of ultimately years of hard work by the family. We are so very pleased that it is in this space, and how fitting it is, indeed.

### **Disability services—Abilities Unlimited**

**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) (4.53): I recently had the joy of visiting Abilities Unlimited Australia at Evatt Primary School. Abilities Unlimited engages children of all abilities in sporting and recreational activities, builds self-esteem, and fosters inclusion and social connection.

Their suite of programs includes cycling, skateboarding, movement and dance, and swimming. Together, these programs reach over 600 children and families every year: young people with disability, or those who are neurodivergent or want to participate in programs with their siblings who have disabilities.

I would like to thank Robin and Fiona for showing me their program at Evatt Primary School. It was great to see how their programs use outdoor spaces and the school gym. It was also really interesting to hear about their vision for the future of Abilities Unlimited as their organisation matures and how they have managed rapid recent growth in the number of volunteers and participants.

I know how much fun the young people in the programs have, because I got to ride around the dirt bike track, join in the fun on the skateboards and watch the joy of a dance rehearsal with them. Thank you to all the volunteers and participants who were kind enough to let me join in.

It is so important that we have appropriate sporting and recreational facilities located across Canberra for community sports organisations such as Abilities Unlimited. Community sports and recreation facilities are important for physical and mental wellbeing and as places to come together and be part of a connected community that has fun with each other.

Our growing city means more pressure on existing facilities. School gyms do not always meet the needs of particular sports and recreation activities, and it can be very hard to get a booking in competition with every other community group trying to access the same school hall. I want to thank the principal at Evatt Primary School for being so welcoming and supportive of Abilities Unlimited. I recognise that it does create significant additional work for the school, but they tell me that they love having these programs as part of their school community.

As a local member for Murrumbidgee, I will continue to advocate for the ACT government to support social connection and community recovery through better access to community sports facilities across our city, and I will continue to advocate for indoor multi-use sports courts in Woden.

To all the young people participating in Abilities Unlimited programs, it was so much fun to come and hang out with you. Keep enjoying what you do, and, to quote Captain Marvel: “Higher, further, faster, baby.”

### **Ms Marie Coleman AO PSM—tribute**

**MS STEPHEN-SMITH** (Kurrajong—Minister for Aboriginal and Torres Strait Islander Affairs, Minister for Families and Community Services and Minister for Health) (4.55): I rise today to celebrate the 90th birthday of Ms Marie Coleman AO, PSM. I had the great pleasure of joining many prominent progressive Canberrans on 11 March to celebrate Marie’s 90th birthday, the birthday of a genuine legend of the Australian Public Service and the Canberra community.

Many people will know Marie because she spent more than 60 years campaigning against the gender pay gap and to improve the lives of Australian women. In her student days at the University of Sydney, Marie was editor of the university's student newspaper, *Honi Soit*—only the second woman to hold that title—and served also as a member of the student representative council.

Marie went on to serve as head of the Victorian Council of Social Service until the Whitlam government appointed her to be the first chair of the National Social Welfare Commission in 1972. This made Marie the first woman to head a Commonwealth government statutory agency and the first woman to hold the powers of permanent head under the Public Service Act. Under the Fraser government, Marie served as Director of the Office of Childcare, overseeing major expansions in childcare services.

As founding secretary of the National Foundation for Australian Women, Marie campaigned tirelessly for paid parental leave and worked to establish the Australian Women's Archives Project to build knowledge and recognition of the contribution made by women to Australia. I am reminded of Ms Cheyne's comments this morning in the International Women's Day debate when she talked about the importance of the biographies of women playing a role in raising a profile and representing women's achievements.

Following her retirement from the Australian Public Service in 1995, Marie became a columnist for the *Canberra Times* for a period, until 2003, when she became Chair of the Advisory Board for the Hindmarsh Education Centre in the Quamby Youth Detention Centre. There was a period when Marie really shifted her focus—well, retained her national focus—and had a really important part in ACT service delivery.

Indeed, my path crossed with Marie's professionally in 2004 when she was Chair of the ACT Management Assessment Panel, which is managed by the Public Advocate as a last resort means to facilitate cross-agency service delivery for people who have a disability and complex needs where service delivery has been poorly coordinated or inadequate and where there is a serious risk to the person. Marie chaired this panel for many years.

Marie also chairs the Social Policy Committee of the National Foundation for Australian Women. I also had the pleasure of being on that committee for a period of time. I believe it was soon after its establishment with Marie, and unfortunately I had to step away due to other pressures. The committee and the National Foundation for Australian Women have gone onwards and upwards from strength to strength. Marie has played a leadership role for national women's organisations in research and analysis, including on the impacts of the former Work Choices and Welfare to Work policies and the impacts that they had on women particularly.

Marie led the campaign to establish a Productivity Commission inquiry into national paid maternity, paternity and parental leave, and was instrumental in shifting discourse and perceptions around parental leave, highlighting not only its social

benefits but its economic benefits as well—something that is now very well understood. Marie’s advocacy—not alone, never alone, but with many other strong women leaders and allies—resulted in the then federal Labor government legislating paid parental leave in 2010.

Marie has also led a national project with the National Women’s Alliance promoting the expansion of affordable rental housing.

I think all of us would recognise Marie’s incredible contribution across the years. It was such a pleasure to have the opportunity to spend a little bit of time with her. I have known Marie for most of my life, but I did not know a lot of this stuff about her when I was younger.

To finish, I quote Penny Wong, “Marie is someone whose work has benefited all Australian women, someone of whom we can truly say, ‘Because of her we can’.”

Question resolved in the affirmative.

**The Assembly adjourned at 5.01 pm.**