



# Debates

WEEKLY HANSARD

Legislative Assembly for the ACT

**TENTH ASSEMBLY**

**1 June 2023**

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**Thursday, 1 June 2023**

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

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

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

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

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

### **Legislative Assembly—promotion of committee work Statement by Speaker**

**MADAM SPEAKER:** Members, I wish to make a statement in relation to the way committee chairs publicise their reports after they have been presented in the Assembly.

Recently, my attention was drawn to some social media posts publicising the work of an Assembly committee, which I would normally commend, but doing so in a way that promoted the party of which the chair was a member and, in doing so, implying that the report outcomes were largely party-led rather than by the committee and its members as a whole.

It is important that Assembly committees retain their non-partisan and independent role, and I would remind members that Assembly committees are established for the purpose of enhancing the scrutiny of the executive; examining and suggesting improvements to any bills referred to them; enabling the citizens of the territory to engage and participate in lawmaking and policy review; to enable financial scrutiny of the executive's budget proposals; and to review the annual reports of taxpayer-funded agencies.

It is my view that we need more clarity on these matters and, accordingly, the administration and procedure committee will consider this in the current review of standing orders. In addition to consideration by the admin and procedure committee, I will be writing to all committee chairs on the matter, and I will be raising this at the next meeting of committee chairs.

Thank you, members; all committee members should be mindful of that.

## Leave of absence

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

That leave of absence be granted to Mr Cocks for this sitting due to personal reasons.

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

That leave of absence be granted to Mr Pettersson for this sitting due to personal reasons.

## Domestic and family violence—safer families Ministerial statement

**MS BERRY** (Ginninderra—Deputy Chief Minister, Minister for Early Childhood Development, Minister for Education and Youth Affairs, Minister for Housing and Suburban Development, Minister for the Prevention of Domestic and Family Violence, Minister for Sport and Recreation and Minister for Women) (10.03): Today I am tabling the seventh annual safer families ministerial statement. This statement is an opportunity to share with the Assembly the progress made during the 2022-23 financial year to support those in our community affected by domestic and family violence. My speech today is a summary of the full statement that is being tabled.

Before I continue, I will note that sexual violence can also occur in the context of domestic and family violence. The Sexual Assault Prevention and Response Steering Committee’s report tabled in 2021 and the subsequent government response to this report are now driving a series of sexual assault reforms across government and the community sector. In line with recommendation 24 of that report, I will speak to our sexual assault reform work separately during the first annual sexual assault prevention and response ministerial statement later in the year.

Today I will focus on the progress that this government has made to improve the prevention of and responses to domestic and family violence. The full statement being tabled contains more detail, so I will be brief.

Before I begin, I want to acknowledge all of those who have lost their lives because of domestic and family violence. I also want to acknowledge those who have experienced domestic and family violence, and continue to. Today I will use the term “victim-survivors”. I know this term does not work for everyone and I use it respectfully, knowing it can never encapsulate the breadth of experiences of this community. I acknowledge those who have sought help, and those who have not. No matter what victim-survivors may or may not do, they are always deserving of safety, respect and support.

I also acknowledge the extraordinary resilience and compassion demonstrated by frontline services in continuing to provide and expand supports during the pandemic, when services experienced increased demand and increased complexity. Domestic and family violence services remained open and operated throughout the lockdown and beyond. Thanks to the efforts of frontline services, our community messaging was clear: anyone who did not feel safe at home could leave at any time to seek help.

This year, we have been fortunate to see an easing of some of the pressures caused by the COVID-19 pandemic. After three years of restrictions and lockdowns, the ACT community has emerged stronger than before. As we return to normal, we must be cognisant of the lasting effects of the pandemic and remember that domestic and family violence may not always be visible.

A key achievement for this year has been to progress work on the *We don't shoot our wounded...* report. This community report is pivotal in directing the government's efforts to prevent and respond to domestic and family violence experienced by Aboriginal women, men and children. The ACT government has worked closely with the Aboriginal and Torres Strait Islander Reference Group of the Domestic Violence Prevention Council to prioritise recommendations from the report. The reference group identified recommendation 4 as a priority for implementation, which calls for the establishment of a specific service for Aboriginal and Torres Strait Islander women, with legal advocacy, practical and healing activities available to support them.

Based on the reference group's prioritisation, in February 2023 the government commenced an open grants process to identify a suitable Aboriginal and Torres Strait Islander-led organisation to deliver a specific service for Aboriginal and Torres Strait Islander women who have experienced domestic and family violence. I am very pleased to announce that Yerrabi Yurwang Child and Family Aboriginal Corporation are the successful recipient of this grant. This grant will provide Yerrabi Yurwang with the resources they need to provide legal advocacy, practical and healing activities to support Aboriginal and Torres Strait Islander women who have experienced domestic and family violence. The ACT government will continue to be guided by the reference group to progress further work in implementing the recommendations of the *We don't shoot our wounded...* report.

We have also been progressing work to develop the Domestic and Family Violence Death Review. In September 2021 the Assembly passed legislation to establish the death review, which will examine deaths and incidents of serious harm from domestic and family violence.

In 2022 the Domestic and Family Violence Death Review Coordinator was established to oversee the collection of case data and information from ACT government agencies to commence a historic review of domestic violence deaths. I am pleased to report that a purpose-built data system for the death review has been developed and was launched in March 2023. Work has commenced to input historical information into this system to provide crucial insights for our strategy to prevent domestic and family violence related deaths.

While we recognise that victim-survivors must always be at the centre of our approach, robust responses are also needed to shine a light on perpetrators of domestic and family violence. We must shift the burden from victim-survivors to protect themselves and place responsibility on the perpetrators of violence and hold them to account. Perpetrator accountability means that our systems recognise that the use of violence is a choice. We must tailor our strategies to prevent violence before it begins, support earlier interventions and hold those who choose to use violence to account.

To do this, it is vital to recognise the gendered nature of domestic and family violence. While violence can be used and experienced by people of all genders, the evidence shows that it is mostly women, trans and non-binary people, and children who experience domestic and family violence. Even more important is to recognise that the overwhelming majority of those who perpetrate violence are men. The ACT government recognises this and has introduced a range of initiatives in response.

Since 2016 the ACT government has funded the Room4Change program. Room4Change is a 30-week men's behaviour change program that also offers support to partners and ex-partners. There is a residential component that participants can opt into, which further helps partners and children to remain safe in their own homes.

We are also holding perpetrators accountable by increasing community understanding of coercive control, an incredibly common but often misunderstood form of domestic and family violence. Coercive control is a pattern of controlling behaviours over time to create and keep power and dominance over another person and is inextricably linked to domestic and family violence.

In 2020 I accepted the advice of the Domestic Violence Prevention Council to consult widely before criminalising coercive control. Since then, the government has been considering research and participating in consultations on the National Principles to Address Coercive Control in Family and Domestic Violence. This work is ongoing, and we must make certain that any action we take to criminalise coercive control and hold perpetrators accountable does not have unintended consequences.

Beyond criminalisation, the ACT is taking other steps to better understand domestic and family violence and coercive control. For example, in July 2022, we launched the ACT Domestic and Family Violence Risk Assessment and Management Framework. The framework promotes more integrated and coordinated responses to domestic and family violence by ensuring that all service providers share an understanding of domestic and family violence and its impacts and can effectively support victim-survivors and respond to perpetrators. The framework was developed and tested in consultation with the community services sector and reflects best practice and research from around Australia and the world.

We have also been deepening our focus on building tailored, specific supports for children and young people. Children and young people are so often not recognised as victim-survivors of domestic and family violence in their own right. But we know that exposure to domestic and family violence from a young age has long-lasting effects on the next generation, whether it is observed or directly experienced.

In the past year the ACT government has continued to build on previous consultation with children and young people about their experiences with domestic and family violence, to improve responses and supports. I am pleased that a new children's response is being piloted for children under the age of 12, in partnership with the Australian Childhood Foundation. We have also provided training, alongside the Youth Coalition and the Domestic Violence Crisis Service, to improve support workers' understanding of the needs of children and young people with experiences of domestic and family violence and how to respond, and respond appropriately, when a child or young person is at risk.

I am incredibly proud of the innovative and ambitious work that the ACT is doing to support children, particularly young children, who are so often overlooked as victim-survivors in their own right.

Someone's identity and circumstances can deeply affect their likelihood of experiencing violence, the way they might experience violence and the types of responses they might need. These intersections are often compounding, and we must tailor supports for the full breadth of our diverse community. We are supporting the ACT's culturally and linguistically diverse community with \$210,000 to the Multicultural Hub to expand its women's services. The services support multicultural women experiencing domestic and family violence and provide advocacy for women on temporary visas. We have also dedicated \$400,000 to support access to justice for non-English speakers and helped to embed a multicultural liaison officer in Victim Support ACT, to help tear down those barriers to getting help.

Who we love and who we are should never leave us more vulnerable to domestic and family violence. Yet the evidence shows that the LGBTQIA+ community face particular risks of family violence from those they should trust most, those with whom they should feel safest. Addressing family safety in an intersectional manner is a whole-of-government issue, and our Capital of Equality Strategy Second Action Plan includes a dedicated family safety action plan. We are committed to building an inclusive, more equal society, predicated on safety for all, within the family and wider community.

We know that integrated services and systems are key to an effective response to domestic and family violence. In the past year, the ACT government has supported system integration by continuing the Family Violence Safety Action Pilot as the Family Violence Safety Action Program, and committed \$5.943 million over four years to do so. The program is nation-leading, bringing together specialist, domestic and family violence, criminal justice, victim support, housing and other services to share information and provide in-depth case management for high-risk cases.

The Health Justice Partnerships is another program showcasing integration. The partnerships bring lawyers into health care and community settings, where they can meet with and provide legal support to clients—mostly pregnant women and new mothers—experiencing domestic and family violence. In 2021 the government committed \$4.1 million over four years to embed the partnerships as an ongoing program. To date, the program has helped over 1,000 women, many of whom would not otherwise have accessed support. Seeing this program become “business as usual” is a huge achievement for system integration.

We have also reformed the Domestic Violence Prevention Council to revitalise the strategic governance framework leading domestic and family violence responses in the ACT. The council has met and commenced this work, establishing the foundations to provide whole-of-government and sector-wide advice on prevention and early intervention response and recovery.

None of the ACT's efforts to address domestic and family violence would be possible without the unwavering commitment of the ACT's domestic and family violence

sector. Supporting capability within the sector is critical. We need to build capacity across all human services to recognise and respond appropriately to the prevention of domestic and family violence.

For this reason some of the training we have supported over the past year has been targeted and available beyond the domestic and family violence sector. We also support the sector through our ongoing engagement with the commonwealth to secure supplementary funds. I endorsed the National Partnership on Family, Domestic and Sexual Violence Responses in late 2021, securing \$4.2 million of commonwealth funds over two years to support sector innovation and frontline responses.

I am pleased to announce that, through the Family, Domestic and Sexual Violence Grants Program, we have \$2.875 million available to initiatives that are focused on sector sustainability; capability building; community-led Aboriginal and Torres Strait Islander responses; and innovative service responses, including those for children and young people.

I am pleased to report that I endorsed the National Plan to End Violence against Women and Children 2022-32 in October 2022. In March 2023 I participated in the inaugural Women and Women's Safety Ministerial Council. This was an important opportunity for all ministers responsible for women and women's safety across Australia to meet and progress our objectives to build a better and safer community for women and girls.

The ACT may be a small jurisdiction, but we have much to offer the national conversation because of our innovative programs, our ambitious objectives and stalwart commitment to putting victim-survivors at the centre of our work.

The past year has seen extraordinary progress as we deliver on safer family initiatives and work with the community sector to prevent and respond to domestic and family violence.

Again, I acknowledge all of those who have experienced domestic and family violence. I also acknowledge and deeply thank our frontline services and all others who are tirelessly contributing to the prevention of and response to domestic and family violence in our community. There is still so much to do, and I look forward to continuing to work with the sector and community to make the ACT a safer place for everyone. I present the following papers:

Safer Families Annual Statement 2023—

Statement, dated June 2023.

Ministerial statement, 1 June 2023.

I move:

That the Assembly take note of the ministerial statement.

Question resolved in the affirmative.



## **Reconciliation Week 2023**

### **Ministerial statement**

**MS STEPHEN-SMITH** (Kurrajong—Minister for Aboriginal and Torres Strait Islander Affairs, Minister for Families and Community Services and Minister for Health) (10.19): As members would be aware, we are sitting today during National Reconciliation Week. Reconciliation Australia talks about reconciliation as being about strengthening relationships between Aboriginal and Torres Strait Islander peoples and non-Indigenous peoples for the benefit of all Australians. Reconciliation Week provides an opportunity for us all to learn about Aboriginal and Torres Strait Islander peoples and cultures, to reflect on our shared histories, and to explore how each of us can contribute to achieving reconciliation in Australia.

The ACT is the first jurisdiction in Australia to demonstrate our commitment to reconciliation with a public holiday during Reconciliation Week. The ACT's Reconciliation Day is an important opportunity to take a day away from our usual responsibilities and focus our attention on our ongoing journey towards reconciliation.

During these times of recognition, we have the opportunity to consider and acknowledge past government policies and the impacts they have had, and continue to have, on Aboriginal and Torres Strait Islander peoples. This is also a time to reflect on how we, as a nation, can work together to create a better future for Aboriginal and Torres Strait Islander peoples and communities.

Reconciliation Week is held each year between 27 May and 3 June. Each of these dates commemorates a milestone in the advancement of Aboriginal and Torres Strait Islander peoples' rights in post-colonial Australia, whereby 27 May marks the anniversary of the 1967 referendum which amended the Constitution to remove clauses that were actively exclusionary of Aboriginal and Torres Strait Islander peoples. The 1967 referendum has gone down in Australian history as the nation's most successful, with the highest "yes" vote ever recorded. It is timely for us to reflect on the 1967 referendum during this year's Reconciliation Week, given the commitment from the Australian government to advance further constitutional reform.

This year the National Reconciliation Week theme is "be a voice for generations". It recognises that we have a rare opportunity to create a better and fairer Australia for all of us by ensuring that Aboriginal and Torres Strait Islander people are recognised in the Constitution and that they have a constitutionally enshrined voice to represent them on the national stage in our shared journey of reconciliation and closing the gap.

At national cabinet on 3 February 2023, first ministers reaffirmed a commitment to working collaboratively to support a constitutionally enshrined Voice to Parliament by signing a statement of intent. On 8 February 2023 this Assembly confirmed its support for an Aboriginal and Torres Strait Islander Voice to Parliament through the passage of a motion tabled by the Chief Minister. During this debate, the Chief Minister stated:

My hope for our territory is that we record the highest yes vote, the highest vote in favour of enshrining an Aboriginal and Torres Strait Islander Voice to Parliament in the Australian Constitution when we go to vote later this year.

He stated that his aspiration was—and I quote:

Regardless of how many members of our community choose to vote yes, I hope Canberrans will approach this issue with the consideration and respect that it deserves.

On 23 March 2023 the Prime Minister announced the constitutional amendment and referendum question for the Voice to Parliament that were agreed to by the Referendum Working Group and the government, which has now been introduced into parliament. The constitutional amendment and referendum question reflect the advice of the First Nations Referendum Working Group, which held discussions with Aboriginal and Torres Strait Islander communities across Australia. Through their hard work, resilience and dedication we, as a nation, are at the cusp of a landmark decision comparable to that of the 1967 referendum.

The voice we are voting on later this year will be an independent, representative advisory body for First Nations peoples. It will provide a constitutionally protected mechanism to advise the Australian Parliament and government on the views of Aboriginal and Torres Strait Islander peoples on matters that affect them. This is consistent with the principles of the United Nations Declaration on the Rights of Indigenous Peoples, which supports the rights of Aboriginal and Torres Strait Islander peoples to be involved in decisions on matters that affect them, through representatives of their choosing.

This referendum is the first step of the Australian government's commitment to implementing the Uluru Statement from the Heart in full—something that the ACT government has supported since the statement was first issued in 2017.

The statement speaks eloquently of the sovereignty that has never been ceded, describing it “as a spiritual notion: the ancestral tie between the land, or ‘mother nature’ and the Aboriginal and Torres Strait Islander peoples who were born therefrom, remain attached thereto, and must one day return thither to be united with our ancestors.” Those gathered at Uluru stated:

With substantive constitutional change and structural reform, we believe this ancient sovereignty can shine through as a fuller expression of Australia's nationhood ...

We seek constitutional reforms to empower our people and take a rightful place in our own country. When we have power over our destiny our children will flourish. They will walk in two worlds and their culture will be a gift to their country.

I see the Uluru statement as an incredibly generous offer to walk with Aboriginal and Torres Strait Islander peoples in a movement for a better future. But I recognise that other people will have other views, and many Canberrans still know very little about the voice proposition and what it would mean for our nation. As we approach the referendum, it is important to ensure that the community has accurate information about what constitutional reform means, and what the voice will and will not be.

This year's Reconciliation Day public event was held at the National Arboretum, again using this world-class venue to deliver a fun, yet informative, event for people of all ages and backgrounds. The event was an opportunity to provide information and foster discussion to assist the public in making informed decisions on this significant change to the Australian Constitution. Through guest speakers, information stalls and simply by bringing the community together, the event provided a catalyst for consideration and conversation about this historic opportunity for reform.

I want to thank the ACT Reconciliation Council for their work in planning and promoting Reconciliation Day. The continued success and growing participation in Reconciliation Day activities are owed to the council's considered and diligent work. I thank all members for the time and effort they have dedicated to making Reconciliation Day 2023 a success.

Finally, I hope that members here today and all Canberrans can consider how the theme of this year's Reconciliation Week can be reflected in their work, family and community lives. As we embark on a new stage of the reconciliation journey as a nation, now is a time for all of us, particularly those of us in positions of power, to consider how we can lead these discussions.

I urge everyone here to commit to working towards creating a more equal and respectful future for First Nations people. I ask that, when it comes time to vote, we remember that reconciliation is, at its heart, about strengthening relationships between Aboriginal and Torres Strait Islander peoples and non-Indigenous people, for the benefit of all Australians.

Reconciliation bears no meaning if it is not aimed at achieving equality for our First Nations people in all aspects of life. I trust that all members will take on the challenge to "be a voice for generations". I present the following paper:

Reconciliation Week 2023—Ministerial statement, 1 June 2023.

I move:

That the Assembly take note of the paper.

**MR RATTENBURY** (Kurrajong) (10.28): I rise to speak in support of Minister Stephen-Smith's statement on Reconciliation Week. I would like to begin, as we always do, by acknowledging the Ngunnawal people as the traditional custodians of this land and recognise any other people or families with connections to the lands of the ACT and region.

Of course, as this Assembly does, every day we sit, we pay respect to the traditional custodians and their long and continued connection with these lands and recognise that we have a lot of work to do on the path to reconciliation, and we acknowledge that this land is land where sovereignty was never ceded.

Reconciliation Week is an important milestone in our annual calendar of events and one that gives us pause to stop and reflect. It invites us to take the time to learn about our shared histories and cultures and to explore how we can contribute to achieving reconciliation in Australia.

Every year since 1996, Reconciliation Week has brought people together and reminded us to connect and to look deeply at how we can strengthen relationships and work together for reconciliation.

As we know, the ACT government declared a public holiday for Reconciliation Day in 2017, with the first Reconciliation Day public holiday held on 28 May 2018. I personally have enjoyed watching our local Reconciliation Day events grow and evolve each year since then as more and more Canberrans come along to celebrate the day and learn and share about reconciliation.

Running from 27 May, which is the anniversary of the 1967 referendum, to 3 June, which is the anniversary of the historic 1992 Mabo decision, Reconciliation Week marks important milestones in our history that require us to acknowledge the violence, racism and forceful dispossession that First Nations Australians have experienced—treatment that has caused, and in many ways continues to cause, deep suffering for so many people.

Considering this history, it is a remarkably generous act by First Nations Australians to invite non-Indigenous Australians along on the journey of reconciliation and to patiently share their culture and knowledge with us.

As Minister Stephen-Smith has touched on, this year's Reconciliation Week is particularly important in the context of the upcoming voice referendum. The ACT Greens are committed to truth, treaty and voice, the three actions sought in the Uluru Statement from the Heart. We see enshrining a First Nations Voice to Parliament in the Constitution as an important step in this process. Personally, I am committed to voting yes to support the voice, but I am also keenly aware that a Voice to Parliament in itself will not be enough.

The Statement from the Heart emphasises the need for reshaping our relationships and being truthful about our history, alongside implementing major constitutional and structural reforms. The statement calls for a process of agreement-making, of working towards a treaty, and of truth-telling about our history. It invites non-Indigenous and First Nations Australians to come together to deal with our past and forge a new path together.

The discussion of establishing a Voice to Parliament provides a unique opportunity for us to start the important conversation of what we need to do to change our story as a nation and to right the wrongs that have occurred in the modern history of Australia. But this is the beginning of the discussion, rather than the end.

A Voice to Parliament cannot be implemented in isolation and must be progressed in conjunction with efforts to further the goals of treaty and truth-telling. In my view, realising all of these goals is a way for us to build a new foundation for us to move forward together as a healed nation.

This is also an important year for reconciliation here in the territory. As many will be aware, the ACT government recently settled out of court with the House family on a matter brought before the Supreme Court. Representatives of the House family took

the ACT government to court over its Indigenous Protocol, which acknowledged the Ngunnawal people as the traditional custodians of the ACT and did not acknowledge those who identify themselves as Ngambri people.

As part of this settlement, the ACT government apologised to the plaintiffs and other members of the Ngambri community for the hurt and distress they have suffered. The ACT government also agreed to undertake a review of the Indigenous Protocol and to seek community input to any change, through a community-led consultation and engagement process. The ACT government has put in place an interim Indigenous Protocol while this consultation and engagement process is underway, which recognises other people or families with connection to the lands of the ACT and region.

The ACT government continues to recognise the Ngunnawal people as traditional custodians of the ACT region. I am deeply grateful for their ongoing engagement, collaboration and willingness to work towards reconciliation.

We understand that this is not a question for us, as government, to resolve. We recognise the right of First Nations people to self-determination, and we aim to facilitate the community to reach an outcome on their terms. We understand that this will be a personal and challenging journey for those involved, and we acknowledge the ongoing commitment of those involved to reaching a respectful and constructive outcome. These issues are difficult to resolve and go to the heart of identity, belonging and cultural connection. We want to support the community through this process as best we can.

This issue is a prime example of the complexity and challenge involved in working towards reconciliation. It highlights the need to listen to First Nations communities and face up to the difficult reality of past practices and decisions in order to move forward.

It is distressing to acknowledge that dispossession has led to these kinds of issues and that it continues to cause distress to First Nations Australians in our community and across Australia. But we need to look deeply at these truths, not avoid them, and we need to remain committed to finding a better way forward. It is only by facing these truths that we can work towards genuine reconciliation.

I am hopeful that both locally and nationally we can facilitate transformational change in coming years and make much needed progress in creating a more equitable society in which First Nations voices are represented in our parliament and are heard and respected across the many nations of this land.

**MS VASSAROTTI** (Kurrajong) (10.35): I also rise to speak in support of the Minister for Aboriginal and Torres Strait Islander Affairs' statement on Reconciliation Week. This is an important opportunity for us to reflect, learn, grow and participate along the journey of reconciliation. This is not just a moment for our First Nations community; this is a moment for all of us.

Reconciliation should be more than a word; it should be an action. As a non-Indigenous person honoured to call Ngunnawal country my home, I recognise

the need to walk the journey of reconciliation with humility, with care and with a keen understanding of my own privilege and assumptions.

I know we need to engage with open hearts. I recognise that we will feel challenged and uncomfortable sometimes as we make this journey, and it is actually important to feel this way and respond in ways that are not defensive but are generous.

I engaged on the reconciliation journey with a belief that, working together, we can reach a destination built on much better foundations, where our whole community is healed and whole. We undertake the journey of reconciliation in the context that there are things to reconcile. We are all impacted by a history of dispossession, colonisation and systemic racism—but none more than First Nations communities.

Non-Indigenous people are the beneficiaries of unearned privilege. We need to acknowledge this and respond to this. Collectively, we need to reflect on the real-life issues that flow from unfinished business, including health impacts, life impacts, access to resources, decision-making and reconciliation.

Reconciliation is hard, and the pathway is not always clear. Together, as we try to unravel the impacts of dispossession and colonisation, there are times that we make mistakes. There are times that we are presented with imperfect solutions and sometimes have to think about the least worst options.

In recent times, there have been hard conversations and hard truths told. I stand here to reaffirm my commitment not to shy away from the hard work of reconciliation. As we walk this journey, we recognise the need to always reflect on our actions, continue our relationships and work on how, together, we can move forward, not backwards, in progressing the reconciliation journey.

I am extremely proud to live in the only jurisdiction that values reconciliation so highly that we commemorate it with a public holiday. I am so grateful that I have the opportunity each year to dedicate time to individually engage, particularly through the important events that are held at the arboretum. This year, like the years before it, has provided opportunities for us to connect with our Ngunnawal traditional owners, to learn culture, language and tradition, to reflect on the challenges we have as a nation and commit ourselves to acts of reconciliation.

As our community and our nation engages in the constitutional questions of a First Nations Voice to Parliament, there has never been a more important time for us to listen with open ears and open hearts to the question before us. I hear a range of perspectives from First Nations people on the impact of this action and the need for us to also progress the vital work of truth-telling and treaty-making.

We all know that a voice is not the end of the conversation, but it is the very beginning. However, having heard the strong support from many First Nations people about the positive impact of having a Voice to Parliament, I will be voting yes to this important referendum question.

I thank the minister for her statement and commit myself to progressing all elements of the Uluru Statement from the Heart—truth, voice and treaty—and to reconciliation.

**MR BRADDOCK** (Yerrabi) (10.39): This Reconciliation Week, we have been asked by First Nations people to be a “voice for generations”. All Australians have been urged “to use their power, their words and their actions to create a better, more just Australia for all of us”. I want to honour that call; so here are my words.

I believe that this Reconciliation Week it is essential that white people like me be reminded that we cannot think about reconciliation without reflecting on racism. White Supremacy is an extremely shameful part of Australia’s colonial history. It was part of official Australian government policy, legislation and even the Constitution. Its effects persist to this day despite the best efforts of some, and white people continue to benefit from it whether we realise it or not.

White people do not have to worry about being seen as anything other than normal when they walk down the street or into a shopping centre. We do not generally attract suspicion or side glances from police. The white privilege of being the everyman easily goes unnoticed by its beneficiaries but it is incredibly pervasive.

Part of the problem I have in standing here as a white person is that it is not possible for me to properly relate what it feels like to be discriminated against. At best, I can reflect upon the stories of others and being at least somewhat aware of my privilege and act for those who do not have it. But, when I do act, it is equally important that I do not act on the basis of what I think is best for those people being discriminated against but on the basis of what those very people themselves say is what they want and need.

Anti-racism means respecting the principle of self-determination. Without self-determination, those who have suffered from discrimination struggle vainly to realise their true potential, their destiny. It is something that First Nations people have been telling the Greens. Without an architecture that is designed and supported by those who have suffered under the status quo, that status quo will not change. It needs to change. We need to change.

I have recently been reminded that the Uluru Statement from the Heart, dating from 2017—yes, it has been six years since that event—is just the latest major statement in a string of calls for meaningful change by Australia’s First Nations people. Other statements included the Barunga Statement of 1988 and, before that, the Larrakia Petition of 1972. Both of these statements materially called for the same things that First Nations people continue to call for today: recognition of their place in the world; acceptance of the truth of their existence; to be heard and taken seriously; and treaty, to charge a shared future.

We should remember that National Reconciliation Week was originally established in 1993 as a week of prayer for reconciliation. It was established as part of a decade of statutory reconciliation efforts, following the regrettable abandonment of treaty-making efforts in 1991.

Treaty was committed to by the Hawke government. Yothu Yindi made a hit song about it. Treaty, however, remains unfinished business, to this date. Australia remains the only commonwealth country to have never signed a treaty with indigenous people.

Why is it unfinished business? Why were the efforts abandoned? I have a strong suspicion it is the fear of losing our privilege that feeds an unwillingness to engage with First Nations communities, to let them in, to listen, to learn, to respect and to act.

Later this year we will be asked to vote in a referendum on the constitutionally enshrined voice to the federal parliament. I will be voting yes, not because it is what I think is best but because it is what many First Nations people are calling for—it is what First Nations elders and people, people that I respect, have personally called upon me to do—and because it comes with a promise to further work on that other big thing that the Greens have been repeatedly told is the single most significant priority of our First Nations communities: treaty.

The Greens are committed to treaty—treaty on the terms of First Nations peoples, whose lands my white ancestors invaded and stole and over which sovereignty was never ceded. Let us be anti-racist. Let us respect the human right to self-determination by First Nations people. Let us walk towards a treaty.

Question resolved in the affirmative.

## **ACT Corrective Services—update Ministerial statement**

**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) (10.45): I rise today to provide an update on the progress of several key initiatives completed or commenced in 2022 across the ACT Corrective Services.

In 2022 we saw several major milestones reached in ACTCS. The Blueprint for Change Oversight Committee delivered its report to me in March, and the Inspector for Corrective Services delivered the second *Healthy prison review* in November. There was also, very sadly, a death at the Alexander Maconochie Centre on 1 February 2022, for which the inspector delivered a Critical Incident Review report to this government on 24 November 2022.

I also acknowledge with sadness the more recent passing of a detainee in February of this year and note that it will be the subject of both a coroner's inquiry and a review by the inspector.

The *Blueprint for change* report proposed 15 recommendations to address issues at the Alexander Maconochie Centre and the Court Transport Unit. Significant progress has been made since the delivery of the report, including: reinstatement of regular staff meetings for all staff and between accommodation and operational areas, to support better information sharing; a strategy to improve and enhance recruitment; provision of on-site Employee Assistance Program services; and the engagement of a specialist service organisation to support resilience and wellbeing in staff.

Training highlights included: the refresh of incident controllers training for senior staff who will control the response during incidents, which comprised 20 staff in total;



the introduction of tactical leadership training, with 12 staff trained in 2022 and additional training conducted in February 2023; training in the use of chemical agents, with 98 per cent of permanent officers and 100 per cent of CTU officers trained; 69 per cent of permanent officers and 75 per cent of CTU officers trained in crowd control, with ongoing training in 2023; the introduction of five-minute interventions, with 124 staff trained in 2022 and classes ongoing in 2023; 46 staff were trained in radiation safety during 2022; and a new e-learning course was released in early 2023.

Work was also commenced to support AMC becoming smoke free in 2023, and this project is well underway. Nicotine replacement therapy is already available to detainees, and staff are undergoing brief interventions training to support their colleagues and detainees during the transition period. A staged implementation plan is in effect, which supports a gradual transition to being fully smoke free. I am advised that a significant number of detainees have already started their therapy in readiness for a smoke-free AMC.

Christine Nixon, the chair of the oversight committee, visited staff on 8 December 2022 to follow up on the Blueprint progress. She returned on 31 January 2023 and reconvened the oversight committee to discuss its progress and next steps. In her communication with me, Ms Nixon reported that the positive impact of the Blueprint for Change program was evident within staff and praised the work completed to date.

ACTCS welcomed 27 new recruits in 2022; 26 of whom went to the AMC and one to the CTU. Staffing levels at December 2022 stood at 236 officers at AMC and 25 at CTU. In 2022 we have also seen changes in leadership and staff culture at ACTCS, with the new role of Assistant Commissioner of Custodial Operations replacing prior arrangements.

There was somewhat of a decline in violent incidents in the last quarter of 2022, particularly in relation to disobeying a direction and, to a lesser extent, with threatening behaviour. RiskMan incidents have also shown a significant decline, with 173 incidents across ACTCS reported in 2022, down from 259 in 2021.

The AMC's maintenance and repair completion rates have risen from 56 per cent in August 2022 to 76 per cent in January 2023, with a high of 89 per cent in December 2022. The reduction in work arising from vandalism in November and December 2022 enabled an increase in completed preventative works and other maintenance requests.

In October 2022, ACTCS began providing staff with access to additional specialist wellbeing support services, initially with regular access to an on-site counselling support service. This has been well received by staff and has become a valuable resource to support staff post incidents, as well as it being a general ongoing resource.

In addition to this, at the end of 2022, ACTCS entered an arrangement with Fortem Australia. Fortem are a specialist provider of wellbeing services for frontline and emergency workers and their families. Fortem worked with corrections staff to scope the type of support they were interested in. Services from Fortem commenced in March 2023.

With the introduction of the current Searching Policy on 3 January 2022 and the introduction of CORIS on 27 June 2022, there have been some significant changes in how often strip searches are undertaken. In 2020-21, there were a total of 4,077 strip searches conducted, which reduced to 2,160 searches conducted in 2021-22.

During 2022, two X-ray body scanners were procured and installed at the AMC. All the necessary safeguards—including the radiation safety plan, engagement with the Human Rights Commission and other stakeholders, policy and procedure updates and communications planning—have been completed. Use of the body scanners commenced on Monday 24 April and the enrolment of detainees in the X-ray scanner system is well advanced.

The introduction of the scanners is expected to further reduce the number of strip searches being undertaken, improving a detainee's right to humane treatment and their right to privacy.

The Incentives and Earned Privileges Policy aims to incentivise pro-social behaviours from detainees by offering a structured program of incentives and privileges that are based on three levels: basic, standard and enhanced. Explicit behavioural exceptions provide detainees with transparent links between their behaviour and IEP status. IEP warnings and commendations establish a responsive, evident-based mechanism for review of IEP status.

The IEP policy went “live” on 1 September 2022, following an initial rating process to assign each detainee an IEP level. A review of ratings was undertaken in December 2022 and January 2023, and 21 detainees had their status changed as a result. Detainees were informed before and during implementation of the IEP on the nature of the program and to emphasise that the program would be implemented gradually, including an ongoing review and refinement of the privileges on offer at each level and the operation of the program.

In the first three months of operation, ACTCS introduced a three-stage, six-week sub-program for those at the basic level, which includes individualised supports for detainees to return to the standard level. A changed visits schedule to allow longer and more frequent visits for detainees at the enhanced status was implemented in February 2023.

Further changes and improvements to IEP, and the program and its operation, are being planned in response to feedback from staff and detainees. While the IEP program has been in operation for only a short period, there are early indications that the program is contributing to improved outcomes, including reductions in violent incidents and maintenance work arising from vandalism.

The ACT, of course, is a small jurisdiction with relatively low imprisonment numbers. These factors create larger fluctuations in performance indicators compared to larger jurisdictions with higher imprisonment numbers. A small change in numbers affects the outcome in percentages for ACT data.

In 2021-22, the ACT had the lowest overall imprisonment rate of any jurisdiction in Australia, with 116.2 prisoners on an average day per population of 100,000.

The percentage of incarcerated persons represents 0.12 per cent of the entire ACT population. The national average for the same period was 204.5 prisoners per 100,000 adults. The average daily number of prisoners in the ACT has varied over the past decade, from a low of 266 in 2012-13 to 389 in 2021-22 and a high of 484 in 2018-19.

In 2021-22, the average daily number of detainees in the ACT was 389, with 101 First Nations detainees. Approximately two per cent of the territory's population is made up of Aboriginal and Torres Strait Islander peoples; but, in 2021-22, Aboriginal and Torres Strait Islander peoples made up approximately 26 per cent of the AMC prison population. Historically, there was a rise between 2012-13 and 2018-19, with a consistent increase in the prison population of both First Nations individuals and non-Indigenous detainees. Since its peak during 2018-19, the total ACT average daily prison population is now at its lowest level since 2014-15.

The First Nations average daily prisoner count did increase by one this year; but, both this year and last year's numbers of 101 and 100, respectively, are stable and are the lowest they have been in raw numbers since 2016-17. When looking at the First Nations imprisonment rate per 100,000 adults, which adjusts for population changes, the ACT has the third lowest rate in Australia. The imprisonment rate for the ACT has also had a steady downward trend since 2018-19, from a high of 2,124.1 per population of 100,000 to 1,770.3. This year's rate is the lowest since 2014-15.

The ACT also has the highest percentage of First Nations people who successfully completed community corrections orders, with a 79 per cent completion rate. The proportion of Aboriginal and Torres Strait Islander detainees released from prison who returned to prison with a new sentence within two years increased from 44.0 per cent, or 59 out of 134 detainees, in 2020-21, to 47.2 per cent, or 50 out of 106 detainees, in 2021-22. Whilst this remains too high, the ACT was ranked fourth on this measure behind Western Australia, South Australia and Victoria, with a lower return rate than the national figure of 54.4 per cent.

The proportion of Aboriginal and Torres Strait Islander detainees released from prison who returned to Corrective Services with a new correctional sanction, which is either a custodial or community sentence, within two years, also increased. The ACT went from 67.9 per cent, or 91 out of 134 detainees, in 2020-21, to 77.4 per cent, or 82 out of 106 detainees, in 2021-22. The ACT had the second-highest return rate for First Nations people in 2021-22, behind New South Wales, which had a 72.8 per cent return rate. This is a return rate higher than the national figure of 62.9 per cent.

There is no doubt that the level of over-representation of First Nations people in the ACT justice system is unacceptable, with the imprisonment ratio per population of 100,000 indicating a much higher proportional rate in comparison to the non-Indigenous population. The government is committed to addressing the over-representation of First Nations people in the criminal justice system as a matter of priority.

ACTCS has recruited a full-time senior education officer to support distance education students, and, following termination of the vocational education tender process, ACTCS has facilitated several requests for quote processes to engage suitably qualified registered training organisations that are already on ACT

government panels. Successful applicants will deliver separate priority education and vocational training courses to the detainees at the AMC over the next 12 to 24 months. More than 20 certificate-level or prerequisite courses are planned, with 12 RFQs released to the market in October and November of 2022.

The units that have commenced include certificate II in cooking; construction units; white-card courses; safe work practices; an asbestos awareness course; and language, literacy and numeracy assessments. The provision of courses in Aboriginal art and culture studies; retail services; business; hairdressing; and beauty services are out for response from the market. The sourcing of additional educational options will continue to ensure a diverse selection of education provision, supporting rehabilitation and reintegration.

The Integrated Offender Management Framework was finalised in December 2021. The IOM Framework addresses recommendations from a series of external reviews that relate to opportunities to improve the integration and coordination of case planning and the management of offenders from entry into custody through to release into the community.

The induction and assessments process into the AMC, programs and interventions, custodial case management, and the sentence continuum have all been reviewed and updated. Deliverables from this work include an updated compendium of programs, guidance and training to staff on working in a trauma-informed way, and a comprehensive suite of policies and procedures that cover case management and parole planning.

The implementation of phase 1 of the IOM has achieved a number of tangible outcomes. This includes the introduction of the five-minute interventions—otherwise known as FMI. FMI is a qualitatively different way of staff engaging with detainees and community offenders and is based on recognising pro-social behaviours and challenging negative behaviours in a thoughtful way. A comprehensive one-case plan approach to case management that ensures an individualised approach to each offender and their needs, is based on a new case management policy and operating procedures. This includes an individualised approach that is aware of, and responsive to, gender, trauma and disadvantage. This has been underpinned by the development of a trauma-aware practice guide and training for custodial officers.

The commencement of the new ACT Corrective Services Programs and Services Committee has also occurred. The committee will improve the integration, coordination and management of services for offenders, with a focus on the female cohort, including piloting the new alcohol and other drugs pilot program, and increased engagement through additional case conferencing and options in activities. Planning for phase 2 of the work to support further development of the IOM is underway.

Since the Transitional Release Program recommenced on 1 April 2022, 19 detainees have participated in the TRP, with 17 of these detainees being accommodated in the Transitional Release Centre. One of those TRP participants was female. There are currently eight detainees participating in the TRP, all of whom reside at the Transitional Release Centre. Of the 11 detainees who have exited the TRP, six were

released to parole and five were returned to AMC after breaching the rules of the TRP. There have been two detainees whose TRP applications were declined due to not meeting the program's requirements.

I am pleased to advise that, on 4 May 2022, Community Corrections launched its second external alternative reporting site to facilitate the supervision of Aboriginal and Torres Strait Islander offenders who are subject to community based corrections orders. The second site is based at Winnunga Nimmityjah Aboriginal Health and Community Services in Narrabundah, which operates each Wednesday. The first site, which was launched on 12 July 2021, is based at the offices of the Yeddung Mura Aboriginal Corporation, which is a local Aboriginal community agency in Fadden that specialises in justice services support programs and operates every Tuesday. For each reporting site session at Yeddung Mura and Winnunga, there is a community corrections officer and cultural engagement officer from Community Corrections in attendance to meet with offenders. Support staff from the relevant agency are also on hand to provide additional assistance as required.

The external alternative reporting sites provide an alternative and culturally appropriate reporting site for Aboriginal and Torres Strait Islander peoples to attend, to meet the requirements of their community based corrections orders. This reduces the risk of non-compliance and promotes successful completion of these orders. The sites also provide increased access for Aboriginal and Torres Strait Islander peoples to community corrections, foster linkages with other services based out of Yeddung Mura or Winnunga, and increase cultural awareness and culturally appropriate practice for ACTCS community corrections staff. The decision to launch a second alternative reporting site for Aboriginal and Torres Strait Islander offenders was based on the preliminary data and positive outcomes obtained from the Yeddung Mura site.

At the start of 2022, ACTCS had 65 open recommendations from a variety of reports and reviews. Forty-three of these were closed during 2022. There were nine government responses to ACTCS-related reports tabled in 2022, and ACT Corrective Services agreed to 54 recommendations. Fourteen of these were closed during 2022. ACTCS ended the year with 62 open recommendations.

ACTCS developed 29 new policies and reviewed 81 existing policies, totalling 110 policies and procedures completed in 2022. Eighty per cent of these activities was related to custodial practice, with the remaining 20 per cent related to community operations, offender reintegration and corporate services. The ACTCS Policy Unit now uses a consultation process which engages with ACTCS staff, the CPSU, oversight bodies and relevant external stakeholders. Major undertakings in 2022 included the already mentioned incentives and earned privileges policy; the detainee property policy; the detainee discipline policy; the searching policy; and the staff peer support policy.

Over the past three years, we have seen considerable challenges in relation to managing the risk of transmission of COVID-19 within a workplace that is managing a vulnerable population. ACTCS has duties and obligations to eliminate or minimise workplace risks as far as reasonably practicable. Risk mitigation controls used included rapid antigen screening and the requirements for staff and visitors to wear masks within the AMC and the CTU.

At the times of greatest concern, face-to-face visits were cancelled and remote video visits for detainees were introduced. While COVID cases did occur in the AMC in May 2022, overall case numbers remained low and ACTCS can be proud of the work undertaken to minimise the impact of outbreaks and to protect detainees and staff as much as possible. Whilst a return to face-to-face visits occurred in November 2022, audio-video visits remain a popular option for detainees. ACTCS has moved to the new COVID-normal approach to managing pandemic-associated risks and activities.

An ACTCS new offender information management system, CORIS, went live at the end of June 2022 after an intensive lead-in program. The system provides real-time, transparent and accurate operational information and improved decision-making, and provides a single source of truth for coherent and streamlined reporting from an improved user interface. The system covers both detainees and community offenders and, for the first time, provides the ability to track a person across all contact points within ACTCS, facilitating a streamlined approach to case management. The new system involves implementing a considerable change process for staff during a year that required many other changes.

On 18 August 2021, you, Madam Speaker, wrote to me regarding mental health supports for correctional officers, following the escape attempt that occurred on 9 July 2021. As described above, significant enhancements to wellbeing and mental health supports have been introduced to ACTCS staff, with a particular focus on correctional officers and their supports. Supports are easy for staff to access and are promoted to staff regularly.

I can report progress on responding to the Inspector of Correctional Services' critical incident report into the escape. The government response was tabled on 9 June 2022. The government agreed in full or in principle to all nine recommendations. ACTCS has closed five of these recommendations, with a sixth about to be closed and three still being worked on.

Madam Speaker, your letter also called on the ACT government to review the policy that governs whether COs are armed during escorts. I can report that ACTCS considers the options in weapons and restraints currently available to correctional officers to support escorts are sufficient.

Before I conclude, I would like to acknowledge the hard work and dedication of ACTCS staff across all areas of the organisation. I believe that the changes being implemented are contributing to a considerable change in culture and are supporting correctional officers, community officers and other staff in their work. Working in corrections is continually challenging, not least because many of the positive outcomes and developments achieved by ACTCS do not attract public attention. As a result, the public does not generally get to appreciate how correctional centres operate.

I continue to be immensely proud of ACTCS staff, who work hard to look after the people in their care and find and implement improvements that support detainees and people on community corrections orders to turn their lives around. They do an extremely difficult and challenging job and are rarely recognised when things go right,

but it is always heard about when something goes wrong. The progress made since my last update in November 2021 is directly due to their hard work and determination in a constantly changing environment. I look forward to seeing what is achieved in 2023.

I have no doubt that the momentum gained will continue, and I will continue to work with ACTCS and my colleagues across government to progress important reforms to legislation and practice in the corrections portfolio. I look forward to updating the members as this work progresses.

I present the following paper:

ACT Corrective Services Update—Ministerial statement, 1 June 2023

I move:

That the Assembly take note of the paper.

**MR BRADDOCK** (Yerrabi) (11.12): It is Reconciliation Week, and we have literally just finished the minister's statement on reconciliation. I am very concerned that here we rise to talk about the ministerial statement for corrections, which freely acknowledges the problem of over-representation within the AMC prison population. First Nations people make up 26 per cent of the AMC population compared to just two per cent of the broader population. This was followed by further statistics that demonstrate a sorry state of affairs.

The proportion of Aboriginal and Torres Strait Islander detainees released from prison who returned to prison with a new sentence within two years increased from 44 per cent in 2020-21 to 47.2 per cent in 2021-22. The proportion of Aboriginal and Torres Strait Islander detainees released from prison who returned to corrective services with a new correctional sanction, which was either a custodial or community sentence, within two years also increased. The ACT went from 67 per cent in 2020-21 to 77 per cent in 2021-22. The ACT had the second-highest rate of return of First Nations people in that year, a rate higher than the national figure of 62.9 per cent.

With these statistics, I was glad to hear that Minister Gentleman stated that this level of over-representation of First Nations people in the ACT justice system is simply unacceptable and that the government is committed to addressing this as a matter of priority. A critical part of addressing this is to ensure that AMC respects the human rights of detainees—respects their dignity and their rights. I note the update makes only passing mention of human rights with respect to the body scanners, which will become an item of debate next week with the corrections and sentencing bill. Consideration of human rights needs to be core to ACT Corrective Services organisational culture, policy, structure and operations.

I look forward to reading the government's response to the ACT Inspector of Correctional Services healthy prison review. This review highlighted the significant ongoing challenges within the AMC in stark relief, and I look forward to talking further then. I note that ACT Corrective Services also needs to do its part to achieving the government's target to reduce recidivism by 25 per cent by 2025 and rise to the challenge of rehabilitating detainees.

I note the Transitional Release Centre continues to be underutilised, with currently only eight out of 20 beds being occupied. This continues the trend identified in the healthy prison review, which received submissions from detainees, detailing their frustrations with being unable to be approved for the Transitional Release Program and the underutilisation of the Transitional Release Centre. I am disappointed that more use is not made of this program and centre to help detainees transition back into the community. I call upon a review of the eligibility criteria and security classification reviews that preclude people from being able to utilise this program and centre.

There was no mention of the needle exchange program in the ministerial statement and there remains uncertainty as to whether this is a government policy. I will make sure that issue is not forgotten, as its continued absence remains a risk to the harm of detainees' health.

In closing, I would like to thank the minister for his riveting update of the correctional system. I am sure Ms Lawder also appreciated it.

Question resolved in the affirmative.

## **Planning Bill 2022**

Debate resumed from 21 September 2022, on motion by **Mr Gentleman**:

That this bill be agreed to in principle.

**MR CAIN** (Ginninderra) (11.17): I rise on behalf of the Canberra Liberals to speak in opposition to the Planning Bill. It is interesting. As I mentioned yesterday in speaking to my motion calling for an adjournment of the debate to allow for an independent inquiry into the planning system and the planning reform, I questioned what the government's vision was for planning for this great city. I mentioned a few things, which I will mention again today.

What is the vision driving this government's planning agenda? I have a picture of Canberra that is a bit different to the planning minister's picture. Canberra is not just a regional city. It is not even just a small jurisdiction in our federal system. Canberra is the capital of this wonderful country. Canberra should reflect what is great about Australia and, indeed, signal how it could be even more wonderful. The vision I see for Canberra is a city, a national capital, a bush capital, with its garden city characteristics preserved—a city that Australians are proud to call their capital and Canberrans are even prouder that they live here.

I do not see any of this messaging coming from the government. Their planning vision—although I am reluctant to call it a planning vision—their planning agenda, is driven by how much money they can get out of land and how quickly they can build. It is like: “Let us build first. We will sell and build and then we will think about the plan.” That is why we are seeing some dictatorial densification happening around us. Barr's brutal infill is the highlight. That is the big message. They are approving urban heat islands; strangling supply of land for detached housing, which Canberrans are desperately looking for; and driving up the price of such land. Perhaps that is



deliberate. It is interesting. If you strangle the supply of a much sought-after product, what happens to the price? There is something called the law of supply and demand that Mr Barr himself does not acknowledge. It is Barr-onomics in full flow: “Let us strangle the supply of something that Canberrans want, but it will not affect the price. That is not me. I am not doing that.” It is a cynical exercise and cynical reasoning.

The planning vision—again, I must stop calling it that—from this government really does not have a vision. It has an agenda driven by profit from land, without considering what Canberrans really want and without considering what this city could represent. It is a shame. Shame on you! And shame on you, planning minister, for being at the forefront of this, even though I suspect you do not really pull the strings.

The Canberra Liberals believe in a planning system that needs to be transparent, is clearly articulated and supports the future vision of a Canberra that Canberrans want to see, and, indeed, Australians want to see. The Labor-Greens government’s proposed planning system does not do this, and that is why we are opposing this bill. Respectful infill should be on the agenda, not brutal infill. We should be planning for the community. We should be planning for people, not planning for profit.

Our leader, Elizabeth Lee, called for a fresh Winton-style survey of Canberrans’ housing and planning preferences. This Labor-Greens government rejected even asking Canberrans what they would like. How offensive is that for this community! These proposed reforms have produced more concern rather than comfort for a city that is already highly suspicious of the Labor-Greens government due to their poor record of consultation and lack of consideration of community desires.

I will quote from Combined Community Councils, as I did yesterday, showing their concern about this planning agenda. They said: “The Planning Bill should not be considered by the Assembly until all the relevant parts of the legislation are available” and all of the relevant parts of the planning reform are in a final form for the community to look at together. We are waiting for a final version of the district strategies. We are waiting for a final version of the Territory Plan. We do not yet have design guides, which apparently are going to explain how things are going to be approved. It is both foolish and arrogant to lock into law a significant plank of this planning reform while significant parts are still open for consultation.

In the listening report released last week, there is a promise for a consultation submission on that listening report, which is yet to be produced and is yet to be before the community for their opinion. Could it be that you are not really interested in their opinion, planning minister? The community council chairs have called the consultation on this a tick box exercise. By bringing this bill forward for debate, you are confirming that very view: this is a tick box exercise of reform of our planning system. We are waiting and waiting for significant other documents to be finalised and presented as a whole package, and yet here you are wanting to lock into law a significant component of this review.

There are so many themes of concern about this. Greens members, on occasion, like to say, “We are an alternative voice in this parliament.” What a moment to demonstrate that. How about the Greens demonstrate that they are a genuine alternative voice that cares about what Canberrans want and listens to the heads of

community councils? What a moment for them. I wonder what they are going to do. I think that the community will be very interested in what they are going to do. The signals are not great, I have to say, about what their intentions are. The signals are not great at all.

At the beginning of this reform, the minister said that governance and enforcement were not part of the review. Wow—they are only small parts, are they not, of a planning system! But he discounted them as something up for consultation, and yet, strangely enough, the bill and the other intended documents have so much to say about governance and enforcement.

It is not clear to me and it is not clear to many others what is fundamentally wrong with our current system. Do we need to improve it to get better outcomes? Let us have that discussion. What is the point of throwing out a rules based system to produce an outcomes based system when you have not really demonstrated what is fundamentally wrong with the current planning legislation and Territory Plan?

There was scope sadly missed to do a review of the planning system and say, “We can improve this without completely overhauling it, without throwing out the rules and without throwing out community certainty of what can be built,” which is the intention of having transparent rules for the community to look at. They change all that and say, “We are just going to have an outcomes based focus,” meaning that whatever the planning minister and the chief planner think is a good outcome is what the community will get. It makes no sense to me.

The reform has placed more powers in the hands of the senior bureaucrats who directed the review. They marked their own homework and they gave themselves more power. Wow! How is that good governance? Shame on you! Governance issues formed, in my estimation, 15 of the 49 recommendations coming out of the Assembly’s standing committee on planning, and yet, as I said earlier, the minister said governance was not an issue they were looking at.

Yesterday, during the debate on my motion calling for an independent review of the planning system and for an adjournment of the debate of the bill, I noted the planning minister agreed with a Greens amendment that included undertaking a governance review of the new planning system, conducted by an independent expert who does not report to EPSDD. Wow! That is a subtle insult, is it not? And yet the planning minister agreed with that: “Yes, let us do an independent review of governance after the bill is passed, but do not let EPSDD, the planning directorate, control that independent review.” It is quite insulting by the planning minister and his department.

My view is that we should hold back on this. We should hold back on this, because the community itself is saying that the consultation has been tick box and flawed; and things that are significant elements of a planning system are not up for discussion, when they clearly were. So we should pull back on this, and we should let the community have a look at the whole planning package before this bill is locked into law.

I want to go back to some things I read yesterday from the Combined Community Councils of the ACT. As far back as December, the Combined Community Councils

issued a media release: “Planning Bill needs more work”. Included in this media release is the following:

The Combined Community Councils of the ACT (CCC), the peak body for the eight Community Councils in Canberra, is calling on Members of the Legislative Assembly to ensure the new Planning Bill is not approved until governance, clarity and community engagement concerns have been addressed.

They say further:

The Planning Bill is just part of the new planning system. It should not be approved until other key components such as the new draft Territory Plan and draft District Strategies, and their interaction with the Planning Bill, can be subjected to full public and independent expert scrutiny—

Hear, hear to that! It seems to be what I am saying, too—

Land is the ACT’s greatest natural resource and residents expect strong stewardship of that resource. The Planning Bill—

This is back in December—

vests too much power in the hands of the planning authority and one person, the Chief Planner. There should be better checks and balances to manage governance risks and to restore confidence and trust in the Planning System.

The Bill provides for a major shift from a rules-based to an ‘outcomes focused’ planning system, the most significant change in fifteen years ... and there needs to be greater clarity about how the new system will work in practice given the Bill’s subjective decision-making criteria.

In other words, whatever the planning minister and chief planner approve, that is it. Out with the rules, in with unbridled discretion. Out with meeting community expectations, in with a brutal infill agenda.

The final paragraph from this media release in December:

Finally, while we were led to believe that the new planning system would be easier to understand, it is in fact more complex. The Planning Bill alone now has 648 sections—

I am sure that there will be more after detailed debate next week—

compared to 517 sections in the existing Planning Act. The Planning Bill and its interaction with other components needs to be clearer and simpler.

Again, repeating the point that I have made: the community deserves to see the government’s intended whole package together before you lock a significant plank of it into law. That is foolishness; it is bad governance, but it is also a sign of arrogance from this government.

Reading from the Combined Community Councils of the ACT from Tuesday this week:

The ACT Government's response to the ACT Assembly Standing Committee on Planning's Inquiry into the Planning Bill 2022 is underwhelming and dismissive according to the Combined Community Councils of the ACT (CCCCT). The response validates the widespread view held across the community that the outcome of the Planning Reform was always predetermined and that the opportunity for meaningful reform has been missed.

I agree with their statement, Minister, but this is not me saying it: it is the heads of all of the community councils of the ACT who speak for their communities and their districts:

The CCCCT welcomed the announcement of the Planning Review in 2019 expecting that constructive and innovative thinking would be applied to put in place a planning system for future generations of Territory residents with a focus on climate mitigation, liveability and affordability. However, the Reform process has lacked adequate or appropriate engagement, an evidence base and a well-designed evaluation framework.

Again, this is the Combined Community Councils from this Tuesday. I hope you have read this, Minister. You can read it in *Hansard* if you like because I am reading it:

... if the process is not transparent. The Government runs the risk that the processes prescribed in their Planning Bill will not be regarded or accepted by the Community.

The Planning Bill should not be considered by the Assembly until all the relevant parts of the legislation (Territory Plan, Explanation of Intended Effects, Design Guides and District Strategies) are available and have been comprehensively discussed with the community.

Wow! Are you listening to the community, or not, Minister?

**MADAM SPEAKER:** Mr Cain, through the chair!

**MR CAIN:** Thank you, Madam Speaker. In addition to all of this—so many of the planning documents being open—the planning committee has already said that it will do an inquiry into the interim Territory Plan. So we have a public inquiry into the interim Territory Plan pending, with a report coming which will await a government response. So, again, it is foolish and arrogant to lock a significant part of this planning reform into law before the other parts have been fully reviewed and we have a look at the whole package. That is indeed what the Combined Community Councils of the ACT are saying. If you are not sure who they all are, there is a list of all of the community councils, including the chairs of the Combined Community Councils of the ACT, listed on this media release. Perhaps you should talk to them, Minister! Perhaps you should go and talk to them! Madam Speaker, the minister knows who these people are. I wonder if he has had a conversation about their media this week.

Yesterday, during the debate on my motion, it was amended, unfortunately, and agreed to by the minister. The minister, in responding to my motion, said that one of

the reasons we need this new planning legislation is to stop bad developments. I could not believe my ears when I heard that—to stop bad developments. I wonder how a bad development happens, Madam Speaker? Perhaps a bad development is approved. That is on him, isn't it? Perhaps as it is happening it strays from what was approved. That is on the minister as well, isn't it? Perhaps when it is finished, "Oh! What a shame we got a bad development." What do you do about it then? Your words, Minister—that we need a planning bill, a change in the planning system, to stop bad developments. That is on you as the minister for the planning department.

There is no reason to lock this bill into law. We need to allow other documents that the government is working on, and the planning committee is going to inquire into, to be put into a final form for the community to look at the whole package together and how they interact. That is what the Combined Community Councils are calling for. That is what I am calling for. That is what the Canberra Liberals are calling for.

In closing, to ensure that the ACT's proposed new planning system has true integrity, and works together well, it must be thoroughly reviewed by a panel of independent planning and architecture experts. The planning system needs to be transparent, clearly articulated, and supportive of the future vision of a Canberra that Canberrans want to see, and that I think Australians deserve to see, as their national capital. These proposed reforms represent the most significant change to the ACT planning system in the past 15 years, so it is vital that we get it right. It is a shame that the government does not agree with that. I speak again, on behalf of the Canberra Liberals: we will not be supporting this bill.

**MR BARR** (Kurrajong—Chief Minister, Treasurer, Minister for Climate Action, Minister for Economic Development and Minister for Tourism) (11.37): I rise to speak in support of this significant legislation that reflects years of work undertaken by the government: work to reform the territory's planning system to manage Canberra's future population growth effectively and efficiently. Canberra is growing fast because we are an extremely attractive place to live and work or study. Given this growth, there is a clear case for planning system reform to support a sustainable, well located and integrated increase to housing supply.

The Housing Accord agreed with the commonwealth government last year included a commitment by all state and territory governments, Labor and Liberal, to planning and zoning reforms. These reforms will enable residential development to support a shared commitment to delivering more social and affordable housing in well-located areas.

Madam Speaker, the Productivity Commission's report in August of last year, entitled *In need of repair the national housing and homelessness agreement*, made clear that state, territory and local governments should revise their planning regulations to promote greater housing density and diversity. That is our objective: to deliver planning and land-use reforms that will make housing supply more responsive to demand.

The government commenced the planning system review and reform project four years ago. An extensive process of expert and community consultation has informed the new Planning Bill we are considering today, as well as the pending interim

Territory Plan and district strategies for our territory. Reform of the planning system will deliver outcomes and shape Canberra's liveability and affordability for decades to come. The bill will contribute to the government's objective of a more affordable, more sustainable, more liveable, more diverse, more interesting, more productive and more economically efficient Canberra.

We want to increase the choice, access and affordability of housing for Canberrans. Central to that is a sustainably constructed and well-located housing mix in close proximity to employment centres, transport corridors, recreation and public open space. I have talked before about "gentle urbanism": a graduated transition of housing options from higher to lower density across Canberra. A direct outcome of this bill will be to facilitate more affordable and diverse housing for Canberrans near employment opportunities, transport and public services. It will also ensure our city remains liveable for its residents as we experience a changing climate and more extreme weather events. It will make sure we get the maximum effective use out of our existing essential infrastructure—our roads, our light rail, our water, our sewerage and our electricity networks—by maximising the efficiency of public investments whilst reducing the environmental impact of our population growth.

Beyond the bricks and mortar of more housing for more people built where it is needed, this bill provides the framework to make sure the planning system delivers for the evolving needs of our community. The objects of this act support and enhance the territory's liveability and prosperity. They promote the wellbeing of residents by creating an effective, efficient, accessible and enabling planning system that is outcomes focussed; a planning system that promotes and facilitates the achievement of ecologically sustainable development, that is consistent with planning strategies and policies and that provides a scheme for public participation. As part of achieving the objects of the act, the planning system is intended to promote high standards for the built environment, with an emphasis on design quality and universal design for the benefit of people with differing needs and capabilities.

The planning system will set out the long-term strategic direction and desired future planning outcomes for the territory. This includes the development of district strategies, which will set out the strategic direction and desired future planning outcomes for our districts, while the Territory Plan will set out the desired planning outcomes, land use and development assessment provisions. The new Territory Plan will create a greater range of housing options—such as community housing, affordable rental in the community facility zone and built-to-rent development in residential zones—and adjust the provisions for residential development to deliver quality outcomes.

The amended policies will improve the feasibility of developments and assist in achieving the ACT government's target of accommodating at least 70 per cent of our city's growth, our population growth, within our existing urban areas. These plans will allow us to set out the processes for assessing and deciding development applications and promoting the desired planning outcomes for the territory.

The object of this act is to support and enhance the territory's liveability and prosperity, to promote the wellbeing of residents and to facilitate ecologically sustainable development. We want to ensure that the planning system responds and

contributes to the distinctive characteristics of the local area and a sustainable and resilient environment. It supports a planning system designed and developed for a net zero greenhouse gas future using mitigation and adaptation best practices. Importantly, it will strengthen economic development across the territory—building an efficient, resilient and strong territory economy now and for future generations.

Planning reform is crucial not only to build more homes, but to ensure Canberrans have access to more diverse and affordable housing options. This means delivering more “missing middle” dwellings, as they are defined. That increase in density and affordability in desirable residential locations is important, and it is also important that it provides families and households with more open space and land than apartment living does.

We are ensuring that urban areas designed to promote active travel and convenient and efficient use of public transport are delivered as part of this planning strategy. This includes the promotion of integrated transport connections and equitable access to services, infrastructure, public spaces and facilities. I have said this many times already, but it is important to state it again: this means building affordable homes close to transport and close to employment hubs. We also want to ensure the places are planned, designed and developed to be sustainable and resilient.

There should be an effort focussed on adapting to the effects of climate change, including through mitigating the effects of urban heat, managing water supplies and achieving energy-efficient urban environments. This means that growth should be mostly within Canberra’s existing urban footprint, or in areas close to that existing urban footprint, whilst maintaining environmental values.

Madam Speaker, I want to use this contribution this morning to briefly touch upon the importance of long-term rental supply in the ACT, which the government has been pursuing for many years and we have consulted on, including in residential zones, as part of the new Territory Plan. By bringing build-to-rent to Canberra at mass scale, the ACT government is looking to: increase the number of private rental properties in the territory by thousands, particularly for the more affordable end of the rental market; grow the number of affordable rental options available at less than market value, predominantly targeted at households in the second income quintile; increase choice and housing diversity for renters, with homes that are specifically designed to meet their needs; and offer opportunities for long-term tenure arrangements so tenants can establish themselves as part of a community and personalise their homes.

The ACT government is actively supporting the delivery of build-to-rent models that include an affordable component to contribute to our commitments in the ACT Housing Strategy and the parliamentary and governing agreement. The prospectus that we released last year has been successful already in increasing ACT market attractiveness for community housing providers and private providers for affordable, long-term rental in the territory. This will provide large-scale developments where the residential dwellings are retained by one owner and rented out long term, preferably for at least 15 to 20 years, rather than being sold into the private market.

The build-to-rent model has the potential to provide long-lasting community benefits, with greater housing choice for tenants, by expanding access to high quality dwellings

in a stable rental environment. Genuine build-to-rent provides increased rental security along with wider social and economic benefits—as tenants, as I have said, are better able to establish themselves in a community.

Madam Speaker, the build-to-rent model is just one of the many ways that we are working to meet the territory's diverse and changing housing needs now and into the future. We are seeking to increase the choice, access and affordability of housing for Canberrans. This bill allows for the government to make the Territory Plan and district strategies, which will be brought forward over the coming weeks and months, and we look forward to continuing to work collectively as a government to implement this very important reform process for our territory. I commend this bill to the Assembly.

**MS CLAY** (Ginninderra) (11.48): I am rising today to speak about the Planning Bill, which is one of the most important pieces of legislation that has been brought into the Assembly this term. It is a key piece of development and environmental legislation, and it will shape Canberra for decades to come.

This moment has been a long time coming. It is a project over four years in the making. There were over 329 submissions to the first consultation of the Planning Bill. There were 65 submissions and over 35 organisations or individual witnesses that attended the committee inquiry into the Planning Bill. Many, many people in the community have been working incredibly hard to have their say on the future of development in Canberra, and many people have offered really tangible suggestions of what that should be and how it should look in our legislation. This is because people care really deeply about their home, their community and our environment.

We need to look after our people and our planet. That is what the Greens are trying to do. That is why we need this new system. We are putting our hopes in the future, and we are looking for better planning outcomes in this bill. We are in a climate crisis. This is something we talk about a lot in this Assembly, but it is more than talk; it needs to shape every decision that we make. We need to be smarter in the way that we are developing in our territory. We need to follow the recommendations by the Intergovernmental Panel on Climate Change and by every sensible city planner in the world right now. We need to prioritise high quality, climate-sensitive infill development that is close to public and active transport.

We are also experiencing an extinction crisis. Australia has some of the highest rates of threatened species in the world. As of this year, we have got 2,000 animals, plants and ecological communities that are threatened. Monday is World Environment Day and the ACF is making a very clear call on this World Environment Day. They are saying, "Our Parliament must start treating nature destruction as the crisis that it is. Right now, nature needs more members of parliament calling for urgent action to turn this around." This needs to shape our decisions.

We are also experiencing a housing and cost-of-living crisis. The Greens have put up ideas in former Assembly terms that are now delivering some relief here. We put up the idea for the 100 per cent land tax rebate for socially minded landlords, who can get involved in an affordable rental scheme and ren their property out at 75 per cent market rental through Rentwell or HomeGround. Those programs are delivered by



YWCA Canberra and CHC. I encourage any landlord who wants to participate—please do. You can get your land tax waived, and you can make an affordable rental for somebody right now.

We have delivered more work this term that is also helping. We have ended no-cause evictions. We have established minimum insulation standards for rentals. We have done a lot of work on rental rights, and we have got a rental ombudsman coming to help ensure people can enforce all of these rights, because there is a huge power imbalance here.

We have put up some more suggestions, some of which Labor and the Liberals have voted down, and some of which people are still thinking about. We have suggested regulating Airbnbs, which is something that a lot of other councils have done. We have suggested looking at a vacancy tax. We have suggested supporting co-housing and some of the innovative models that would allow people to share their homes. We have suggested a rent freeze. Canberra has vacant homes, empty bedrooms, large houses, and houses used for short-term rentals right now, and a lot of people could access that space. We should move on all of these problems.

In addition to those solutions, we also need more housing. The Greens support this. We support high quality infill along our transport corridors, in central areas of our city and near existing services. This is the best way to make genuinely affordable houses for people. We have to think about people and our planet. We cannot separate these two; we need to work on both, and we need to do it all the time.

Our current planning system is not doing the job that it is meant to do. I have only been here for a short time, but I have heard a lot of complaints about the current planning system. This system is out of step with current community expectations and with our stated policy goals in Canberra. We have got really good policy goals in Canberra; we need to make sure that we are implementing those.

Development is not happening where it should. I have got a couple of examples here—they are all over Canberra, so I will just talk about the couple that have affected me most closely. In Belconnen, we have Lake Ginninderra. It is a beautiful area. The community strongly wants to protect Lake Ginninderra. They want to keep as much green space and as much of that beautiful recreational land as they can. And what we have got on our prime lakefront is a strip of fast-food restaurants. There is a whole long strip of fast-food restaurants; it is really poorly linked with active travel. This is not what we should have on our best piece of land in Belconnen, but our planning system was not able to say “no”, because the developers met all requirements, ticked all boxes, and so the developments had to be approved.

In my first sitting here we had to pass a specific piece of legislation to stop a developer from building a dirty materials recycling facility—a facility that would have generated a whole lot of pollution in Canberra that was completely out of step with our policies on the circular economy and our policies against incinerators. We could not stop that without passing legislation because our planning system was not able to say “no” to a facility we did not need if it met all requirements—if it ticked all the boxes. They are just two examples. There are so many examples. I think if you asked most Canberrans, they would give you an example of a bad development that

meets all requirements and is not open to legal challenge but is not giving Canberra what we need.

I have also heard a lot of complaints about consultation in the current system that we have right now. People have complained about pre-DA consultation. They wanted government to be involved in that. They felt that individual members of the community being involved with the developers was nice in principle, but their views were simply discounted, and it did not get them anywhere. So they wanted a different type of early consultation.

I have also heard the community say that they do not have enough time to comment on complex proposals. I have heard complaints about the current system about the rules and criteria—that if a development meets them, it does not matter what kind of outcome that development gives Canberra; it will be approved. I have heard that decisions are not adequately enforced. I have heard that the rules and criteria do not allow for the type of innovative, flexible development we need to deal with the really big problems we are facing: climate change, extinction crisis and the housing affordability crisis. These are big problems. We need a system that allows us to develop in the right way to be able to meet these problems.

I have also heard complaints about the decision-making in our current planning system. Canberrans did not like call-ins. They did not like being taken by surprise about the use of those call-ins. And I have frequently heard that Canberrans want this Assembly to be more politically accountable for some of the planning decisions that happen.

We have an opportunity right now to get our planning system right, and a lot of work has gone into it. The bill as tabled is not good enough, but that does not mean that we cannot improve it to get Canberra a better system. We have a really good opportunity, and we have such pressing problems. We need to meet them.

I have heard the same complaints raised by Mr Cain about people being worried that the new system will be deregulation. This is a real fear. I understand this fear. This new system is not a deregulated system. The ACT Greens will not support a system that is a planning deregulated system. That is not what we are going to pass. There will be many minimum standards in this new system. There will be minimum standards that cannot be waived about solar access, about setbacks, about green space, about plot ratios. These are in the design guides and the technical specifications. They are not in the Planning Bill. The Planning Bill is already really long. We will make sure that these documents are given statutory recognition in the Planning Bill, but they sit underneath the Planning Bill. We will go through those with as much care and scrutiny as we have gone through the Planning Bill. This is a different system that we are contemplating today, but it is not a system of deregulation.

I am bringing a number of amendments that will increase transparency and consultation over what we currently have. We have been working really hard to get the bones of this system, to get the Planning Bill, strong. We have worked with our colleagues in Labour on their amendments; they have got over a hundred. Many of those amendments address concerns raised by the community and concerns raised by the committee. I have got a package of 19 amendments, and those address some of the

other concerns that were not covered. There are other issues that sit outside the Planning Bill that we will follow through on.

So we are working hard to make sure the new system will lead to improved consultation for the community. That means we are bringing in stronger principles of good consultation. We are making sure there are adequate timeframes for people to comment on environmental impact statements. We are making sure there is better integration of biodiversity and climate change considerations in the bill.

We are bringing in improved objects and a stronger definition of ecologically sustainable development. We are making sure that the planning system will seek to reduce greenhouse gas emissions—actual reductions, not mere net-zero targets—when we are developing. We are looking to improve environmental protections in the bill, better consultation periods and much stronger links between the Planning Bill and the local ACT environmental laws we have in place. They need statutory recognition and they need to be given teeth.

We have introduced a much stronger housing affordability principle. That principle will make sure housing that is affordable is built and that it is built close to essential services, amenities and affordable transport options. This is a really important part of affordable housing—housing is not affordable if it is an hour out of town and if you cannot afford to drive from your house to your work, your school, your services or your friends. Affordable housing means housing that is near services and has good public transport.

We have worked for greater transparency. We are ensuring that a decision-maker must give reasons as to why they will make a decision to override a referral entity's advice. It is really important that this is given consideration, that people understand those reasons, that they are aired in the public domain and that they can be scrutinised.

We will make sure that territory priority projects are only used when they are absolutely necessary. A territory priority project decision removes the right to appeal. It needs to be used sparingly, for the most critical of projects—projects that provide substantial public benefit—and it should only be used after sufficient community consultation. We also need territory priority project decisions to be politically accountable. That means that the people in here—the MLAs who have been elected to represent our community—will have to consider these, and we will be held accountable and responsible for those decisions. We will be judged on that, exactly as we should be. The community has been asking for political accountability on our planning system and we will introduce amendments to bring that in.

We want to see the return of the power for individuals to lodge a controlled activity order. This is a really important measure for the community. It allows a member of the community to enforce a planning law. Citizen enforced complaints are one of the few ways individuals have to address particular examples of bad development, and it is essential that they come back in.

We think key threatening processes must be a trigger for an environmental impact statement and we need much better consideration of cumulative environmental impact, to make sure we are not simply carving out our wildlife corridors and trading away our nature in tiny bits and pieces. These are all amendments that we have worked on.

We also need a planning system that will be reviewed in three years time. If this system passes—it is large, it is complex—it needs to be reviewed within three years time to have a look at how it is operating in practice and to let us get the details right. If there is anything that is not acting the way it should, we will have a chance to fix it.

In our proposed amendments, it is important for us to raise some of the issues that we see that are still works in progress. One of these was dealt with yesterday, and I thank Mr Cain for bringing forward a motion on that. Governance in the new system needs review. It is more useful for this to be reviewed in the new system as it is operating. Yesterday Minister Gentleman and I tabled letters confirming that that is exactly what will happen. There will be an independent review into governance. The review will be conducted within 12 months of the Planning Bill passing, should that bill pass, and it will be tabled in the Assembly. The review will cover the matters raised by the standing committee.

That review began because the Greens raised this issue with our colleagues. We were concerned at what we heard in the community and we were concerned at what we heard in the committee inquiry. So we have agreed that there needs to be a governance review. We wrote to the planning minister a month ago, and that governance review is going to take place. It is a great result.

There are other things that do not fit in the bill that we will make sure that we get a good quality outcome on. We expect proper information and education to roll out for the planning system as an entirety, and that is going to happen as we move through the stages of this project. We need to see hypothetical examples of planning decisions in this new system and how the system differs from the old system. There is a lot of confusion about this. We need the tools to understand how this works so that everybody is on the same page.

This system needs to be properly resourced. That is really important. It does not sit inside the bill or inside any of the documents. We must make sure that every aspect of this system is properly resourced so that good, quality decisions can be made and they can be made in a straightforward, clear, transparent and quick manner.

The Planning Bill is simply the first step in this process. If we go through the detail and if we amend this bill so that it is good enough that it provides the right bones for Canberra's planning system, that Planning Bill will sit there largely dormant. The rest of the system will be finalised and considered, then it will come back to the Assembly and we can look at the rest of the system to decide is this, as a whole, going to give Canberra the outcomes that we need. It is not locking into law anything immediately. It is the first step in order to look at the rest of the package. There is a lot in that package. We have the design guides and the technical specifications that cover a lot of the issues raised by the community councils. There is the Territory Plan itself, which is a fairly major document.

The ACT Greens have been working to ensure that we will get a bill that we can pass. We have prepared a number of amendments. We have worked with our colleagues on theirs. We realised last September that we needed to do this. Our Greens ministers left cabinet last September so that we could work on this bill. We are taking this

extremely seriously. It is very important. We have been quite clear that we will not pass a bill unless that bill is providing the right bones for Canberra's planning and environmental development.

We have engaged deeply with this process. We have listened to a lot of people. We have gotten across the detail. I have heard many different views. I have had a lot of stakeholders who are really pleased to see the Greens amendments. I have had some stakeholders tell us that there are issues we have not yet covered, that we have not gone far enough. I think this is the nature of planning. You need to work through those conversations and you need to work through the detail of those issues. You need to learn which bits you can fix, which bits fit in the bill, which bits fit somewhere else in the system, which bits are a real and genuine concern that is a deal breaker and which bits are simply fear of a new system. It is a really difficult issue to work through.

We have a bill coming up for debate that has 106 Labor amendments and 19 Greens amendments. These amendments are addressing issues raised by the community and raised by the committee inquiry. We are clearly going to have a debate about a very different piece of legislation than the one that was circulated.

I have been through the concerns raised by the community councils, and I am pleased to say we have addressed almost all of them with our amendments or with measures that sit outside the bill, such as the commitment to the governance review. There are a few issues in here that I think we are still working through or that we will need to come and work through when this Assembly makes a decision about the Territory Plan. So it is an ongoing conversation. But I think it is important to remember that we will get better results if we engage with the magnitude of the problems, if we engage with the detail of what is before us and if we actually put-up genuine solutions, rather than simply taking the easy option out and saying, "No change." No change means we will be stuck with a system that people have been complaining about for years. We will be stuck with the kind of development that Canberra has seen for years. We will be stuck with a system that cannot deal with climate change, an extinction crisis and a housing affordability crisis.

We have a lot of elements of review built in here. We will have a review within three years of passage of the bill. We will have a governance review within 12 months of operation of the bill. I think it is more useful to review systems when they are actually functioning. I think you get more useful results than simply looking at the paperwork. We also have a committee that has stated they will look at the Territory Plan. That committee has a statutory trigger to look at all draft variations to the Territory Plan so I imagine it did not come as a great surprise to many Canberrans when they announced they were quite likely to look at an entire review of the Territory Plan. We also have a number of internal processes that will check whether these decisions are being made in the way that they should.

So there is a whole package of change and reform to make sure we are dealing with the problems we are facing and to make sure that we are able to look after our people and our planet as we go. I am really looking forward to the detailed debate on this. I think it is going to look quite different from other pieces of legislation we have seen in here before and I am looking forward to getting stuck into some of these specific issues and specific solutions.

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

**Sitting suspended from 12.08 to 2 pm.**

## **Ministerial arrangements**

**MR BARR** (Kurrajong—Chief Minister, Treasurer, Minister for Climate Action, Minister for Economic Development and Minister for Tourism) (2.00): I need to advise that the Deputy Chief Minister is absent from question time, and I will endeavour to assist members who have questions in her portfolios.

## **Questions without notice**

### **Calvary Hospital—acquisition**

**MR HANSON:** Madam Speaker, believe it or not, my question is to the Minister for Health!

Minister, you have claimed several times to have had independent advice from “people who have done this before”. That was about the rushed process being the best path for staff. Minister, who are these people that have done this before, and will you provide the advice that they have given you to this Assembly?

**MS STEPHEN-SMITH:** There are a couple of executives in Canberra Health Services who have joined the team from elsewhere, from other jurisdictions, and who have been involved in these types of processes before. We also have some independent consultants who are working with us through that process. I will take on notice what I am able to provide to the Assembly in relation to that.

**MR HANSON:** In doing so, Minister, can you also identify what precedents you are citing that match the forced takeover of an operating hospital and the tearing up of valid contracts by the same government that signed those contracts?

**MS STEPHEN-SMITH:** We have been very clear that this particular circumstance and the reasons for the taking of this decision are unique and do not create a precedent elsewhere. This is a unique system. However, there have certainly been cases where private hospitals have been brought into the public hospital system and where there have been proposals to merge particular hospitals that have been successful or unsuccessful for various reasons. Those experiences have been taken into account and the lessons learnt from those.

**MS CASTLEY:** Minister, isn't it the case that the way this takeover of Calvary Hospital has occurred is unprecedented?

**MS STEPHEN-SMITH:** It is a unique circumstance in the ACT, where we have two acute public hospitals, one of which is delivered by a non-government provider that has a contract of the type that Calvary does.

**Mr Hanson:** What about the Mater?

**MS STEPHEN-SMITH:** I will not speak about the contract that Calvary might have to run the Mater. We are talking about here in the ACT.

*Mr Hanson interjecting—*

**MADAM SPEAKER:** Mr Hanson.

**MS STEPHEN-SMITH:** What is the case here, Mr Hanson, is that we are investing more than a billion dollars in building a new north side hospital. We believe that hospital should be owned by the people of the ACT. It is absolutely clear from our analysis, which included analysis of greenfield sites, that the Calvary Public Hospital Bruce site is the best site to build this new hospital. It is where Canberrans are used to going to receive acute public hospital services. It will retain the synergy with Calvary's private hospital and medical facilities. Other jurisdictions, when they are looking to replace public hospital infrastructure, have a lot more options about which of their public hospitals they are going to redevelop and replace. That is not the case in the ACT.

### **Calvary Hospital—acquisition**

**MR HANSON:** My question is to the Minister for Health. Minister, is the government using PwC to assist with the takeover of Calvary Public Hospital? If so, what role is PwC performing and how much is it being paid?

**MS STEPHEN-SMITH:** PwC are one of the consultants that we are using in this process. PwC have been a consultant throughout the northside hospital process. We did not bring them in to undertake this process in particular. But, because they were so familiar with the process that we have been through over the last couple of years in relation to our consultation with the community about northside hospital and the considerations that we have made around the greenfield site versus the Calvary Public Hospital Bruce site, they are now supporting us with this process.

Just to pre-empt, potentially, Mr Hanson's future question, I will take on notice, Mr Hanson, in relation to how much the contract is worth. But you could just check the contract register, because we do have a contract register. Every contract that is worth \$25,000 or more is public for the ACT government on the contract register, unlike the contracts that are entered into by Calvary for Calvary Public Hospital Bruce at the moment.

This goes to the improvement in transparency that we will see through this process—again, not the reason that we did it, but another benefit that we will see from this process.

**MR HANSON:** Minister, are you seriously trying to give the Liberal Party a lecture on ethics, when you are—

**Mr Rattenbury:** Preamble, Madam Speaker—

**MR HANSON:** That is a question.

*Opposition members interjecting—*

**MR HANSON:** Can I not finish my question before you—

**MADAM SPEAKER:** I would be very careful in how you phrase that question.

**MR HANSON:** Why?

**MADAM SPEAKER:** Because it is verging on a response that is seeking an opinion and also something that the minister is not responsible for.

**MR HANSON:** I will just ask: is she trying to give a lecture on ethics when she is someone who is just intending to rip up a 76-year contract?

**MS STEPHEN-SMITH:** I am not intending to give the Liberal Party a lecture on ethics. I am just pointing out the levels of transparency under this government in relation to the contracts register.

I would also point out to Mr Hanson that this was not my decision solely; this was a decision that was taken by the cabinet, by the government, after long and careful consideration of the options and the constraints that we had before us. I would refer Mr Hanson to Mr Rattenbury's speech in the debate yesterday, where he went through some of the challenges. Mr Rattenbury, obviously having been—

**Mr Hanson:** Did the Greens make you do it?

**MS STEPHEN-SMITH:** No, absolutely not. We all contributed to this debate. Mr Hanson, I would also refer you to my speech, which went through the history of this issue and the challenges that we faced. Mr Rattenbury also touched on some of the challenges we faced, as did the Chief Minister.

The Chief Minister talked very clearly and at length about the reasons that we have made this decision. It was a difficult decision. It was not made lightly. It was not made quickly. It was made after months of formal negotiations and years of discussion with Calvary National about the future northside hospital and how it would be operated.

**MS CASTLEY:** Minister, was this your decision or Mr Rattenbury's decision?

*Mr Hanson interjecting—*

**MS STEPHEN-SMITH:** I already answered that this was a decision of the cabinet. We operate a cabinet government here. Of course, I am the Minister for Health, and I have led this process throughout.

*Mr Hanson interjecting—*

**MS STEPHEN-SMITH:** We all made contributions to the debate and we all talked through the reasons that this decision has been made to invest a billion dollars in a



new northside hospital to be owned by the people of Canberra and to be part of the most efficient and effective health system.

We all took different paths in explaining why this was important and the constraints that we have faced in making this decision, but it was a cabinet decision.

*Opposition members interjecting—*

**MADAM SPEAKER:** Members, I am growing very weary of the interjections. They are out of order and I ask you to stop.

**Mr Hanson:** Mr Rattenbury is not.

**MADAM SPEAKER:** You are warned again, Mr Hanson. I am in the middle of providing some guidance on behaviour, Mr Hanson, and you are niggling across the table. You are warned!

### **Environment—wood heaters**

**MR DAVIS:** My question is to Minister Rattenbury.

Minister, today is the first day of winter. For many Canberrans, that means puffer jackets, frosty car windshields and trips to the snow, but, for the more than 8,300 asthmatics in Tuggeranong, it is marked with dread as the beginning of woodfire season and the associated smoke haze which blankets the south. Can you please provide the Assembly with an update on work to date to implement the pilot Wood Heater Replacement Program for low-income households as a result of my motion in June last year?

**MR RATTENBURY:** I am pleased to talk about this. We had the motion moved by Mr Davis last year, which was supported by the Assembly. Since that time, the Environment, Planning and Sustainable Development Directorate has been working towards a pilot program to assist low-income households and support them to replace wood heaters with efficient electric heating. What we know from the research that the directorate has been doing is that the process of removing a wood fire heater can involve a range of different responses for different households. It can involve work to remove the actual heater and then, depending on the way that the house has been modelled, it can involve carpet replacement, tile replacement and a range of other measures that need to be put in place.

The government has been exploring a pilot program targeted towards low-income households and has been particularly examining whether a program like that might be applied to public housing properties in the ACT. There are some public housing properties in the territory that have a wood heater as their only source of heating, and that is an area where we feel we can, through providing a degree of financial support to replace those heaters, cut smoke pollution in the air, while at the same time providing those households with a lower cost, modern electric device which will keep their house quite warm and toasty but with modern electric efficiency.

These are the options that the government is exploring in response to Mr Davis's motion, and I anticipate that we will have more details on exactly how that program will be rolled out in the near future.

**MR DAVIS:** Minister, why is it important that the ACT government supports Canberra households to transition from wood heaters to electric heating?

**MR RATTENBURY:** I think most people in this place know that, while Canberra's overall air quality is excellent, as Mr Davis touched on in his first question, there are points in the year and particular parts of the city where air quality can really deteriorate, and wood fire heaters are a significant source of the emissions that contribute to those air quality problems. Wood smoke from domestic heaters in urban areas is the main contributor to air pollution impacts on community health during the winter months. Canberra is particularly susceptible to greater health impacts due to both our colder winters and, obviously, the heating demand that results in, but also our topography, which sees smoke settle in geographic basins such as the Tuggeranong Valley, which is subject to temperature inversions and poor pollution dispersion.

The government notes the health and pollution risks of wood heaters were recently highlighted by the Commissioner for Sustainability and the Environment in her investigation into wood heater policy here in the territory. The air quality impacts of wood heaters are worsened if they are not well maintained, their filters are old or the wood used is not well seasoned. Wood fire smoke emissions contain fine particulate matter—PM2.5 is the technical label for it—and they are associated with a range of health outcomes, including adverse respiratory outcomes and mortality. Evidence shows there is no safe level of PM2.5 exposure.

People with asthma are among those who are particularly vulnerable to the health impacts of wood fire smoke. People who live in some of these areas and have been exposed and end up making trips, with their child particularly, to the emergency department in winter because of asthma attacks brought on by wood smoke are particularly conscious of these issues. Those families in particular understand why we need to make reform in this space to improve air quality in our city.

**MS CLAY:** Minister, what other support does the ACT government provide for Canberrans to help them swap their wood heater with an efficient electric system?

**MR RATTENBURY:** The ACT government has taken a range of responses to try and deal with this air pollution issue and ensure that those who are adversely impacted by it can breathe easier, quite literally. Certainly, Asthma Australia is very strongly making the point that we need to phase out wood heaters in urban areas due to the health impacts of smoke pollution. In terms of the measures the ACT government already has in place, the regulation of wood heaters sold in the ACT ensures that they meet the current Australian standards for efficiency and emissions. That is dealing with the current issues.

There is also the regulation of commercial firewood to ensure it is sold in a seasoned condition and, also, is sustainably sourced. The regulation of emissions from wood heaters is also there to ensure they do not cause environmental harm. The prohibition of wood heaters in new developments, where planning studies show that they would

have an adverse impact on air quality, has been another important issue, and this particularly applies to the Molonglo Valley. As the name suggests, it experiences some of the same problems the Tuggeranong Valley does with cold temperature inversions and therefore the trapping of the pollutants in the airshed.

The Wood Heater Replacement Program has been running for a number of years. It helps people who want to remove old inefficient heaters that do not meet current Australian emissions standards. Just yesterday, we saw Minister Vassarotti, with her portfolio responsibilities, launch the “burning better” public education campaign on how to correctly operate a wood heater. I think those measures are really important as well for dealing with the situation we have at the moment in seeking to minimise the harm arising from those.

There is also, of course, support such as the Sustainable Household Scheme and the Home Energy Support program, which particularly fund that direct swap-out from wood heaters to modern electric devices which do not present the same air pollution problems.

### **Calvary Hospital—acquisition**

**MS CASTLEY:** My question is to the Minister for Health.

Minister, on 23 May you told ABC radio *Drive* that you did not believe the number of Calvary staff taking redundancies as a consequence of your takeover is going to be as large as the opposition has made out. What is your estimate of staff losses, additional to normal turnover, as a result of this takeover?

**MS STEPHEN-SMITH:** I thank Ms Castley for the question. Certainly, the feedback that we have had from staff who have attended the sessions we have held—the meetings I have had with unions and their members and the other meetings we have held with staff—has indicated that the vast majority of staff at Calvary Public Hospital Bruce will transition to Canberra Health Services. There will be some staff we know are getting close to retirement who will likely choose not to make this change, and there may be some other staff who choose not to make the transition to Canberra Health Services, but all of the indications we have had are that the vast majority of staff will make this transition.

**MS CASTLEY:** Minister, how many, exactly—can you get the number for today—of Calvary’s 1,800 staff have taken up the invitation to approach Canberra Health Services about working under the new regime?

**MS STEPHEN-SMITH:** I will seek to get updated numbers for Ms Castley. I cannot commit to having them by today, but we will endeavour to do that, and I will take the question on notice, in any case. We have certainly seen relatively limited numbers of staff coming to the forums that are held multiple times a day. Inquiries, I understand, through the hotline that was established, have increased since yesterday when the legislation was passed. Some staff have completed the form, but we know that staff were in some ways being actively advised that they should not commence this process until after the formal transition process commenced, so we always expected that those numbers would not be particularly high until the formal transition process commenced after the legislation was notified.

It has been heartening, however, to have a number of team leaders attend the sessions that have been held, and meetings with me and with Mr Pepper, to talk about how they can support their teams through the transition—to be able to provide information directly back to their teams. So the raw numbers of people who have attended the sessions do not necessarily reflect the number of people who would be receiving that information, because people have, effectively, delegated others to attend the sessions for them to get the information and share it with their teams.

**MR HANSON:** Minister, are there any risks to the delivery of clinical services if fewer staff transition than is anticipated?

**MS STEPHEN-SMITH:** The transition team has undertaken considerable contingency planning in relation to this transition. It has looked at contingencies from full cooperation from Calvary national and the regional team here at Calvary Public Hospital Bruce through to a much more difficult and obstructed transition process. They have contingency planned for all of that. My message to Calvary, particularly Calvary national, would be that we are hearing very clearly from staff that they have got past the period of being shocked by the announcement, they understand what this is going to mean to them, they want to know more, and they want to get on with the transition. My message very clearly to Calvary national would be to support the regional team.

**Mr Parton:** On a point of order on relevance. The question from Mr Hanson was very specific: was there a risk to medical outcomes? I am not sure that the minister is being relevant to that question.

**MADAM SPEAKER:** I believe she is in order, but she has more time to respond.

**MS STEPHEN-SMITH:** No, we do not believe there is a risk to clinical outcomes, because of all the contingency planning that has been done. The only risk will come from obstruction of the transition process.

### **Canberra Institute of Technology—fee-free courses**

**MS ORR:** My question is to the Minister for Skills. Minister, what courses are currently available through the fee-free TAFE initiative?

**MR STEEL:** I thank Ms Orr for her interest in vocational education and training. Our government's fee-free TAFE initiative currently has 80 courses that are available for fee-free relief across a variety of areas and demonstrated skills needs in our economy, including information technology, construction, early childhood education and the care sector. I announced that we have added 24 more courses to the fee-free TAFE list recently. The new courses cross a breadth of disciplines and include the Diploma of Nursing, Diploma of Travel and Tourism, Diploma of Accounting—

**Ms Orr:** Point of order.

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

**Ms Orr:** Madam Speaker, I note Mr Hanson and Ms Lawder have been having a conversation most of the way through the Minister's answer. As he is addressing his remarks to you it is quite difficult to hear.

**MADAM SPEAKER:** Thank you. Members.

**MR STEEL:** Those include the Diploma of Accounting, Certificate IV in Information Technology, Certificate IV in Building and Construction and Certificate III in Community Services, which is designed for Aboriginal and Torres Strait Islander people. A full list of courses is available on the Skills Canberra website and enrolments for semester two are now open. Canberrans are strongly encouraged to take advantage of this free training.

**MS ORR:** Minister, which Canberrans are eligible to take advantage of fee-free TAFE?

**MR STEEL:** It was great to announce last week that we are expanding eligibility for 27 short courses to the broader community, which will now be available to study fee-free for any Canberran over 17 years of age who has left school. This will help existing workers in our economy to refresh their knowledge and upskill in their current industry, or even to skill up to get a job in another industry. Short courses join the long list of care sector qualifications that are already available to study fee-free for all Canberrans. I was also pleased to announce that we are expanding the eligibility of the full list of fee-free TAFE courses to more than 11,000 veterans who live in Canberra, either former or currently serving members of the Australian defence forces, along with First Nations people, people with disabilities, young people and other priority cohorts. This will allow veterans to study basic or advanced courses fee-free through our public provider.

**DR PATERSON:** Minister, how popular has fee-free TAFE been so far and what is the plan for the program into the future?

**MR STEEL:** I thank Dr Paterson for her question. Fee-free TAFE has been very popular with over one thousand TAFE enrolments to date at CIT in the program. The changes we announced last week will see even further growth in the number of people accessing high quality TAFE training through CIT. There are only around 1,500 additional places still on offer. I encourage everyone to take a look at this opportunity as part of the extensive program of fee-free training.

I am also very pleased to say that fee-free TAFE has a bright future in the ACT ahead, with the Australian government announcing an additional \$400 million to support another 300,000 fee-free TAFE places across the country as part of a new five year national skills agreement. I look forward to continuing to work with the Minister for Skills and Training and the Australian government to deliver that program over the next five years to address skill shortages and support people locally to obtain the skills they need to fill job vacancies in our economy.

### **Calvary Hospital—acquisition**

**MS CASTLEY:** Madam Speaker, my question is to the Minister for Health. Minister, you have previously claimed that you could not consult with staff at Calvary because

you needed permission. Martin Bowles has publicly stated that that is categorically untrue, that of course you could have spoken to staff, and that the real reason you avoided it was that you did not want to face the staff and tell them the truth. Minister, why did you claim in public something Calvary has now said was completely untrue?

*Mr Hanson interjecting—*

**MS STEPHEN-SMITH:** I find that quite fascinating, Madam Speaker, because, in the first week after we made this announcement, it was publicly known that Calvary Public Hospital staff were asking for me to come onto campus and meet with them. I stated that if I was invited by Calvary I would be very happy to come onto the Calvary Public Hospital campus and meet with their staff; absolutely.

My office contacted them. Mr Pepper, who was the contact for the regional CEO, contacted them and made very, very clear that I was absolutely happy to work with them, to come onto campus and talk directly to their staff. In fact, what Mr Bowles said at the time was that they were more interested in talking to him than they were to me. No invitation was ever issued for me to go onto the Calvary Public Hospital campus to talk with the staff who were requesting that I do that.

Instead, I have been meeting with groups of staff, facilitated by their industrial representatives, by their unions, and doing coffee catch-ups—just letting people know where I will be for coffee, somewhere close to the campus, and if people want to come down and have a chat, they can. People have taken advantage of those opportunities. I have been very, very happy to talk to any staff at Calvary Public Hospital Bruce. I have also gone to a couple of the workforce support sessions. The relevant unions or CHS have made it known to people that I would be at those particular sessions. So I absolutely and categorically reject that assertion.

**MS CASTLEY:** To clarify, Minister: you are stating that Martin Bowles was incorrect when he said that you were not welcome.

**MS STEPHEN-SMITH:** No. He was correct when he said I wasn't welcome, obviously.

**MS CASTLEY:** So he was incorrect on the radio? He was lying.

**MADAM SPEAKER:** Ms Stephen-Smith, to that question.

**MS STEPHEN-SMITH:** I have not heard Mr Bowles's interview. What I was rejecting in the response to the first question was Ms Castley's assertion. I have not heard Mr Bowles's interview. I am certainly not saying that he did or didn't say something. He may have been referring to whether or not we could consult staff about the proposition for what was going to happen with the northside hospital prior to making the announcement.

It is very clear to me, and indeed I have had it confirmed by at least one of the unions, that they very much understand and their members understand that they are employed by Calvary Health Care ACT. That is their employer. The obligations under the enterprise agreement sit between the employer and their employees. Those obligations

for consultation, under the enterprise agreement, would have sat with Calvary Health Care ACT. We have been in formal negotiations and formal conversations with Calvary Health Care, with Calvary National, and very much with the awareness of the regional leadership, since April last year. They were aware of what our position was in relation to these matters.

**MR HANSON:** Minister, why did you hide your hostile takeover from doctors and nurses? Has this affected their trust in you?

**MS STEPHEN-SMITH:** I absolutely reject the way that Mr Hanson has described this decision. I have already answered the question about why we were not able to consult directly with the staff at Calvary Public Hospital.

**Mr Hanson:** On a point of order, Madam Speaker, part of my question was: “Has this affected their trust in you?” Certainly, there are public comments that it has. I want the minister to confirm whether that is the case.

**MADAM SPEAKER:** There is no point of order, Mr Hanson. Sit down and let the minister continue.

**MS STEPHEN-SMITH:** Certainly, Madam Speaker, when I have been able to have direct conversations with the staff at Calvary Public Hospital Bruce and at Clare Holland House they have expressed their appreciation for me coming and talking to them. They have understood the reasons why we made the decision that we did, why it had to be announced in the way that it was and what the constraints were on that. We understand that we have a job of work to do to ensure that we can work with staff in a trusted way.

The messages that we have been sending to staff consistently, throughout this process, have been that our intention, 100 per cent, is that staff will be doing the same job, in the same team, with the same pay and conditions, with the same management in the hospital, with the community and the culture that they have built. We will absolutely respect that. We have been consistent in that messaging from day one and we will continue to be consistent about that messaging. All of the staff who have come to the workforce support sessions have heard that message very clearly and have been reassured that they will be treated with respect throughout this process.

### **Clare Holland House—operation**

**MS CASTLEY:** My question is to the Minister for Health. Minister, you have stated that you do not need to “acquire” Clare Holland as the ACT government already owns it. However, as can be seen in the legislation relating to Calvary Hospital Bruce, “acquisition” includes much more than just property; it includes staff, patients, processes and management. I therefore ask: will you rule out the ACT government taking over the management and operations at Clare Holland House?

**MS STEPHEN-SMITH:** I comprehensively answered questions about Clare Holland House yesterday and also in my speech during the debate on the bill. We have been very clear that our view consistently has been that for Clare Holland House—a facility that is owned by the ACT government—the arrangements for the operation of Clare

Holland House do not sit under the Calvary network agreement. It is Calvary Health Care that has chosen to treat Clare Holland House as if it sits under the Calvary network agreement and to employ the staff as staff of Calvary Public Hospital Bruce as well as to describe it as the Barton campus of Calvary Public Hospital Bruce. If that was not the case, if we had a separate agreement with Calvary for the operation of Clare Holland House, we would not be having this conversation. We are only having this conversation because of those decisions that Calvary made and because it has consistently declined our repeated request to enter into a separate contract.

*Ms Lawder interjecting—*

**MS CASTLEY:** If the current operators refuse, will you rule out any sort of compulsory takeover?

**MS STEPHEN-SMITH:** I have absolutely no idea what Ms Castley's question means.

**MR HANSON:** Minister, will you undertake to negotiate in good faith with Calvary and not plot in secret, as you just did with Calvary Public Hospital?

**MS STEPHEN-SMITH:** I think I have been very clear that we have been negotiating with Calvary and were clear with them in April last year that if we could not reach agreement we would consider legislating to acquire the land that we needed to build a billion dollar new public hospital for Canberra's north side. We were very clear about that.

*Mr Hanson interjecting—*

**Mr Gentleman:** A point of order, Madam Speaker.

*Mr Hanson interjecting—*

**Mr Gentleman:** Madam Speaker, you have warned Mr Hanson regarding his behaviour in this chamber. He continues to act in an unparliamentary manner. He interjects over the response to the question that he has just asked, Madam Speaker. I ask that he be removed from the service of the Assembly.

**MADAM SPEAKER:** I will let the question continue and observe his behaviour, but I do note that he has been warned and he continues to interject. Let us hope that he has learnt his lesson.

*Ms Lawder interjecting—*

*Mr Parton interjecting—*

**MADAM SPEAKER:** You will be added to the list, Mr Parton, if you continue.

**MS STEPHEN-SMITH:** I have now actually forgotten Mr Hanson's question.

**Mr Hanson:** It was about you plotting.



**MADAM SPEAKER:** You are named, Mr Hanson.

**Mr Hanson:** Good!

**MADAM SPEAKER:** The question is that Mr Hanson be removed from the service of the Assembly—

**Mr Hanson:** Madam Speaker, do I get to speak to that or not?

**MADAM SPEAKER:** No.

Question put:

That Mr Hanson be suspended from the service of the Assembly.

The Assembly voted—

*A division being called and the bells being rung—*

**Mr Hanson:** She was sitting down and interjecting at herself!

**MADAM SPEAKER:** If you want to make a comment on my ruling, you have an opportunity, but not through this.

**Mr Hanson:** When can I move dissent, Madam Speaker? Madam Speaker, on your ruling, when can I move dissent? If you are walking me out of here, when can I move dissent?

**MADAM SPEAKER:** It will have to be done by someone else. Mr Hanson, resume your seat.

*Mr Hanson interjecting—*

**MADAM SPEAKER:** Mr Hanson, it is being done.

**Mr Hanson:** She forgot what the question was, and I was reminding her.

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

*Members interjecting—*

**MADAM SPEAKER:** Members!

**Mr Hanson:** I know that you have got rid of democratic procedures in this place; you no longer care about democracy in this place! It is very, very clear!

**MADAM SPEAKER:** Mr Hanson.

**Mr Hanson:** You are running roughshod over the democratic procedures in this place again and again. I am pretty sick of it, and so is the rest of Canberra! You are not behaving like a democratic government!

**MADAM SPEAKER:** A division is in place. You are removing yourself from a division?

*Members interjecting—*

**MADAM SPEAKER:** Members, there is a division in progress, and I will be seeking further advice from the Clerk, but I remind everybody that I have said a number of times today to stop the interjections and have some level of respect and regard. Mr Hanson was warned, he was reminded that he was warned; I named him. The process around naming is clear: the question is put without debate. You have a right to agree or disagree; then we go to a division. That is where we are at the moment.

The question is that Mr Hanson be removed from the service of the Assembly for three hours.

The Assembly voted—

Ayes 14

Noes 6

Mr Barr

Ms Orr

Mr Cain

Mr Braddock

Dr Paterson

Ms Castley

Ms Burch

Mr Rattenbury

Mrs Kikkert

Ms Cheyne

Mr Steel

Ms Lawder

Ms Clay

Ms Stephen-Smith

Mr Milligan

Ms Davidson

Ms Vassarotti

Mr Parton

Mr Davis

Mr Gentleman

Question resolved in the affirmative.

### **Calvary Hospital—acquisition**

**MR PARTON:** My question is to the Minister for Health. Minister, you say that the reason that you have rushed through legislation to forcibly take over Calvary was to “provide certainty for staff”. However, many staff have since come forward saying that they were distressed; doctors say that they are angry and feel disrespected; and the ANMF have stated that excluding consultation breaches your obligations to staff under their EBA. And now it appears that the whole thing is set to be challenged in the High Court. Minister, why did you say that you were doing this for staff when, plainly, that was not true?

**MS STEPHEN-SMITH:** I thank Mr Parton for the question. It absolutely was true. What we very clearly heard from staff was that they want to get on with the formal transition process. That formal transition—and, indeed, any opportunity for Calvary to take any legal action that they chose to take—could not occur until after notification of the legislation. The longer that we drew out this legislation being before the Assembly, the more uncertainty we were going to create.

We understand from feedback that we have received from staff that work has ceased on the reconstruction of the theatres at Calvary Public Hospital. There was a fire there last year and they are down from seven theatres to three. Construction was well underway to rebuild the other three theatres—they are using one as a sterile stock room. That work ceased while the legislation was being considered by the Legislative Assembly. The passage of the legislation, its notification and it becoming law gives the capacity to say, “That work must recommence.”

Recruitment has been put on hold. Passage of the legislation, notification of the legislation and the commencement of the formal transition period provide the level of certainty for that recruitment to continue and for Canberra Health Services to come in and support those teams that are short-staffed.

That is the contingency that we have put in place, to ensure that those teams at Calvary Public Hospital Bruce and at Clare Holland House that are short-staffed can be backstopped by Canberra Health services. But none of that could occur until the legislation was passed and notified. That was the importance of the short period.

**MR PARTON:** Minister, who gave you the advice to say that this was to provide certainty for staff, when plainly that was not true?

**MS STEPHEN-SMITH:** I absolutely reject Mr Parton’s proposition.

**MS CASTLEY:** Minister, what certainty will you provide staff if this is challenged in the court?

**MS STEPHEN-SMITH:** Obviously, we do not have control over the court process. But we will be endeavouring to provide clear information to Calvary Public Hospital Bruce staff and Clare Holland House staff about the implications of the outcomes of any court hearing that may occur. I know a hearing was reconvening at 2.15 today. Obviously, I have not been briefed on the outcomes.

We are already working through how we will communicate. Again, the ACT government is not the employer of these staff. So we need to use communication channels through public communication, through providing information on the website and through working with their industrial representatives, the unions, and their professional bodies to ensure that staff can get very clear communication and information from us. We will be working to provide that as quickly as possible once we know the outcomes of any legal hearings today and the process going forward.

### **Transport Canberra—female bus drivers**

**MS CLAY:** My question is for the Minister for Transport. Minister, I have been asking for almost three years about the breakdown by gender of the bus driver workforce at Transport Canberra. In this time, we have passed one of my motions to increase the share of women in the driver workforce, but, unfortunately, the number of women bus drivers has actually decreased over this time. It has dropped from 11.3 per cent, or 112 women in 2021, to 9.9 per cent, or 98 women, in 2023. Minister what are you doing to increase recruitment and retention of women in your driver workforce?

**MR STEEL:** I thank the member for her question. I note that, in relation to the data on our workforce, we actually have seen an increase in women who are bus drivers, from 79 in 2018-19 to 111 as at 31 May 2023. So there has been an increase in the number of women that are working for Transport Canberra and delivering the services that Canberrans enjoy through our public transport system, and we are continuing to work to recruit more bus drivers, particularly more bus drivers who are women, through a range of ways.

We have been including profiles of women at Transport Canberra, we have been working through media outlets, like *HerCanberra*, where we included an editorial on the recruitment efforts particularly targeted at women. We have been working through come-and-try days and information sessions which have included bus drivers who are women, providing information to potential applicants for bus-driver work at Transport Canberra. All that work is trying to increase the number and share that we see in Transport Canberra, which is currently 11.1 per cent. As I mentioned before, it has increased over the last few years. Of course, there is always more work to do, and we are continuing those efforts, particularly through the development of a workforce plan for Transport Canberra which is focused on the recruitment of women, and that work will continue into the future to make sure that we have an ongoing effort to recruit a more diverse workforce which benefits everyone.

**MS CLAY:** Minister, will there be any changes to the working arrangements to make them more family-friendly and better suited to permanent part-time work on weekdays and weekends for Transport Canberra's bus drivers?

**MR STEEL:** I thank the member for her question. We already have, of course, a permanent part-time workforce at Transport Canberra, and that is ultimately where many people start in the workforce. We are trying to recruit more people to those roles, but we have also been trying to recruit people on the weekend as well. We have been undertaking an interest based bargaining process with transport workers and their representatives around a new weekend worker classification. That is a discussion that we will continue to have with the workforce to provide more certainty around the shifts that can be delivered on a weekend, but also to provide better entitlements for those workers.

**MR DAVIS:** Minister, how does Transport Canberra support women, non-binary people and people with caring responsibilities in their workforce and those who are considering joining their workforce?

**MR STEEL:** I thank the member for his question. We want to see a much more diverse workforce at not only Transport Canberra but across the ACT. There has been a whole-of-government workforce strategy that has been underway that is trying to achieve those goals, and Transport Canberra is continuing to develop their strategy based on that whole-of-ACT-government piece of work as well. It helps to have examples of women or those from diverse backgrounds who are in the workforce participating in those information sessions for a potential workforce, talking about their experiences and trying to attract other people who are like them to work in the industry.

It is a heavily male-dominated industry and one that we would like to see open to a much more diverse range of people in the future. As we try and attract more workers in an economy that has such a low unemployment rate, we really have to make sure that we are focusing our efforts on going to cohorts of people who traditionally have not been part of the workforce or were not attracted to the workforce, and we need to double our efforts to make sure that we are encouraging those particular cohorts into our workforce into the future.

### **Orroral Valley—reopening**

**DR PATERSON:** Minister, can you please provide the Assembly with an update on the recent reopening of the Orroral Valley?

**MR GENTLEMAN:** I thank Dr Paterson for her interest in our parks. I am pleased to inform that the Orroral Valley recently reopened and can be visited once again by the community. The areas that have been reopened for vehicle access include the Orroral River picnic area, Nursery Swap and Granite Tors walking tracks, the homestead car park, the tracking station and the Orroral Heritage Walk.

As the Legislative Assembly and broader Canberra community appreciate, the bushfires we experienced in 2019-2020 caused significant damage to the landscape surrounding the ACT. The Orroral Valley was at the epicentre of the fires and suffered significant damage, as 80 per cent of the broader Namadgi National Park was burnt. Following the fires, heavy rainfall caused flooding in the valley which destroyed Rocky Crossing. This cut off the main access road to the area, which unfortunately added to the damage and the challenge of restoring the environment around there.

I am proud of the way our parks and conservation services work tirelessly to rehabilitate and increase the resilience of our nature reserves. This is an ongoing challenge, as we can anticipate further extreme weather events in the future. We are focussed on building back better to ensure we are prepared to deal with the ongoing impacts of climate change. It has been a long journey to get to this point, and I am pleased that this iconic valley can be enjoyed again. While the Orroral campground will continue to be closed for repairs, the rest of the valley is open.

**DR PATERSON:** Minister, what work is ongoing to continue to restore the Orroral Valley and nature reserves more broadly?

**MR GENTLEMAN:** There will be ongoing work and monitoring to replace a range of infrastructure that was lost in the fires and through floods. The government is committed to this work, as evidenced by our budget commitment of \$6 million at the end of last year, as well as many millions we have spent since 2020.

We also received funding from the commonwealth government to support these recovery efforts, so a lot has happened in the three years since the fires. While for some, this time may be a distant memory from before the pandemic, we know the impacts on our natural environment will be felt for many years to come.

I will also note the continuing effect the black summer has had on many people, particularly those who fought on the fire front. The Orroral campground remains closed, as I said, until further notice as the amenity block is still being updated. These upgrades will be provided in the near future, and they will improve facilities for visitors to the park. Amenities remain available at the day-use area adjacent to the campground and the Orroral Valley tracking station.

**MS ORR:** Minister, where can members of the public go to plan their trips in the ACT nature reserves?

**MR GENTLEMAN:** I thank Ms Orr for the question. The Parks ACT website is regularly updated and has a great range of information to help the public plan visits to nature reserves. This includes up-to-date information about reserves that are reopening, as well as information about reserves that are still closed for recovery. The Parks ACT website also has information to help visitors plan trips and find walking trails and areas for a picnic.

The Namadgi visitors centre also remains open from 9 am to 4 pm weekdays, and 9 am to 4.30 pm on weekends and public holidays. It is important that anyone going out to our parks, particularly the remote areas, is well prepared. The weather can change rapidly, so please pack warm clothing and plenty of supplies, and always tell someone where you are going. Personal locator beacons can be hired from the Namadgi visitors centre, which I would recommend to anyone planning to head out into the deeper parts of the park. The Namadgi visitors centre also has many other resources, including maps and wonderful, passionate and knowledgeable parks and conservation staff who will be able to help people with any questions.

### **Calvary Hospital—acquisition**

**MS CASTLEY:** My question is to the Minister for Health. Minister, you have claimed that one of your priorities is the continuation of health services during the forced takeover of Calvary. However, the AMA ACT says senior doctors feel disrespected and ignored at the Calvary acquisition, saying your process has set a terrible precedent. They say:

There's a general feeling that senior medical staff have been disrespected in this whole process so far.

And:

... the senior doctors feel excluded from a process that should have included them.

Minister, why did you exclude doctors in this process?

**MS STEPHEN-SMITH:** As I said yesterday, repeatedly, we did not exclude doctors from this process. I know Ms Castley does not want to believe it, but it would not have been possible for us to undertake consultation with staff who do not work for the ACT government about a decision that their own employer was not going to agree

with. That was simply not going to be possible. Since the announcement was made, I have been at pains to meet with anyone who wants to meet with me—doctors, nurses, allied health professionals and support staff. I have had a number of union meetings, and of course Canberra Health Services has also been at pains to offer themselves up to meet with anyone and has been holding regular workforce sessions.

As a result of this, now the shock of the initial decision announcement has passed, what we are very clearly hearing from staff; doctors, nurses, allied health professionals and support staff, is that they want us to get on with the formal transition process. They want that certainty and they want the opportunity for us to be able to consult with them formally. They want the opportunity to be able to respond to an expression of interest to become part of the transition team. They want the opportunity to have the direct conversation with the leadership of Canberra Health Services so they can have that conversation with their staff; so that they can lead their teams through this transition process. That is what they want. This is why it was so important we pass the legislation and that it was notified in a timely way, so that we could commence that formal transition process and invite the leadership of Calvary Public Hospital Bruce, the experts in the way their hospital works, to be part of the transition process.

**MS CASTLEY:** Minister, why have you set the precedent that this process can and should be conducted without including doctors?

**MS STEPHEN-SMITH:** I refer Ms Castley to my multiple previous answers to that question.

**MS LAWDER:** Minister, will you apologise to the doctors for excluding and disrespecting them as stated by the AMA?

**MS STEPHEN-SMITH:** We all understand this has been a difficult time for all of the staff; doctors, nurses, allied health professionals and support staff. But once they moved past the shock of this decision and they have had an opportunity to talk to people, they now are keen to get on in a formal way with the transition process and to accept the invitation to be part of the transition process in a formal way. We look forward to the time when we will be able to issue those expressions of interest and sit down with those individuals. Of course, absolutely, if we could have consulted with those staff that would have been a preferable way to do it. They do not work for us. They work for Calvary Health Care. Calvary Health Care was never going to support the decisions we were making and enable that consultation to occur prior to the decision being announced, and indeed, prior to the formal notification of the legislation.

### **Business—economic development**

**MR BRADDOCK:** My question is to the Chief Minister. Chief Minister, across Australia, state and territory leaders regularly tout the importance of attracting jobs and investment to their regions. Could you please reflect on what it takes to secure interest and investment in the economic development of Canberra?

**MR BARR:** I thank Mr Braddock for the question. Clearly economic development and investment attraction are priorities for the government. We have an allocation each year in the budget process to support a range of activities in those areas, from international engagement to domestic investment facilitation and encouragement. There is an intersection with our land release program that seeks to attract investment. We have put forward the Future Jobs Fund. We work with the commonwealth in relation to a number of programs to attract skilled migrants and migrants with an investment portfolio into our jurisdiction.

There is a level of competition between the Australian states and territories, but there is also a good degree of cooperation in maximising economic development opportunities for Australia, and indeed for multiple jurisdictions. It is a competitive global process to attract international investment. It is a competitive domestic process to attract investment within Australia. At times, it can be a competitive process within a jurisdiction as to where investment and job opportunities will flow, even within a jurisdiction as small as ours.

**MR BRADDOCK:** Chief Minister, how does the government's economic development strategy interface with planning decisions on where various forms of economic development are located across the territory?

**MR BARR:** Clearly, there is an intersection between the two, because our planning system and our planning zones require certain types of activity to be located in certain parts of the territory. Depending on the nature of the economic development project or program or the nature of the investment, it will vary across the ACT. I would observe that there is a degree of demand for land to become available for light industrial and small-scale manufacturing, warehousing, transport and other purposes. That is the subject of work that Mr Gentlemen is leading, as planning minister.

We also have demand, in some instances, for commercial office space. You only need to look at the structure of the territory economy, the structure of our employment base, where the investment flows are and where we have comparative advantages, to see that we are largely a knowledge-based skills economy and that most of the employment growth outside of the public sector in recent times has been in professional, scientific and technical services, and in hospitality and tourism-related industries. These are some of the largest employers in the territory. Beyond those, you look at health, education and community services as opportunities for employment growth. They are pretty broadly distributed around our territory, aligned with population need and demand.

**MR DAVIS:** Chief Minister, how do the ACT government's plans for economic development ensure that town centres like Gungahlin, Belconnen and, most importantly, Tuggeranong, enjoy their fair share of economic opportunities?

**MR BARR:** Thank you, Mr Davis, I won't enter into the debate on which town centre is the most important! I note that there will be different views, even amongst those in your own party, on that question. All town centres are equal, of course, within the context of our city. The planning framework certainly supports opportunity for employment and economic development to occur in each of our town centres. But it is not just the town centres, I hasten to add, because there is quite a lot of employment and economic development opportunity outside of those areas.



Clearly, in a service-based and knowledge-based economy there is an agglomeration effect. A century of economic development has certainly concentrated a large amount of employment in central Canberra. There is no doubting that. So there have to be active policy interventions, led by the public sector in large part, to support economic development and job creation outside of that central national area.

On that note, Madam Speaker, I ask that all further questions be placed on the notice paper.

## **Transport—active travel**

**MS CLAY** (Ginninderra) (3.00): I move:

That this Assembly:

(1) notes:

- (a) in 2022, the ACT Government's draft Active Travel Plan proposed a cycling network map;
- (b) the active travel practitioner tool's map of community routes is an excellent starting point for government to deliver a more connected city;
- (c) the 2023-24 Pedal Power budget submission recommends that the Government build a connected, safe, and convenient cycle network, as proposed as priority two of the ACT Government's draft Active Travel Plan within the next five years;
- (d) the recent inquiry into cost of living pressures in the ACT revealed that transport costs are causing increasing cost of living pressures, particularly for those on low incomes;
- (e) Australian Bureau of Statistics data shows that transport has seen the greatest percentage increase in cost for residents of the ACT in February 2023, increasing by 24.2 percent;
- (f) average household transport costs, excluding public transport costs, were \$366.24 a week in Canberra in quarter 4 of 2022 according to the Australian Automobile Association;
- (g) households could save thousands of dollars annually if they had more opportunities to walk and ride for journeys instead of drive;
- (h) active travel has been acknowledged to provide significant cost benefits to government;
- (i) the ACT Government's *ACT Climate Change Strategy 2019-25* identifies prioritising walking and cycling and enhancing active travel infrastructure to improve safety and connectivity of the active travel network as an essential action to address climate change;
- (j) the *United Nations Environment Programme* recommends increased investment in walking and cycling infrastructure to save lives, reverse pollution and reduce carbon emissions;
- (k) the ACT Government has a target to maintain at least 90 percent of roads in good condition;

- (l) the ACT Government is currently developing a new strategic path maintenance program;
  - (m) the average annual ACT budget allocation for the community path maintenance program over the six-year period from 2016-17 through to 2021-22 was \$5.1 million;
  - (n) the average annual path maintenance investment between 2017-18 and 2022-23 was \$6.1 million;
  - (o) the ACT Government's maintenance and operational costs for community path maintenance in 2021-22 was \$7.4 million;
  - (p) separated bike infrastructure is demonstrated to increase bike ridership;
  - (q) the Climate Council recommends that the Commonwealth Government assist the ACT, states and councils with the cost of constructing and maintaining active travel infrastructure; and
  - (r) good active travel infrastructure is core business for government and helps everyone, a connected network of footpaths and shared paths that is well-maintained and easy to use will assist all Canberrans, including those who walk for recreation or health, walk to public transport, walk from their cars, walk to school or to the shops or use prams, wheelchairs and walkers;
- (2) calls on the ACT Government, within the next five years, to:
- (a) build a connected, safe, and convenient cycle network, as proposed as priority two of the ACT Government's draft Active Travel Plan;
  - (b) set a new accountability indicator target for path maintenance;
  - (c) increase government investment in the construction, repair and maintenance of the ACT's path network to meet this new accountability indicator; and
  - (d) report back to the Assembly on progress on these measures by the last sitting day of the 10th Assembly in 2024; and
- (3) calls on all parties in the Assembly to:
- (a) write to their Federal counterparts urging them to support greater Commonwealth investment in active travel infrastructure in the ACT; and
  - (b) table a copy of the letters sent, and the responses received in the Assembly by the last sitting day in August 2023.

I rise today to speak about the motion circulated in my name about paths in the ACT. Canberra's paths are in need of work. This is something I regularly hear from my constituents in Belconnen, and it is something that is raised as a core local government issue across every suburb in Belconnen and all around Canberra. A lot of people speak to me about how their paths are in disrepair. The paths are cracked, they are raised, they are overgrown, they are uneven, they are dangerous. People send me pictures of accidents they have had. It is really awful. I hear regularly that some residents have not seen their paths maintained since their suburbs were built pre-self-government. I do not know if this is the case, but it certainly looks like it might be in some areas.

The government is very familiar with this. In 2021, after asking a few questions, we managed to get a full ACT path network audit conducted. The results of this complete path network audit were not good. There were 10 paths considered to be a very high to extreme risk that required urgent repair within three days. There were 1,898 high-risk paths which needed repair within 14 days. The total number of paths that needed some kind of repair was 8,987. That is almost 9,000 of our paths that needed some repair. Those almost 9,000 paths with defects identified were all meant to be fixed within 18 months. Less than half of them were actually treated by the beginning of this month. Less than half of our path defects were repaired within the timeframe.

When the recent years of rain caused that unprecedented increase in potholes across Canberra and Australia—and we heard a lot about potholes in here, as we should—the government sprang into action. The government found tens of millions of dollars in additional road maintenance funding. That is great; we need to maintain our infrastructure. But we need to maintain all of our infrastructure; we should not just do it for some of it and not for other parts of it.

The ACT government has long had a target to maintain 90 per cent of our roads in good condition. This is a really important target. We do not have any target at all to maintain our footpaths and our bike paths. We have not even set a target! Road users have a lot of voices in our society. We have multiple lobby groups existing for all parts of the automobile industry, retailers, insurers, manufacturers and road users. These lobby groups are really influential and it is important we have those voices but I think we have not had the same voice put into our other forms of transport. We have some great lobby groups that are working on public and active transport but we are not finding these modes of transport are taken as seriously and are resourced as seriously.

My daughter actually rides to school every day; she cannot come at any other method of getting to school. Once you start, I think it is too much fun to do it that way. You need these paths to be maintained in good condition whether you are walking or riding to school, whether you are riding to work, which is something I do most days, whether you are pushing your baby in a stroller coming home from the local shops or running an errand, whether you are scooting to the bus stop, or the light rail stop to get to work or to the shops or to an appointment, or whether you are using our paths because you are in a wheelchair or because you have a walking frame. A lot of different people need these paths to be maintained in good condition and safe repair. Even people who mostly drive, people who mostly get everywhere that they are going by car, will find that at some point they are going to get out of their car and they are going to need to walk to their office or walk to the shops and they need that path network to be working well.

We are also finding that governments and households can save money, they can improve public health, they can reduce congestion and they can cut transport emissions if we invest more in this city path network. We need a much greater investment in all of our public and active transport and we need to build and maintain that really high quality, city-wide, path and bike network.

We have some good policy in this area, which is fantastic to see. In 2022 the ACT government's draft Active Travel Plan proposed a cycling network map. This map

and the Active Travel Infrastructure Practitioner Tool map of community routes are a great starting point for government to deliver a more connected city. I am really pleased to see Minister Steel is working on some of this and I recently welcomed the ACT government's draft active travel Design Guide which will see Canberra's roads and paths built to be safer, with walking and riding top of mind. We really need to see these new designs put into practice as soon as possible with significantly more focus placed on levelling the playing field and making sure all of our modes of transport are safe, that active travel is prioritised, which is exactly where it is meant to be in the transport hierarchy, and to make sure that we are resourcing this network in the way that we need to, so that people can use it the way that they want to.

The 2023-24 Pedal Power budget submission recommends the government build a connected, safe, convenient cycle network—as is proposed as priority 2 of the ACT government's draft Active Travel Plan—within the next five years. I have long been a supporter of Pedal Power. I am a long-time member and I have done quite a bit with Pedal Power long before I ever reached the Assembly. Pedal Power do great work advocating for Canberra's bike users. That is one group of Canberra's active travellers who are using our path network. I really welcome their submission. I really hope they manage to attract the funding we need for this network. We have a lot of user groups using this path network. This path network is used by walkers of all ages, by people with their children, by people walking their dogs, by people with various levels of ability.

If we invest more in active travel and make it better and easier to use, it is also going to save money for individual people. The recent inquiry into the cost of living pressures in the ACT showed that transport costs are increasingly becoming one of those cost of living pressures, particularly for people who are on low incomes. The most recent ABS data showed that transport has seen the biggest percentage increase in cost for residents in the ACT. In February 2023 transport costs increased by 24 per cent. That is a huge step-up increase. It is fuelled almost entirely by increasing costs of driving and owning a car. It is clear from other research too. Average household transport costs, excluding public transport costs, were \$366 a week in Canberra in the fourth quarter of 2022, according to the Australian Automobile Association. Those costs associated with driving and owning a car are almost \$20,000 a year per household. Households can save thousands of dollars annually if they can move from a three-car household to a two-car household, or a two-car household to a one-car household. The way we can help households do that is to give them really good usable alternatives.

Active travel provides significant cost benefits for government in terms of savings on the obvious things, like road maintenance. Active travel also has a lot of other knock-on cost savings that are sometimes harder to put down on a balance sheet and are not always thought through, but the reduced costs from reducing congestion are immense and the productivity gains of not having everybody stuck in traffic all the time are immense. The health benefits for a population to get more physical exercise and spend less time sitting in a car are immense. These savings really cannot be overstated. Health is our single greatest government expense. It is a third of the territory's budget and it is billions each year. A lot of that is spent treating preventable illness and we know that a lot of our preventable illness is coming from our lifestyles. The Queensland government has found that for every dollar spent on active travel

infrastructure they can see \$5 in benefits to the state in areas across community health, less congestion and savings in car user costs.

As we all know, we are also in a climate crisis. Transport is over 60 per cent of our tracked emissions. Investing more in our paths and our active travel infrastructure is one of the quickest, cheapest and simplest ways of dropping that. We have made great progress in reducing our emissions in a lot of areas but our transport emissions are not budging much. We need to start doing things differently if we want a different result.

The ACT Climate Change Strategy 2019-2025 identified and prioritised our walking and cycling infrastructure. It said that improving our active travel infrastructure is an essential action to address climate change. Everyone agrees with this. The UN agrees with this. The UN Environment Programme recommends increased investment in walking and cycling infrastructure to save lives, reverse pollution and take action on climate change. Their recommended level of expenditure is 20 per cent of a government's transport budget spent on active travel on non-motorised transport.

Here in the ACT, when we look at the numbers, we are a long way off spending 20 per cent of our transport budget on active travel, and that reflects in our mode share. This is why a much smaller proportion of people, only 3 per cent, are cycling around Canberra. This is why we have such heavy reliance on cars. The average annual ACT budget allocation for the community path maintenance program over the six-year period from 2016-17 through to 2021-22 was \$5.1 million. It is not enough. The numbers look better if you include commonwealth investment. When that is counted in, the average annual path maintenance investment was \$6.1 million. That funding has been growing modestly. The ACT government's maintenance and operational costs for community path awareness in 2021-22 were \$7.4 million, but we are clearly not spending enough to maintain the network if we are waiting 18 months for our defects to be repaired.

There is a big role here for the commonwealth government to play and you can see that that is in my motion. We really want our commonwealth government to help us on this. The Climate Council recommends the commonwealth government assist the ACT, states and councils with the cost of constructing and maintaining active travel infrastructure. I have spoken to my federal Greens counterparts. I have also spoken to Senator Pocock about this issue. I am very much hoping that with some collective advocacy we might be able to attract a little bit more federal funding to the expenditure to maintain the network that we need.

Unfortunately, in the past, in the nine years when we had a Liberal government in power, we found we had over a billion dollars for road projects in the ACT but we had a few million on our cycle and walking paths. The expenditure we have seen for roads has been a hundred times greater than we have seen in our active travel and that is why we have the results we have. We are simply not resourcing it the way it needs to be.

Now, imagine what we could do in the ACT if we had some more federal government funding. One of the very first questions I noticed I asked in 2020 after I was elected was "How much would it cost for Canberra to upgrade our entire path network to modern standards?" The estimate given at the time was \$250 million. That is a lot of

money for the ACT, but actually it is about that same as what the Monaro Highway upgrade project is going to cost us. When you look at this in the context of road expenditure and when you look at it in the context of commonwealth funding for other projects, it starts to look much more reasonable. I am not expecting to see that \$250 million in the budget that is coming up, but I am very much hoping that we will get much better resourcing than we have seen in the past and we will get a level of resourcing that actually allows us to fix the missing links and to fix the broken paths.

I would strongly urge everyone here to go out and do their advocacy. I think all of us hear from our constituents in different areas the same complaints about our footpaths and our bike paths. It is not a new issue to anyone in here. I think federal advocacy is a really good response to this situation. I am very much hoping we get much better resourcing than we have seen in the past. I am very much hoping we get an accountability indicator so that we have a goal to maintain these paths to the degree to which they need to be maintained if they are going to be used. I am really looking forward to a better progress report by the last sitting than we have perhaps had in the past. I commend my motion to the Assembly.

**MR STEEL** (Murrumbidgee—Minister for Skills, Minister for Transport and City Services and Special Minister of State) (3.13): I thank Ms Clay for bringing this motion forward. It supports the government's policy of expanding and maintaining our path network, and the government's plan to develop a new strategic path maintenance program, which is noted in the motion. Walking, cycling and other forms of active travel are at the centre of the ACT government's plan to make Canberra a more livable and sustainable city. It is about improving quality of life, and that is a big part of our draft active travel plan, moving away from our city's past character as a car-dependent city.

I note that in the *State of the Environment 2021* report—which is the one that the federal coalition would not allow to see the light of day and which has now been released under a new federal Labor government—we are classified as the most unwalkable city in Australia. That is a function of our planning, in large part, and being such a spread-out city. But we do need to do more to make sure that walking and cycling are easier. Maintaining our existing assets is important, as well as the new assets that we are building.

The ACT government's draft active travel plan has been out for consultation and has a focus, in its second priority, on a better connected and maintained path network which supports safety, accessibility and encouraging more Canberrans to walk and cycle, which is the vision of the strategy. The ACT government is making a significant investment in new active travel infrastructure projects. The current four-year Infrastructure Investment Program includes both dedicated active travel projects and other projects that provide active travel infrastructure.

Dedicated active travel initiative examples include the new shared path on Sulwood Drive, the Belconnen bikeway and the garden city cycle route, which is a jointly funded project with the federal government. The government also seeks to incorporate improved active travel infrastructure as part of other projects. An example of a strategic transport corridor upgrade which includes active travel is the duplication of Gundaroo Drive, amongst others.

Canberra's community footpaths have been delivered over many years to the design standards of the era in which they were built. Recent climate events have led to increased degradation of the path network and heightened the need for resilience and sustainability in our infrastructure. In 2021 TCCS undertook an audit of Canberra's path network to inform future works priorities and maintenance programs.

I do not think I quite agree with Ms Clay's assertion that it was a Greens initiative. In fact, it was an initiative that the government put in place during the pandemic, as part of the Jobs for Canberrans program, to go out and look at where those issues were so that we could address them as part of a strategic program. The audit was undertaken during the pandemic period. At 30 June 2021, the approximate beginning of the audit, TCCS managed 2,577 kilometres of path. I want to thank the employees in the Jobs for Canberrans program, who literally walked each of those paths in Canberra—it is a very long distance—to look at those defects.

We know that concrete paths make up approximately 87 per cent of the community path network by length. The remaining 13 per cent comprise asphalt paths, which are typically the principal routes on our cycling network. A list of defects was identified through the audit, ranging from high risk through to very low risk items. Defects included horizontal displacements, such as cracked panels; vertical displacements, including hazards between panels; and minor cracking, with no displacement and cosmetic damage only. Also identified through the audit were non-damage defects such as debris on paths or encroachment from shrubs and vegetation. Since the conclusion of the audit, almost 4,400 defects have been addressed. This includes all urgent and high risk repairs arising from the path maintenance audit.

Treatments primarily include cold mix repairs, grinding trip hazards and replacing short segment panels of concrete paths where they have become damaged. Since the audit, TCCS has prioritised addressing the highest risk defects over defects that were identified that present little or no risk. This includes new high risk defects that have emerged since 2021. That is as a result of Canberrans who are making those known to Transport Canberra and City Services through Fix My Street. We have seen some weather events that have resulted in some of that damage since the audit was undertaken.

TCCS resources and funding were directed to those new defects which were deemed a high or medium risk to the community, over the remaining low risk items previously identified in the audit. The remaining low to very low risk defects from the 2021 audit, such as minor cracked panels, are mostly cosmetic in nature and present little or no safety risk to path users. These mostly require panel replacement works, which are completed as packages methodically through the maintenance program.

The condition of roads is routinely assessed using specialised mechanical equipment to inform a preventative maintenance program. As Ms Clay noted, the amount of investment in that program has recently been increased. However, in practice, and given their inherent design, concrete paths are managed quite differently to roads. Paths are deemed either serviceable or unserviceable through a visual assessment and inspection of hazards. Whilst this assessment process guides path maintenance and renewal programs, it is not easily represented in strategic or accountability indicators,

as presented for roads. However, an accountability indicator which sets targets for certain levels of path maintenance may be feasible and is something the government is already investigating for incorporation in reporting and as part of the finalisation of our active travel plan.

As Ms Clay has noted in her motion, the average annual path maintenance investment in the ACT between 2017-18 to 2022-23 was \$6.1 million, and in 2021-22 the investment was actually \$7.4 million. An ongoing baseline investment of approximately \$5.5 million annually is provided for the repair and maintenance of existing community paths. In addition, the ACT has invested \$3.7 million in cyclepath maintenance, which was an ACT Labor election commitment from 2020.

In addition to ACT government funding, the Australian government has also contributed to path maintenance in the ACT in recent years, through the Local Roads and Community Infrastructure Program. I want to acknowledge that. That is on top of the recent \$5 million commitment from the Australian government for the garden city cycle route, which, again, is an ACT Labor commitment which was then funded in the October budget by the federal government.

The ACT government welcomes additional funding from the commonwealth for local infrastructure, including for new and better maintained paths. I will continue to work with my federal colleagues, including our federal infrastructure and transport minister, Catherine King, so that the ACT gets its fair share of federal funding. I note that the motion calls on us, as members who are interested in this, to write to the federal government and provide a response. As you would expect, as an active transport minister who advocates on active travel, I have already done that. I did that to Catherine King last year, after the federal election. I take every opportunity that I can to get in Minister King's ear about the need to invest in a wide range of mobility, including active travel. I table that letter today for the interest of the Assembly:

Infrastructure and transport portfolio—Shared priorities—

Copy of letter to Federal Minister for Infrastructure, Transport, Regional Development and Local Government from the ACT Minister for Transport and City Services, dated 1 June 2022.

Copy of letter responding to the ACT Minister for Transport and City Services from Federal Minister for Infrastructure, Transport, Regional Development and Local Government, dated 28 July 2022.

What I said was that we welcome Labor's commitment to active travel infrastructure as an important mode of transport for the functioning of our cities, our health and our quality of life. During the recent federal election campaign, the ACT government was very pleased to collaborate on Labor's commitment of funding the garden city cycle route in the inner north of Canberra. This commitment marks an important shift towards a broader concept of key transport infrastructure, encompassing active travel and public transport initiatives, as well as road projects for motor vehicles.

As the ACT continues our transition to net zero emissions by 2045, we will be seeking to expand investment in these kinds of transport initiatives. We would welcome commonwealth support and partnership for a more holistic approach to investment which spans all transport modes, such as by expanding the national land



transport framework, and also through federally funded programs to include active travel. There is broader commentary in that letter about some of those specific programs, including the Local Roads and Community Infrastructure Program, which has been used in the past for federal funding to support path maintenance and other active travel projects in the ACT.

I table that letter, together with the response from Minister King, for the interest of the Assembly. That was written just after the last federal election. We have already seen some of that response come through in the October federal budget, where we did get funding from the commonwealth for \$5 million for the garden city cycle route, which is very welcome. It shows that we have had a change, I think, in the way that the federal government sees transport as being about more than roads. It is also about other infrastructure projects, like public transport infrastructure and like active travel infrastructure.

As Ms Clay has stated in her motion, the ACT government is developing a new strategic path maintenance program to deliver a high quality path network for all Canberrans. As Ms Clay has referred to, our strategic road maintenance program is currently being implemented, repairing and preserving Canberra's roads for generations to come. The new strategic path program will be a step change in how the ACT government maintains and preserves our extensive path network. The program will also include reviewing what works are insourced and outsourced to improve response time frames and cost efficiencies.

I note that I previously mentioned that we put out community path maintenance through packages of work via procurement that is outsourced. That can often take quite a long time to do—there is a lot of work around procurement—so we are interested in ways that we can make that process more efficient. Insourcing that work may be one of those ways. We are certainly looking at that, not just for defect repairs but also for panel replacement.

I encourage Canberrans to report path defects and other city services issues via the Fix My Street website. Such reports greatly assist Transport Canberra and City Services in identifying issues and developing work orders for immediate rectification or future maintenance packages, particularly for those high risk defects. Given that the motion aligns with extensive work already underway by the ACT government to preserve and expand our path network to ensure that Canberra remains one of the most livable cities in the world, ACT Labor and the government will be supporting this motion.

**MR PARTON** (Brindabella) (3.25): The Canberra Liberals will not be opposing this motion. We are absolutely in favour of the ACT government enabling and supporting active travel. We absolutely agree with Ms Clay that her government—this long-term Labor-Greens government—has for a long time talked very big talk in the active travel space. But they have never lived up to it. They are slowly moving in the right direction—very slowly.

This is yet another example of a government backbencher coming into this place and blasting their own government for not delivering on its promises. That is what it is. Ms Clay knows full well that her government just pays lip-service to active travel ideals. So frustrated is she with that that she sees the need to come in here and publicly put them on the rack. That is what is going on here.

Ms Clay has been around long enough to know that, although this motion will be passed, the first set of “calls on” will not be fulfilled. They just will not. This motion will be passed. We will all back her in here, but she knows the government will not do it. Ms Clay just wants to be able to go to her supporter base and say, “Well, I tried.” She wants to be able to say, “I did my best to get a good outcome. If only we were in government; we could change things.” I say to Ms Clay: you are in government, my friend. You are in government. You are the government, and negotiations of the type included in this motion are supposed to take place behind closed doors, in cabinet meetings and expenditure review discussions. Keep on banging the drum in here if it makes you feel better, but let’s be honest about what is going on here.

Like Ms Clay, I am a regular cyclist. We love our bikes. We both know that the cycling network here in the ACT has some major holes in it—and I am not talking about actual holes. I mean it has got some gaps. It has got some major gaps. Our friends at Pedal Power are pushing for the government to build a connected, safe and convenient cycle network, as referenced in the motion. Although I do not agree with everything that Pedal Power put forward, I think they are on the money with this one.

The Canberra Liberals are committed to getting more people on bikes and walking in the ACT. We do not want to forcibly remove their cars, but we would be happier if people were—as Mr Gentleman has stated in this chamber before—actively travelling a bit more. Despite all the talk from this progressive government over decades, the percentage of people who regularly commute by bike is still very, very small. One of the major reasons is the gaps in that network. It is one of the things that Ms Clay and I agree on, and we vehemently agree on it.

I speak with the benefit of firsthand experience. Commuting to this place by bike from Theodore is not easy. It requires a certain amount of foolhardiness. It requires enormous commitment. It is virtually impossible to do without spending time alongside the trucks and buses and cars on the Monaro Highway. We all know that not a great deal of people will do that; they just will not. Additionally, as noted by Ms Clay, when you do have the benefit of getting off the roads, so many of the paths are just not up to scratch.

Ms Clay has done well to call out her own government in this motion, when she mentions the ACT government’s ACT Climate Change Strategy 2019-2025. It identified—I mean, these were big words—prioritising walking and cycling and enhancing active travel infrastructure to improve the safety and connectivity of the active travel network as an essential action to address climate change. That is a very, very clear promise from the government. Despite the words from Mr Steel—I know he is doing his best!—it is difficult to say that that promise has been fulfilled. I do not think it has. It is becoming crystal clear to everyone that you cannot trust anything this government says. It is all smoke and mirrors. It is all about being seen to be doing something.

We are all going to say yes to this motion, but it is almost as big a waste of time as that three-hour ministerial statement from Mr Gentleman earlier! That was a cracker of a statement. I mean, it fills up space. How long was that? Was that 45 minutes? It was a long time. It fills up space and you can mark it down as another achievement, but I am not sure that it is actually going to achieve anything.

With regard to the motion: no argument from us. Sure; let's sign up. Let's write to federal parliamentarians. We will get onto that. We will get onto that today. Whatever makes you feel good. Thank you.

**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) (3.31): I rise to speak briefly in support of Ms Clay's motion. I have to take issue with Mr Parton's comments about us only paying lip-service to active travel. I have got a few scrapes and bruises as a skater that would argue otherwise about lip-service. Anyway, on to the motion at hand.

We all have different preferences for how we get from one place to another and constraints on the options that are accessible to us. Many of us like to roll in various forms or to walk or run. With transport a major contributor to the ACT's carbon emissions, and the physical and mental health benefits of active travel well known, we want a Canberra community where it is easier to make choices that take care of our planet and ourselves.

There are a lot of barriers to people using active travel more often. Having well-maintained and well-lit paths, bike lockers and end-of-trip facilities in the right locations, and the ability to plan out your journey all help in making active travel an easier option for more people.

Feeling safe while walking or cycling really matters. In research work during my time at Women's Health Matters, women said that they would cycle after dark more often, and in more parts of Canberra, if the paths had better lighting and greater visibility to other people in the area. Paths that go behind houses where there is nobody who can see what is happening or pass through isolated areas and dark underpasses do not feel safe, because women are worried about the risk of assault. In addition, many people feel unsafe using on-road cyclepaths with no barrier between cyclists and cars. This is especially so for women, children and older people.

There are many Canberrans who would prefer not to be stuck in traffic for big chunks of their day, paying more for parking than for lunch and feeling like they have no choice but to pump out carbon emissions from fossil fuel use. If we can make it easier for more people to make the choices they want to make, life also gets easier for all those people who really do need to drive a car. It means less traffic on the roads and more car-parking spaces.

In 2020 my Greens friends and I made a map that included all the existing ACT active travel infrastructure, plus suggestions from Pedal Power and community contributions on where there are gaps in our path network. I downloaded the existing off-road shared path and on-road cyclepath data, the bike-and-ride locations and ACT government trial bike-share zones from [data.act.gov.au](http://data.act.gov.au).

This was too much data to import straight into Google Maps, so I imported the datasets into QGIS. It is an open-source geospatial data-mapping application. I then broke it into electorates and imported each electorate's data as a separate layer into Google Maps. It was pretty easy and it only took a few hours to do.

Then things got really fun. We went out to the community and asked people to contribute their suggestions for where there are gaps in the network. Pedal Power gave us 29 suggestions, and we got another 76 from hundreds of community contributors. Sometimes multiple people suggested the same thing, which really showed how much it was needed. One of the things I noticed about the community contributions was the diversity of ways in which people use shared paths, where and when they travel, and the range of ages and life circumstances of people who want to use active travel infrastructure.

We heard from people who use wheelchairs and power chairs on shared paths. We received suggestions from men and women, and people of all ages, right through to older Canberrans, including some who switched to e-bikes so that they could continue to enjoy cycling as they got older. We heard from parents with cargo bikes who take their kids to school or enjoy some “me time” while they cycle to the shops.

We heard from grandparents, from parents with prams and from mountain bikers, who want their adrenaline rush to come from a fast downhill on Stromlo and not from dodging cars in on-road cycle lanes on their way to Stromlo. There are growing numbers of people who use scooters or skate on shared paths. Rolling around your local neighbourhood can be a great way to travel if you have a well-maintained, well-lit, smooth path on a useful route, and safe intersection points with roads.

I am a big fan of citizen science, co-design and community-led planning. It would be a lot easier with up-to-date data as a starting point for discussion. I note that [data.act.gov.au](http://data.act.gov.au) has not published updated geospatial datasets for on-road cyclepaths since July 2017; for off-road cyclepaths since August 2019; for bike-and-ride locations since October 2018; and for ACT government trial bike-share zones since October 2018.

Investment in active travel infrastructure makes our bus and light rail easier to use. It reduces traffic congestion and parking pressures and supports physical and mental wellbeing. It helps reduce carbon emissions. It makes our communities safer, more accessible and more inclusive, with more active use of public spaces. Most of all, though, it gives us freedom and choice, because we have real alternatives to the car for every trip.

I once again want to say thank you to Ms Clay for her ongoing work to seek greater investment in active travel infrastructure and removing the barriers to people having greater choice about transport options across our growing city. I will table a copy of this speech, which has the URL for the map we created in 2020, so that if any of my Assembly colleagues would like to see where the community made suggestions for improvement they can do that. I table:

Ms Davidson (Minister for Disability)—copy of speech.

**MR BRADDOCK** (Yerrabi) (3.36): It gives me great joy to speak on this motion about active paths here in the ACT. I want to describe this morning, when I was riding my bike up the hill towards Gungahlin town centre, as part of my morning commute. I acknowledge freely that Mr Parton and Ms Clay both are frequent cyclist commuters, but it is something I wish to see other members take up as well.

Whilst I was riding up the hill, I was overtaken by someone riding an electric skateboard. Fortunately, I was able to catch up with him on the downhill stretch, and then we were both able to jump on the light rail. After perusing our devices for 24 minutes, we got off at Civic and I watched him skate off to work.

In exercising his choice, that man was able to reduce his transport costs, reduce congestion, eliminate his traffic emissions and make Canberra a more attractive place. He did not require a car-parking space to accommodate a car to sit idle for eight hours before going home again. This is what we are talking about when we are providing choice. If we let one option, such as the funding of roads, crowd out all the others in the clamour for funding, that effectively removes the choice to walk, scooter, ride or skate to work.

We want to create a sustainable, connected city, replacing the congestion of the 20th century with a green, active 21st-century city. Critical to this vision is a walking and cycling network that gives everyone the option to walk or ride in comfort, no matter where they live or how far they need to go. Canberra has the foundation of an excellent walking and cycling network, but the network is full of gaps, leading many neighbourhoods to miss out and causing many Canberrans to drive when they would rather walk or ride.

Research shows that women, older people and families with children are less likely to walk or ride when they are forced onto the road or unlit paths. I see Ms Clay's motion as important work towards achieving the goal of addressing this. To become a truly active 21st-century city, we need to construct large-scale, segregated cycling corridors and to connect the gaps in our existing neighbourhood path networks.

They say budgets are about choices. Decisions on the allocation of finite taxpayers' dollars demonstrate the values of a government far more than any slogan or glossy brochure can do. The Greens went to the election with a commitment to allocate a minimum of 20 per cent of the roads and parking capital upgrade budget to walking and cycling infrastructure. Although the figure varies substantially from year to year, the roads and parking upgrade budget in the ACT is typically about \$100 million per year. We want to ensure that walkers and cyclists get a fair share of this funding. If the roads budget increases, we think it is reasonable that a proportionate amount is spent on healthier forms of transport.

This is not achieved by simple accounting changes. Road shoulder pavements constructed to withstand 42 tonnes of pressure are not active travel expenditure. Would you let your mother ride on a road shoulder as traffic whizzes by at 100 kilometres per hour? Likewise, new suburb paths that were being built anyway as part of normal land development business are not necessarily new active travel expenditure either. Setting a minimum proportion of 20 per cent of the roads and parking capital expenditure budget would provide a much-needed boost to improve our walking and cycling infrastructure.

This could be directed towards a range of walking and cycling priority projects. Amongst the range of improvements I would like to see are active travel connections to the Gungahlin town centre so that people are confident enough to let their mother

or their children walk, ride, skate or scoot their way into the town centre and not be worried about the number, size and speed of cars they have to negotiate with on the way.

If you draw five-kilometre circles around the light rail stations you will reach approximately 90 per cent of Gungahlin's population. This is important because that is the range that people can easily choose to ride, skate, scoot or walk, over taking the car, so they may be able to partake in active transport from their homes to Gungahlin and then further. To the residents of Kaleen and Giralang: I appreciate that the services that run between Gungahlin and Belconnen are not direct to the city. I would love to see more buses which would help address that issue.

For the past decade the territory has been beholden to federal priorities. Federal budget largesse was dropped in support of road projects that required substantial co-contributions from the ACT ratepayers. That is why I want to stress that budgets are about choices. We want to make a smarter choice and provide choice to those who wish to walk, ride, scoot or skate their way around our city.

**MS CLAY** (Ginninderra) (3.41), in reply: I am really pleased that all the members here today are so supportive of a good, usable, well-maintained network of paths and footpaths. It is so important. We had another debate this morning about planning, and I confess that at the moment in Canberra we are making big decisions that are dealing with some of the biggest problems that we are facing—the cost of living, climate, transport, and, basically, how we grow as a city.

How do we make this city work for a growing population with all of the challenges that we are facing? It really comes down to priorities, in a lot of different ways. We need a planning system that lets us prioritise really high-quality density on transport corridors, and we need transport expenditure that backs that up with really high quality active and public transport. We are not going to have a city that works, and we are not going to have a city that helps us address the problems we are facing if we make any other choice.

We have some simple measures in here, but they are quite important measures. We have accountability indicators for our roads network, because Canberrans simply would not accept the level of disrepair on our roads that we see elsewhere. We have set an accountability indicator. People make a fuss if we do not meet it. We spend enough money to maintain those roads, as we should. We need to set an accountability indicator for our paths and footpaths. It should be the same as the one for our roads: 90 per cent maintained in good or better condition. We need to then resource our maintenance to make sure that we can meet that. If people expect that when they use our roads for transport it is quite reasonable for them to expect that when they use our bike paths and our footpaths for transport.

We need to let people make good choices. We need to make it easy and convenient. We need to make sure that we are constantly and consistently asking our federal government to fund active and public transport, and I am delighted that the minister has been doing this. We have seen federal funding for some of this, and it is great to see. It certainly seems to be easier to get it from the new government than from the old. I have spoken to many of my counterparts in federal parliament and asked them,

“Can you please back these calls.” Often what they say is, “Can you please make more calls.” We need to be constantly asking for federal funding for public and active transport, because this is what we need to deal with the problems we have.

And we need to make sure that locally we are spending enough money--that we have a complete network; no missing links. A missing link basically means that the entire path cannot be used. We all understand this. It needs to be separated so that people feel safe and so that they are safe. It needs to be primarily for active transport and not part of the road network, and it needs to be really well maintained. These are a whole lot of very simple calls, but a bit of priority given to these measures will help to turn around what we have seen in Canberra’s transport.

Our transport patterns have not shifted much. The use of light rail is about the only thing that has been a big behaviour change in recent years. Other than that, Canberrans drive, and they continue to drive, and we know that one car for every adult is not going to work in a growing city. Our congestion is growing three times faster than any other mainland Australian city. Climate emissions from transport are as high as they ever were. We need to do things differently, so I am really pleased that we have so much support for this motion today, and I am looking forward to the vote.

Question resolved in the affirmative.

## **Calvary Hospital—acquisition**

**MS CASTLEY** (Yerrabi) (3.46): I move:

That this Assembly:

(1) notes that:

- (a) the Canberra community and Calvary staff were blindsided when the ACT Greens-Labor Government announced it would be forcibly acquiring Calvary Hospital, its land and its assets, ripping up their 76-year lease and encouraging Calvary staff to work for Canberra Health Services (CHS);
- (b) many staff have chosen to work at Calvary because of its culture which stands in contrast to CHS, which is known from staff surveys to have toxic workplace cultures and poor management practices;
- (c) the Chief Executive Officer of Calvary Healthcare, Martin Bowles, said the staff “have not been consulted at all about the potential ramifications of this decision. I’m not exaggerating saying these people are absolutely devastated.”;
- (d) Labor MP, David Smith, has stated the takeover has been made “without sufficient consultation. If you’re going to have significant workplace change, you should go through a proper consultative process.”;
- (e) Calvary staff and peak bodies have expressed their confusion at CHS transition plans and how CHS executives will integrate with Calvary’s organisational structures;
- (f) the ACT Government has not answered questions about how many staff, contractors and suppliers have made themselves known to CHS;

- (g) former Chief Minister, Minister for Health and current Senator for the ACT, Katy Gallagher, has previously stated “compulsory acquisition would be a disaster. That would cause a lot of conflict, it would put the system into disarray.”; and
  - (h) Calvary staff and the public are outraged at the Government’s decision to legislate the use of police force to enforce the takeover of Calvary Public Hospital if necessary; and
- (2) calls on the ACT Government to:
- (a) guarantee all clinical services will be maintained without interruption during its compulsory acquisition process;
  - (b) outline contingency plans to maintain adequate staffing and clinical services, should not all current staff transition to CHS, or if its compulsory acquisition is challenged or becomes drawn out;
  - (c) release any draft organisational structure for Calvary campus showing the proposed intersection between CHS and Calvary management;
  - (d) rule out the use of police force in any part of this transition; and
  - (e) ensure that palliative care at Clare Holland House and its interface with Calvary Public Hospital is not impacted, and that stability and continuity of end of life care is maintained.

It is ironic that just days after releasing its 10-year health workforce strategy, this government should embark on the compulsory acquisition of Calvary Public Hospital, thereby throwing its workforce into upheaval. To be generous, this health workforce strategy was little more than a strategy to develop a workforce action plan for 2024 to 2026 and beyond. After years of inaction, we learned that to develop a workforce action plan for Canberra’s health workforce, what is needed is more data.

Contrast that glacial response with the pre-emptive action being taken by the Chief Minister and health minister, to forcibly acquire Calvary Public Hospital, thereby throwing its workforce into limbo. Is it any wonder that this government is being pilloried for its management of Canberra’s public health system? Calvary staff, along with the entire Canberra community, were blindsided when the Barr-Rattenbury government announced it would forcibly acquire Calvary Hospital, its land and its assets, ripping up Calvary’s lease, which has 76 years to run, and forcing Calvary to work for Canberra Health Services. This high-handed takeover will impact medical officers, nurses and midwives, and allied health practitioners, not to mention suppliers, contractors and VMOs.

Many of the 1,800 staff at Calvary are deeply upset, as are Canberrans. A petition to save Calvary has now gained over 32,000 signatures. This petition expresses:

- the legislation was drafted and tabled without any consultation with Calvary Hospital, management, staff or patients,
- the proposed timeframe demonstrates a complete unwillingness on the part of the ACT Government to dialogue with its citizens,
- that the ACT government does not have the competency to run a second hospital, as it is already struggling to provide adequate services at the Canberra Hospital ...



What makes this worse is the degree of planning and premeditation that went into this strike. As Angela Shanahan wrote in *The Australian*:

This imbroglio has had a worsening effect on the morale of medical staff at Calvary, especially people who moved there from ACT Health ...

There is deep suspicion that the ACT government was never serious about compromise or negotiation, and its critics have pointed to the enormous amount of preparation for this takeover. There are 51 pages of legislation to cover this acquisition, and a team of up to 50 people to prepare for it. A move of this magnitude must have been planned for some time, which has exposed the government to a charge of negotiating in bad faith.

Senior doctors are upset. The AMA says that the time frame of the government's forced acquisition of Calvary Public Hospital at Bruce is unreasonable, and senior medical staff say that they have been disrespected and ignored. AMA ACT branch president Walter Abhayaratna said, "Calvary staff felt the government had set a terrible precedent," which was expressed at a meeting of senior doctors and other staff earlier this week. "They say that there is a general feeling that senior medical staff have been disrespected in this whole process so far," he said. At a town hall meeting, Calvary's doctors said that they were shocked, dismayed and angered that the ACT government did not consult with them about the compulsory acquisition of Calvary.

Professor Abhayaratna said:

The overwhelming message from our town hall meeting was that senior doctors and other staff have been ignored by the ACT government and given no opportunity for consultation or to warn against the mistakes the government is making.

I read some of this out yesterday. There are a group of senior doctors at Calvary who have written to all of the members of the Assembly. Part of their letter says:

Our job is to provide safe patient care to our best ability. However, this cannot occur without a good administration support and a good working culture. We oppose the immediate taking over of Calvary Hospital by Canberra Health Services based on the following key concerns.

1. Lack of consultation. It is an insult to treat health care staff like we are properties; that we would just accept whatever terms and conditions the government proposed.
2. Ineffective administration and poor culture. With the recurrent problems and safety concerns occurring throughout the whole of Canberra Hospital, are you convinced the Canberra Health Services has the ability to run a second hospital at present?

Then, as I said yesterday, the kicker, I believe, is:

3. The potential loss of experienced and well-meaning clinicians. Three years of COVID battle with years of under resources, many of us are tired and honestly sick of the mistreatment and misrepresentation. The health minister

said that they are prepared and that some of us may not continue, and it is okay. We say the loss of experience and good doctors and allied health staff will take years to be retrained and recover. We are not just some numbers; we represent skills and experiences that are not easily replaceable. Losing staff means risk of compromising patient care.

Dr Paul Burt, former head of the anaesthetics departments at both Canberra Hospital and Calvary Public Hospital, has put it even more starkly, accusing the ACT government of dubious managerial competence in its administration of the health service it currently runs. The *Canberra Times* reports:

“It’s had problems in cardiology, obstetrics, intensive care, paediatrics, plastic surgery, just to name a few,” he said.

“We would be handing over the management of Calvary Hospital to an organisation that cannot organise its own hospital.”

Dr Jeff Looi, from the Australian Salaried Medical Officers Federation has said:

With a merger that is proposed in about 33 days, which is an unbelievably short period of time to seek to integrate two sets of workforces and infrastructures into one organisation, it is reflective of the concerns that the union has had about the capacity of Canberra Health Services and ACT health administration to be able to manage change processes, recruit and retain staff, and manage their facilities adequately so that Canberrans are safe in terms of their health and welfare.

National Calvary Health Care CEO Martin Bowles has said:

Put simply, this rushed proposal will create uncertainty and could lead to attrition. This will have a direct impact on Calvary’s ability to care for people safely.

The Australian Nursing and Midwifery Federation has also expressed concern at the lack of consultation, saying:

The decision affects the health and wellbeing of all Canberrans, now and into the future.

The ANMF notes that CHS and Calvary have different policies, procedures, governance arrangements and models of care, and a different ethos. It questions how all these matters can be worked through in only five weeks, saying that such a thought has left nurses and midwives in distress. There is not a lot of disagreement amongst stakeholders there.

If this is all not obvious to the Chief Minister and the health minister, it is to the federal member for Bean, David Smith. He says, “We know there has been a significant impact on the workforce through COVID. What we do not want to see is further unintended consequences by a lack of certainty and concern about what might happen with employment arrangements.” Asked what the unintended consequences could be, David Smith said, “Well, if there isn’t staff, because they don’t necessarily want to continue because of the way the change has occurred, I guess we don’t want to see labour shortages. We don’t want to see an impact on continuity of care.”

There you have it. The way this government has handled this takeover—its take no prisoners approach—risks alienating Calvary’s workforce to the point that some staff vote with their feet, resulting in labour shortages in an already overstretched public hospital system.

Many of the hospital staff only learnt about the takeover through social media. Put yourself in their shoes for just a minute; this is their career, it is their livelihood, and it is a disgrace that that is the way they found out. It is extraordinary that, according to the health minister, this was the only thing that could be done. On May 19 she told ABC radio:

Our capacity to consult them—staff—before we made this decision was limited by the fact that they do not work for the ACT government. Although they work in a public hospital, they work for a private organisation.

As I said yesterday, the health minister could have continued good faith discussions with Calvary management and could have been open and consultative about her options in an effort to land a way forward. After all, governments have the option of compulsory acquisition as a last resort. This would have avoided accusations of acting in bad faith; mooted legal action; and the anxiety, distress and uncertainty that the government’s pre-emptive takeover is continuing to cause staff.

Instead, we have this account from the health minister that Calvary rejected a 25-year modern services agreement to operate the new northside hospital, and the two could not agree on a joint path forward; and also that in April 2022, the government advised Calvary that it would consider legislating to acquire the land if necessary. Does that justify this sudden compulsory acquisition, hatched in secret and delivered as a fait accompli? I do not think so. As late as this week, the door was open to the ACT government to negotiate with Calvary, to give Calvary staff stability, but the government is refusing to take it, preferring its bulldozer approach!

No wonder this dictatorial approach has had a chilling effect on the morale of staff at Calvary—especially the people who moved there from ACT Health. This government professes that its greatest concern is for Calvary staff, but it does not act accordingly. One would have hoped, given the state of the public hospital system in Canberra and the difficulty attracting and retaining staff, that the minister could have been defter. The minister, the CEO of Canberra Health Services and the head of the hospital transition team all concede the loss of some staff. The minister has said that she does not believe staff losses will be as large as has been made out. She also told ABC radio, “We would not have chosen this time frame if we did not think it could be done safely and with continuity of patient care.” Even in question time today we heard that the minister had no idea of how many staff are coming over from Calvary during this transition; so we will see, indeed.

Experts in project management have also cast doubt on this time frame. What are the minister’s contingency plans if, say, 10 per cent or 15 per cent of Calvary staff decide this takeover is not for them and move elsewhere or do not take up the offer? We know it is not easy to replace skilled staff. How many hospital staff is the minister prepared to lose? What are her contingency plans?

There is more evidence that the Chief Minister and health minister are hell-bent on this takeover, no matter the consequences to the Canberra community. As a spokesperson for Calvary said, “The proposed legislation and unrealistic time frames put our operations, our workforce, and ultimately patient safety at risk.” As reported, if Calvary initiates legal action, according to the minister, “We have very much done the due diligence around any potential option that Calvary could take in preparing for this.” So what are the contingency plans for this eventuality, Minister? Again I ask. At the very time the public hospital workforce in Canberra needs stability, the minister somehow thinks it is smart to axe the contract of a major hospital providing acute care, particularly to people in North Canberra, Belconnen and Gungahlin.

Former Chief Minister, health minister and current ACT senator Katy Gallagher got it right when she previously said:

Compulsory acquisition could also be a disaster. That would cause a lot of conflict, it would put the system into disarray.

It is a sign of this government’s arrogance that it now pays no heed to such outcomes. This is because it cares more about its agenda than about Canberrans. The Canberra Liberals do care, which is why we oppose this action, and I commend my motion to the Assembly.

**MS STEPHEN-SMITH** (Kurrajong—Minister for Aboriginal and Torres Strait Islander Affairs, Minister for Families and Community Services and Minister for Health) (3.59): I move the amendment:

Omit everything after “That this Assembly”, substitute:

“(1) notes that:

- (a) the safety of consumers, carers, visitors and health workers at Calvary Public Hospital Bruce (CPHB) is the highest priority;
- (b) it is critical that CPHB staff and patients are supported and provided the information they need during the transition;
- (c) a new and expanded public hospital on the northside is essential to meet the needs of Canberra’s growing population;
- (d) Territory-wide health infrastructure planning is necessary to ensure that the ACT health system meets the community’s needs into the future;
- (e) it is important for the ACT’s public health system to be efficient and coordinated in order to deliver the best possible care for Canberrans; and
- (f) the ACT public health system must be transparent and accountable; and

(2) calls on Calvary Health Care to:

- (a) continue discussions with the ACT Government in relation to Calvary Public Hospital Bruce and Clare Holland House;
- (b) allow Calvary Health Care ACT and Calvary Public Hospital Bruce to participate in operational transition activities in accordance with the *Health Infrastructure Enabling Act 2023*;
- (c) ensure continuity of care for patients at CPHB and Clare Holland House; and

- (d) support CPHB staff to seek any information they need from the ACT Government about their working conditions and entitlements.”.

I am not going to go through all of Ms Castley’s points. I think we have canvassed this issue quite thoroughly over the last couple of days through question time and through the debate on the bill yesterday. What I want to put on the record, though, is some information and some of the other feedback that we have received over the last little while.

I talked, in question time, about the feedback that I have received from staff at Calvary Public Hospital Bruce staff and Clare Holland House about their need to have certainty about the commencement of the formal transition so that we can engage with them in an open way, and so that they can be invited to participate in the transition team and to provide their expertise about transitioning their hospital—the hospital that they are experts in. And I need to clarify that because some of the language from those opposite, and some of the apprehensions around the way that this process would work, has talked about bringing new management into the hospital. We have been very clear that there is no intention to do that. We are expecting that almost all—if not all—the senior executives at Calvary will stay, and that the senior managers have indicated that they want to support their staff through the transition. It is our intention to work with those staff to enable the new leadership so that the existing leadership stays in place for Calvary Public Hospital Bruce throughout the transition and beyond.

There are some really fantastic executives at Calvary Public Hospital Bruce, just as there are some incredible healthcare workers. I heard from one of these workers on 13 May, shortly after we made the announcement. This worker said, “Hi, Ms Rachel Stephen-Smith MLA. I work at Calvary Public Hospital Bruce as a registered nurse, and I have been there for 23 years. I was glad to hear the news that Calvary will be taken over by Canberra Health. It was so disappointing when it didn’t happen 10 years ago. Most people I have spoken to are also happy with the decision.”

“Dear Minister”, someone else wrote—and this is not necessarily a Calvary staff member—“Just a quick note that I support the decision to take over the Calvary site. More generally, I would like to say I think you are doing a great job”. Thank you very much to that person. Other people have applauded the government’s clear decision-making, and have also taken the time to write to us about their positive experiences at Canberra Hospital.

One of the most disappointing aspects of this debate is the way that critics of this decision have taken the opportunity to denigrate Canberra Hospital as part of their arguments. Yesterday, in my closing speech in the debate stage of the legislation, I said that some of the assertions that are being made about the level of efficiency at Calvary Public Hospital Bruce compared to Canberra Hospital just do not stand up to scrutiny. Neither do the assertions that are being made about the culture at Canberra Health Services, which has clearly been improving over time.

We absolutely understand and accept that there is more work to do on culture, and with a very large organisation of more than 8,000 staff at Canberra Health Services, there are pockets of that organisation where there is still a lot of work to do on

positive culture, but some of the things that have come to light through the media have come to light as a result of the leadership of Canberra Health Services taking action to address the feedback from staff—the feedback that has come through culture surveys. We know that health systems more broadly experience cultural challenges, and Calvary Public Hospital is not immune from these, either. That has been a very clear message through the culture review and through the annual reports on the implementation of the culture review.

But what has also been clear through those documents is that one of the things that contributes to cultural challenges in the ACT health system is the current contract with Calvary to run Calvary Public Hospital Bruce. The contract gets in the way of teams working together because of the way the contract sits between well-meaning clinicians across our public hospital sites. It is absolutely the case that the staff at Calvary Public Hospital Bruce have built, within their hospital—a significantly smaller hospital than Canberra Hospital—a culture of community, where they describe one another as like family, and where they appreciate the working environment that they have created. That will be maintained. Those staff have been reassured multiple times that they will be working in the same job, with the same team, with the same managers—in the hospital that they have built the culture and working arrangements of—between 2 July and 3 July.

Ms Castley has referred—if not today, on other occasions—to an open letter that was sent by some concerned senior nurses from Calvary. I replied to that letter over the weekend, and one of the things that I made clear was that I was sorry to hear that so many staff heard about the ACT government's decision from social media, or from friends, colleagues or patients, rather than directly from their employer. I pointed out that, while we had worked with Calvary to ensure that its all-staff messaging would be the first public statement made, we were also aware that rumours would spread through the media and social media as soon as this happened. So it was important to us that Calvary's industrial representatives and the media also had information from the government within a short time after the Little Company of Mary advised its employees so that everyone could understand why the decision had been made and what would happen next.

We live in a hyper-connected world, so we opted for open communication rather than rumours as the first source of information, but, as I have said many times through this process, we also recognise that the news came as a shock to Calvary staff and raised many questions. That was why our key message was so clear, from day one to today: through the transition and into the future there will be the same job, same team and same manager in the hospital where they have built the culture and the ways of working, and of course there will be the same pay and conditions and full transition of all of their pay conditions and entitlements. We have heard very clearly from staff how important that is to them, and we have absolutely respected that, and we have responded to the questions that we have received.

Now, Ms Castley is right that some of the shock in the early days after the announcement was made has come through in some of the comments. And I note that some of the comments that she is quoting from are from those early days after the announcement. But Mr Peffer said recently—he was talking to the media—that he had just got off the phone from someone who used to work at Canberra Health Services

who had pointed out to him that it had been a long time coming and that, in time, considerable benefits will flow for both institutions from this change. He said that every single day there are hundreds of team members across Canberra Health Services and Calvary who work together and for whom the current arrangements get in the way.

As Mr Peffer said: “If I walked out onto any of our wards right now and asked them, ‘How does this work for you?’ Not one of them would say, ‘It works really well.’ Not one! And if you did exactly the same for Calvary right now and said, ‘What is the interface like with the Canberra Hospital and the University of Canberra Hospital?’ all of them would say, ‘It doesn’t work.’ And at some point, you have to take on board the comments that you are receiving from your healthcare workforce.” And that is what we have done.

Yes, it has been challenging. Yes, we have had to work with their employer, Calvary Health Care, Little Company of Mary. But we talked about the fact that those conversations have been going on for years, and formal negotiations were going on for months. It was absolutely clear that we were not going to be able to reach agreement for Calvary to participate in the public hospital network in a way that was going to change this experience of staff on the ground. We wanted to work with them to do that; it was clear we could not reach an agreement that would enable that and would enable a billion-dollar investment in a new public hospital in the north side to be owned by the people of the ACT—to be owned by taxpayers.

But it was also clear to us that the new public hospital does need to be on that Calvary Public Hospital site. It is the site that makes the most sense, and it is the site that makes the most sense ultimately for Calvary because they have a private hospital on that site. They have private medical facilities on that site, and we want to maintain the synergies with that private hospital, just as we work also with Calvary John James to deliver excellent care in elective surgery to the people of the ACT.

My amendment therefore takes the opportunity for this Assembly, now that this decision has been made, now that this Assembly has passed a bill—the bill will be notified tomorrow—to call on Calvary Healthcare to continue discussions with the ACT government in relation to Calvary Public Hospital Bruce and Clare Holland House and to allow Calvary Healthcare ACT and Calvary Public Hospital Bruce to participate in operational transition activities in accordance with the Health Infrastructure Enabling Act 2023, which will be notified tomorrow, to ensure continuity of care at Calvary Public Hospital Bruce and Clare Holland House, and to support Calvary Public Hospital Bruce staff to seek any information they need from the ACT government about their working conditions and entitlements.

We know that there is a legal process underway, and we are working to ensure that that process progresses with the minimum of conflict. That is out of respect for the staff in ensuring that staff are not going to be impacted by a conflict between their employer and the ACT government that pays the bills.

Ms Castley asked earlier today how many people have engaged. I do not have numbers of the people who called the hotline or sent emails, and I do not have the total number of people who have come to our forums, but I can advise that more than 120 people have already completed the transition forms before the formal transition

period has even commenced. Ms Castley will no doubt say that that is a small number out of 1,800 staff but the formal transition period has not commenced. Staff have been actively encouraged to think that it is not necessarily appropriate to do that at this point, but we have heard very clearly from staff that they want the certainty to be able to get on and do that.

As I said yesterday, we have also heard from staff that they do not want to go through the process of completing this form, getting an offer, accepting the offer, and then having to resign from Calvary. That is something that we have listened to, so we have changed the regulation to enable an automatic cessation of their employment at Calvary Public Hospital Bruce after accepting an offer from Canberra Health Services from acquisition day.

Again, Ms Castley has made a bit deal of the shock for staff, as if this is an ongoing concern. So I will just close with a comment that was sent through to Anna Vidot's show very soon after the announcement. It said:

Anna, I know many Calvary maternity staff and my sense so far is that they are surprised, certainly a bit nervous, and also very happy about this decision. Definitely not seeing the tears that we heard that Calvary CEO Martin Bowles is describing.

As the process has gone on, as we have been able to reassure staff, we are hearing that sentiment more and more. We are hearing hope, we are hearing optimism, and we are hearing that people just want to get on with it.

**MS DAVIDSON** (Murrumbidgee—Assistant Minister for Families and Community Services, Minister for Disability, Minister for Justice Health, Minister for Mental Health and Minister for Veterans and Seniors) (4.14): I speak in support of Minister Stephen-Smith's amendment to Ms Castley's motion. As I said yesterday, my thoughts are focused on supporting Calvary Public Hospital staff through this transition, the provision of healthcare services, and the clear relationship between caring for staff and quality care for patients.

The ACT government is committed to supporting staff at Calvary to do the same job in the same team with the same manager in the same hospital. In addition, all the entitlements that they have earned through their service will be protected. We are also committed to giving staff, patients and carers the information they need during the transition period, consulting with them and making their voices heard as we bring together our public health services.

As has been explained at length to members of the opposition, the fact is that the government could not have consulted with staff who work for a private organisation about a decision that their employer was manifestly not going to support. We spent months talking to Calvary management about what might happen, but we were not able to speak directly with their staff without the consent of Calvary management.

The ACT government has provided workforce support sessions for staff to ensure they have the information they need throughout this time and to alleviate any



uncertainty to the greatest possible extent. The ACT government will continue to provide this workforce support as we progress through the transition period. We look forward to working closely with Calvary staff after the act is notified.

It is worth remembering that, until the legislation passed, direct communication with staff was the responsibility of Calvary Health Care ACT. The transition team will ask to host a pop-up kiosk on the Bruce campus as soon as possible, where Calvary team members can ask questions about the transition. The transition team also plans to work collaboratively with Calvary to continue to run regular onsite meetings and briefing sessions. Team members can continue to contact the transition hotline. That is open between 8.30 am and 4.30 pm Monday to Friday, or there is an email address that they can contact.

Information sessions for staff will continue to be provided at the University of Canberra Hospital until onsite sessions commence. If you go to [www.act.gov.au/northside-hospital](http://www.act.gov.au/northside-hospital), you can see the times for the sessions there.

When we speak about staff wellbeing, I would also like to acknowledge the improvements that have been made in workplace culture in Canberra Health Services over recent years, and continuing today. Successive workplace culture surveys have recorded increases in staff engagement. CHS's engagement score is above the national benchmark for public hospitals and health services, according to Best Practice Australia Analytics data.

We recognise that some Calvary staff will have had poor experiences at CHS in the past, and we want to assure those staff that CHS is an organisation and a workforce that will welcome new team members with open arms. As an organisation, CHS also understands that Calvary Public Hospital is a community, and that staff identity may be closely tied to the hospital.

CHS will work to ensure that staff feel heard during the transition and have the opportunity to help shape the future of the north side hospital service. For the majority of the workforce currently working at Calvary, there will be no change to their employment conditions or who they work with or to. The transition team will work with individuals to identify the best ongoing employment opportunities for them as part of this transition.

A safe workplace and a positive culture underpin great patient care. CHS has made solid improvements to its workplace culture over the last few years. Results from a workplace culture survey in November 2021, the most recent survey that asked about bullying, showed an 18 per cent reduction in team members who had been subjected to bullying or harassment since 2019. This shows that our focus on improving culture is making a real difference to team members on the ground.

Wellbeing and safety for both staff and people receiving health care continue to be our primary focus. As Minister for Mental Health, I am particularly focused on mental health services, but I am also mindful of the delivery of services to older people and to people with chronic conditions or disability, as Minister for Disability and Minister for Veterans and Seniors.

Canberrans will be able to continue to access mental healthcare services across the territory, including through the adult mental health unit and the older persons mental health unit at Calvary Public Hospital, if they need those services while the transition occurs.

The Health Infrastructure Enabling Bill 2023 contains specific requirements to compel Calvary to ensure there is a collaborative and safe transition of services, both during the transition period and following acquisition. It is my sincere hope that Calvary will work with us during this transition for the best outcomes for staff and for people receiving health care.

Other mental healthcare services adjacent to the Calvary Public Hospital campus, including the Gawanggal Mental Health Unit, which is delivered by CHS, and the Cottage, which is delivered by the Child and Adolescent Mental Health Service at Canberra Health Services, will continue as planned during the transition, as they are not part of Calvary Public Hospital.

Operational transition planning has taken place with a dedicated transition team to ensure the safe and smooth transition of services. This included identifying risks and putting the appropriate mitigations in place to ensure there is continuity of care for patients.

This carefully considered decision is the right move for the long-term health service needs of the ACT. This is an opportunity to develop an integrated plan for the future of mental health services in the ACT. Mental health is one of the highest growing areas of health care. The new north side hospital will have more mental health beds than are currently provided at Calvary Public Hospital Bruce.

As the detailed design for the new hospital begins, the ACT government will ensure we are taking a view across the territory to ensure the right services are in the right place and at the right time. The advantage of moving to a single-operator model for our public hospitals in the ACT is that we will be able to take a whole-of-territory view to enhance the efficiency and effectiveness of our public mental health services. Community and stakeholder consultation on the design of the new north side hospital is expected to commence later this year.

I will continue to work hard to ensure that our healthcare staff have all the support they need, and that people receiving health care have continuity and quality care, as we develop a healthcare system that is fit for the needs of the community now and well into the future. It is my sincere hope that Calvary will work with us to look after the wellbeing of both staff and people receiving health care.

**MS CASTLEY (Yerrabi) (4.22):** I spoke earlier about bad faith. To me, for all intents and purposes, it looks like this government over the last few months have been clumsily trying to soften up public opinion prior to taking over Calvary. Indeed, the government's precipitate actions make their takeover look like ideological bigotry, and like an attack on Calvary's ethos. They make it look like an attempt to target a faith-run organisation and treat its 1,800 staff not as its first priority but as a secondary consideration, or even expendable in the process. A collective of senior Calvary nurses have twigged to this, writing:

The way in which this has been done reflects poorly on the highest levels of leadership within the territory.

To allow the majority of Calvary's 1800 staff to find out about this via social media was absolutely disgraceful. Clearly this had been in covert planning for quite some time. Culture has supposedly been high on the public hospital agenda since the 2019 culture review, and in one surprise announcement, all the work that has been done in this space since that report was issued has been undermined.

It has certainly convinced us that the culture of CHS, described as toxic even by its own employees, is a direct reflection of the values and behaviours that stems all the way to the top.

A Calvary Hospital nurse wrote the following letter to her community. I will quote a little bit of it now:

It is important to remember that certain values transcend political ideologies. Take, for example, the principle of social justice—a value that many of us left-leaning voters hold dear. Through institutions like Calvary Hospital, the Catholic Church has been at the forefront of fighting for social justice, providing essential health care services to those who might otherwise be overlooked or marginalised by the system. A takeover by the ACT government threatens to disrupt this critical work and potentially create a health care environment that is less responsive to our community's most vulnerable members.

As someone who has worked at Canberra Hospital and seen the cluster of a mess that exists there, many of my colleagues and I genuinely believe that we should avoid having another government-run institution in the ACT that will be filled with bullying, harassment and overworked, burnt-out staff.

This leads us, inevitably, to the issues of culture, which the minister touched on. She has said, in relation to culture:

You know, this has been another very disappointing part of the conversation; that people have resorted to denigrating Canberra Hospital and Canberra Health Services. There has been a lot of information on the public record through the culture review and the three subsequent annual reviews of the culture review implementation which very clearly indicate the work that Canberra Health Services has done to improve culture.

This is the health minister who said Canberra Health Services staff surveys showed a significant improvement in culture, year on year; and that a December survey had returned CHS's best-ever results on workplace culture, despite the results being skewed and statistically invalid due to the low response rate from frontline health workers.

This is the minister whose directorate redacted all negative findings from a staff survey in its digital solutions division in order to protect staff from experiencing stress and anxiety about retribution which could negatively impact on the wider directorate. And Calvary staff aren't right to be concerned, Mr Assistant Speaker? Really?

With respect to staff at the Calvary-run Clare Holland House who provide inpatient and palliative end-of-life care, their future is also up in the air, particularly in the light of the fact that Calvary will not provide voluntary assisted dying. According to the Canberra Health Services website:

The ACT Government has invited Calvary to discuss its preference for the ongoing operation of this facility, its employees and operations. In order to provide you in the community certainty, the ACT Government looks forward to discussing these matters with Calvary as soon as possible.

It is not very reassuring. Compounding this uncertainty is the fact that the community-based palliative care services currently operated by Calvary will now be taken over by Canberra Health Services. Nurses are particularly distressed about palliative care services at Clare Holland House being left isolated as a result of the Calvary takeover, believing issues with coordination will have significant and ongoing impacts on the quality of the continuity of palliative care.

In conclusion, what my motion is asking for, and what I believe the government needs to do, is to guarantee that all clinical services will be maintained, to outline the contingency plans to maintain adequate staffing and clinical services, release any draft organisational structures showing the proposed intersection between CHS and Calvary management, rule out the use of police force in any part of this transition, and ensure that palliative care at Clare Holland House and its interface with Calvary will not be impacted.

On the staffing levels, for weeks now the minister has been apparently calling on Calvary staff to come on board and make the transition. And she is right—there are only 120. I am shocked, upset and worried by that figure. Of 1,800, only 120—for weeks now, they have been called on—have made that leap.

On top of this, it seems the minister was unable to give us any assurance of what happens if a large number do not come across. What if this is what the future is for us? What will happen to services here in Canberra? She has to be able to assure Canberrans, and she has been unable to assure me today, that services will not be impacted. It is troubling.

I note that the amendment to my motion from the minister is a complete rewrite. It says, “We’ll continue discussions, allow Calvary Health Care—it’s all good.” It is a disappointment, again, that the minister is not listening to people. The way this takeover has occurred is the problem, and that is what is distressing to people. The government cannot be trusted. We do not know the figures. We do not see the transition plan. They have rewritten my motion because they believe they have it in hand. But the Canberra community do not have that faith. They are concerned, and rightfully so.

The way that this Labor-Greens government have gone about this is a disgrace. That is why we wanted that assurance, and the minister has been unable to give it to me today. We will not be supporting the amendment that has been circulated today. That is all I have to say in closing.

Question put:

That the amendment be agreed to.

The Assembly voted—

Ayes 12

Noes 5

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

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

Mr Cain  
Ms Castley  
Mrs Kikkert  
Mr Milligan  
Mr Parton

Question resolved in the affirmative.

Original question, as amended, resolved in the affirmative.

## Planning Bill 2022

Debate resumed.

**MR STEEL** (Murrumbidgee—Minister for Skills, Minister for Transport and City Services and Special Minister of State) (4.33): I am pleased to speak today in support of the Planning Bill and the important reform that this bill drives.

This new planning bill establishes a modern outcomes focused planning system that promotes good planning, design and development across Canberra in the city's long-term interest. Our city is growing and will be home to half a million people much earlier than expected, as early as 2026, and we need this important piece of reform to prepare our planning system for our growing city.

This reform seeks to take us beyond the rigid rules and criteria-based system to one with a focus on delivering a better-designed and better-quality development that we will need to see to support the future of our city. It is focused on shifting towards an outcome-based system that empowers the territory's planners to make more informed decisions, which will consider the sometimes difficult trade-offs that we need to build a city with complex infill developments and to address other challenges that we face, like climate change.

The development of Canberra across the coming decades will be greatly influenced by our important investments in infrastructure, such as future stages of a mass transit light rail system, major road duplication upgrades, new hospitals, including the new northside hospital, a new CIT campus, a new university and so many other infrastructure and other developments.

This reform package that we are debating today creates a planning system that provides the city-wide strategic planning that takes into consideration a growing city, the impacts of climate change and these important infrastructure priorities.

In aiding our governments strong focus on building the infrastructure that our city needs, the new planning bill provides powers to declare territory priority projects. This is similar, albeit a more constrained version, of the same pathway that state governments have in other jurisdictions to deliver state significant projects which are important to the entire territory and are not put at risk by localised interests.

These projects would encompass future infrastructure facilities that would bring broad benefits to the residents of the territory, such as light rail, an expansion of the city-wide light rail network or, indeed, a new northside hospital.

This new provision aims to streamline determination processes by enabling efficient decision-making while still ensuring appropriate public consultation. This is a good approach that ensures that, as we get on with the job of building the critical infrastructure our city needs, we can do so across health, education, transport, housing and other critical areas.

These planning reforms also place greater emphasis on strategic and spatial planning to plan how the city's growth should be managed and identifying land for urban development while protecting areas of environmental value. This includes the implementation of district strategies which focus on longer-term planning objectives and outcomes for each of Canberra's districts.

This forward focus planning approach is consistent with the strategic policy goals that the government has been developing for some time around transport. This approach assists the community, and Transport Canberra and City Services, in forecasting future infrastructure needs of the city, including where new transport corridors, roads, recreation spaces and shopping precincts will be located. It also helps to identify where existing infrastructure will need to be prioritised for upgrade to complement and support the growth in population that we are seeing.

These strategies are linked to the TCCS Multimodal Network Plan, which is under development. The Multimodal Network Plan will ensure integration of transport planning with land use planning and will provide a transport response to the district strategies and apply a vision and validate approach to planning the future transport network.

This approach will involve confirming strategic objectives and modal priorities for the road network using the movement and place frameworks, which are also of course in our planning strategy. This multimodal transport planning will provide a coordinated and strategic approach in how we respond to our city's growth.

It is important that in our planning system we carefully consider the transport needs of the community and, between the work underway in TCCS and this piece of reform to the planning system, we are making more strategic longer-term decisions about our city's future.

I acknowledge that there has been a lot of public interest and commentary on these proposed reforms. The government has listened to feedback on the bill, as well as understanding the views of the broader community about what is important for the way that our city is planned in the future.

I welcome amendments being made to the bill shortly by Minister Gentleman to address a lot of this feedback. It is important, however, to understand that we will never have a planning system that pleases everyone or can satisfy every single interested stakeholder. The challenge for us in this place is to consider where the fair balance lies in adequate consultation with the community and in delivering the housing and infrastructure our growing city needs.

I appreciate that there has also been a lot of commentary around the issue of governance during the consultation. I think it is important to acknowledge that many elements of the current planning system are of value. The fact that we have an independent planning system that assesses development is a good thing. It is a good thing that we do not sit around this place approving individual development applications on a daily basis. That is important for integrity.

It is an important safeguard to ensure that undue influence we see in other councils in Australia—which has been a major source of ICAC inquiries in New South Wales, for example—is not a feature of our system. Independence has served the territory well, and we should all be very sceptical about claims that we should throw the independent planning system out with the bath water.

I am pleased that this bill does not fundamentally change those parts of the system that are of value, noting that a review will be undertaken into how governance could be improved once this new legislation is in place.

The government continues to make decisions on the future of our city based on the fundamental understanding that Canberra is a great place to live, but also that more people are choosing Canberra as a place to live as a result of our quality of life.

This Planning Bill, coupled with our ongoing investment in the infrastructure that our city needs, shows that we need to take these challenges seriously and, as our city grows, that we continue to build a city that further improves quality of life while tackling some of the great challenges that we are facing, like climate change, over the decades ahead.

I am pleased to commend this bill to the Assembly and commend Minister Gentleman for the work that he and his directorate have done over a long period of time now to enable this bill to be debated today.

**MR PARTON** (Brindabella) (4.41): I stand alongside Mr Cain and my Liberal colleagues. I stand alongside most of the community councils of Canberra. I stand alongside the thousands of Canberrans who have vigorously raised their concerns about this bill. I stand with all those who have written to me, voicing their great concern. I stand with the many thousands of Canberrans who can very clearly see that we, as a city, are sitting on the edge of a planning cliff, and I will do whatever I can to stop us from tumbling over.

We cannot support this bill. We will not be doing that today. The Canberra Liberals are doing today what every member of this place should be doing: we are doing our best to represent the people who voted for us. All we are doing today is trying to get

the best outcome for the people who voted for us and the people who did not—to try to get the best outcomes for all Canberrans.

In recent weeks, we very clearly have seen—dare I say it—a dictatorial theme from this government, and this is just another shining example. The government will get its own way, whatever it takes. This government will avoid scrutiny whenever it can. The government will continue to ignore all dissenting voices. Did you not watch those planning committee hearings? Have you not read all of those letters to the editor? Have you not attended any of those community council meetings? The Planning Bill smells so bad that whoever disposes of it would have to wear protective clothing in the process!

How many amendments have we got? It is just the 120 amendments, is it not? It is only just the 120 tweaks. It is like the State of Origin squad is announced and Brad Fittler sits down and says: “Yes, this is a great squad. We can smash them with this. This is a great squad. I am just going to make 120 changes, though, to try to get it in better shape.” The Planning Bill is a disaster. Anyone who cannot see that there are major problems, has major problems with the way that they analyse information.

I am a member of the Standing Committee on Planning, Transport and City Services which inquired into this bill. When you consider how central this bill is to the next 20, 30 or 40 years of our city, it is impossible for us to ignore that this tripartisan committee was unable to arrive at a consensus as to whether the bill should be passed.

That result should be measured against the record of collaboration and collegiality—there is a word I wanted to get into a speech, and I have done it!—that has been displayed by this committee across the term. The planning committee of the 10th Assembly is a genuine beacon of collaboration. We have managed to form a consensus by hook or by crook on so many extremely contentious and heavily contested matters. But that was not possible on this occasion. The committee has not been able to arrive at a consensus as to whether the bill should be passed.

I have to ask again: what is the point of the committee system scrutinising bills, given that every committee has a majority of government members, for starters—let us just concede that is the case—but even when a committee arrives at a damning or even a non-conclusive position, the government just ignores that? It is like, “Look over here; do not look at that.” The government treat the committee system in the same way that they treat all forms of consultation—they embrace it if it agrees with their position, and if it does not agree, they just shut it down and ignore it.

I would like to read from my additional comments in the official committee report into the Planning Bill. My recommendation 1 reads as follows:

I recommend that the Bill not be passed.

The magnitude of the amendments suggested by the Planning Committee and more importantly by those who gave evidence at the hearings is such that I feel the only real way forward is to start from scratch in the drafting of a new Bill. The significant lack of reform of the governance arrangements in tandem with the new reforms means the new system is not appropriate and not in the community’s interests. The proposed accumulation of power within a single



authority or office holder and restriction of Assembly oversight risks further decreasing the community's trust and confidence in the ACT's planning system.

Under the proposed arrangement, the Minister and Chief Planner could justify any development as "producing a good outcome" with minimal community input and Assembly or independent oversight as long as it fits within the interests of those decision makers.

As much as anything the absence of an independent review into the governance arrangements of the planning system is the primary reason that the bill should be opposed notwithstanding the fact that such a review is contained in the recommendations within the consensus report. This member is of the belief that the government will acknowledge that recommendation before batting it away.

I would note the debate yesterday involving Ms Clay. I would suggest that there has been some movement forward there, but I am not really sure that it is sufficient.

My conclusion to those additional comments is as follows:

In closing, I believe the fundamental purpose of the Bill appears to be to allow urban infill to occur quickly and easily with minimal disruptions by the community, environmental or other interest groups. The Bill is anti-community and anti-environment and should not be passed in its current form.

Those are my comments to the official report.

I want to speak briefly to some of the speakers who made contributions earlier. Mr Barr spoke today of the years of work undertaken by the government to arrive at this bill. I think, to some extent, that is one of the things that makes this position so disappointing, because there has been so much work which has got us to this point. So much has gone into this bill; we acknowledge that. But we do not believe that we should just pass the bill because there has been so much work. We should not just say: "So much work has gone into this; we cannot undo this. We will just get it through."

What you have come up with here is not a planning bill which lines up with the wishes of the people of Canberra. I would say to Mr Barr: you may call it gentle urbanism—you can call it what you like—but that is not what we call it. That is not what the people of my electorate call it. You call it gentle urbanism. If I were to share with you, Madam Speaker—you have probably had the same conversations—what the people of Tuggeranong call it, I would join Mr Hanson. I would be forced to use words that have been deemed unparliamentary. So I will not be doing that.

I admire the Chief Minister's ambition when it comes to Build to Rent, but I wait to see the actual outcomes. I am still not of the belief that this model will genuinely deliver the lofty outcomes spruiked by the Chief Minister.

As far as the contribution from Ms Clay earlier, Ms Clay straddles both sides of this debate. Her amendments to Mr Cain's motion indicate that she does not trust the planning minister as far as she can throw him. Ms Clay, in her speech, listed as a Greens achievement the implementation of the land tax rebate for renting your property as an affordable rental through a CHP.

I seem to recall bringing that idea to this chamber in a bill. I recall Mr Barr shouting an interjection out to me. He said, “You could drive a truck through this bill,” and he intervened to move to gag the debate, because it supposedly included appropriation of funds. It did not, but the numbers always win in this place. I also seem to remember my bill reappearing in an Andrew Barr bill some months later. Despite the fact that “you could drive a truck through it”, my bill was copied and pasted into a government bill, and of course it was passed into law.

So I am not really sure how Ms Clay can stand up here and say that that was a Greens achievement, in the same way that, for argument’s sake, Mr Davis takes on board achievements of that committee into cost of living as being Greens achievements. I do not think they were Greens achievements, ladies and gentlemen. I do not think they were.

That is all I have got to say about this. We will not be supporting the bill, and we are extremely disappointed that we have arrived at this position in this way.

**MR DAVIS** (Brindabella) (4.50): Good planning is the foundation of a great city. It should provide more quality affordable housing. It should allow people to move around the city easily and decrease our growing reliance on private motor vehicles. It should encourage active and public transport. It should allow our city to grow, while valuing and respecting our natural environment, with an eye to the climate and biodiversity crises.

In 2021 the ACT Greens welcomed the planning review and committed to working towards a new system that would respond to the climate and biodiversity crises, deliver quality development that works for people, deliver more public social and affordable housing, deeply engage communities in how their suburb is developed, protect and strengthen our urban tree canopy and protect green space, be inclusive of First Nations environmental stewardship, ensure integrity and accountability in decisions, and ensure that those decisions happen in a timely manner.

I love this city, as do my constituents in Tuggeranong. I want our planning system to deliver better outcomes for my constituents. I want to see a planning system that makes sure my constituents can live in affordable, quality, climate resilient housing. I want to see those people born and raised in Tuggeranong able to buy their first home in Tuggeranong, empowered to choose between an apartment, a townhouse or a house. I want the same for those in Tuggeranong who are ready to downsize in their own community. I want everyone to see Tuggeranong as a great place to live, a great place to work, a great place to start a business and a great place to play community sport. I want parents in Tuggeranong to be able to send their kids to great schools with quality infrastructure.

I want people in Tuggeranong to have options for getting around their suburbs, be it through owning a car, riding their bike, skateboarding or scootering, walking or catching public transport. I want people in Tuggeranong to enjoy the benefits of a good urban tree canopy, to have access to well-maintained green space throughout their suburbs, and to have cleaner air and cleaner water in Lake Tuggeranong. I want people in Tuggeranong to have access to great community sport facilities and great recreation facilities, like well-maintained skate parks, parks and playgrounds. To ensure all of these things, we need a good planning system.

When I grew up, Tuggeranong was the population hub of this city. In 1996, 90,000 people lived in Tuggeranong, more than in any other region. But in 2016 Tuggeranong's population had declined to 86,000 people. Today it is only slightly more than 89,000 people, but still less than when I was growing up. Meanwhile, Belconnen has grown by one quarter and Gungahlin's population has increased sixfold. Why are people leaving Tuggeranong? I have heard a strong sentiment from my constituents that investment in services and infrastructure in Tuggeranong does not appear to have been prioritised like it has been in other parts of this city.

I want to make this point really clear. Tuggeranong is a fantastic place to live—the best place in Canberra, I reckon. But a good planning system should make sure that nobody draws the short straw on services, housing options and infrastructure because of where they live. I want to see a good planning system that ensures the sustainability of good services for my community, now and into the future. I want to see a good planning system that gets the balance right and supports the needs and aspirations of everybody in the community.

We are fortunate to have so many Canberrans actively involved in this conversation. Greater Canberra calls for more walkable cities, easily connected neighbourhoods, vibrant public spaces and a greater diversity of housing options. The YWCA wants to see a planning system that can deliver an abundance of diverse housing to tackle this housing crisis. The Conservation Council of the ACT provides a valuable and important voice for the protection and celebration of our natural environment. I acknowledge and thank these groups for their sustained advocacy for a better planning system. I regularly meet with local environmental groups, including the Tuggeranong Community Council, to discuss planning issues. I thank them for their ongoing counsel.

A good planning system should be influenced by the cost-of-living crisis and the housing crisis. These are both crises of inequality. A recent Assembly inquiry into cost-of-living pressures heard from numerous stakeholders about how important a good planning system is to improving our city and delivering more and better housing options. The committee heard about the need for more missing middle housing. I hear this raised with me often, in my role as an MLA. That is medium-density housing, located close to services, jobs and public transport, providing more housing options for different families and different living preferences.

Recommendations from that tripartisan inquiry called on the ACT government to acknowledge this ongoing campaign and consider how planning reforms might enable more homes to be constructed within our current urban footprint. Recommendations called on the government to promote the benefits of providing more public housing. The committee recommended several ways to address the housing crisis, including measures to improve the delivery of the Growing and Renewing Public Housing Program, such as speeding up the demolition and construction of public homes and purchasing homes in the private market. A good planning system should enable these things.

The Parliamentary and Governing Agreement between the Greens and Labor commits to at least 70 per cent of urban development occurring within our current urban

footprint. The ACT Greens want to see this increased to 80 per cent so that we can limit endless urban sprawl and protect the beautiful green spaces that make our bush capital so special. The Greens demand a higher standard for our built environment and, in response to ongoing community advocacy, have worked hard in the development of our policy platform and our work in this place to respond to those concerns.

My Greens colleague Minister Rebecca Vassarotti has been working towards this, establishing a registration system for engineers, and is currently in the process of developing a new licensing scheme for property developers to hold them accountable for the quality of properties that they build. These initiatives will complement a good planning system and deliver high quality development that the community can trust.

A good planning system should ensure space for community sports facilities, especially for people in Tuggeranong. The ACT has the highest community sport participation rates in this country. Community sport is an essential element to maintaining a healthy and well-connected community. If we want to maintain these high participation rates, we need a planning system that accounts for this.

Canberra is the fastest growing city in the country. Australians are voting with their feet. En masse, they want to become Canberrans, and can we blame them? A good planning system must account for this growth and ensure that every Canberran, both those here now and those on their way, has what they need to build a good life.

The Planning Bill should deliver this for every Canberran, whether they rent or whether they own, whether they are old or whether they are young, whether they drive or ride or catch a bus, whether they live in Banks, Greenway, Forde or Strathnairn. The Planning Bill should support the work of every part of government in what I hope is a shared ambition to ensure that Canberra develops into an even more livable, sustainable, and well-connected city.

I repeat: en masse, Australians want to live in Canberra. People want to become Canberrans. That is because we are doing something right here. Let's make sure that this Planning Bill continues that good trajectory and allows all parts of government, the community and the private sector to keep doing what they need to do to make Canberra the best place in the country to live.

**MS CASTLEY (Yerrabi) (4.58):** I would like to briefly speak and highlight the impact that lack of planning has had on my electorate. When you talk to constituents, there is no doubt that they are extremely frustrated and feel neglected by this government. As a long-term resident myself, I have felt the impact of poor planning decisions in Gungahlin in particular. I will touch on some of the other suburbs as well.

The feeling in Yerrabi is that we have seen the government attempt many projects that are reduced in size, abandoned or kicked down the road. One of those is the Yerrabi foreshore. That is where I would like to start. It is just one of the many examples. Yerrabi Pond is beautiful. We have a foreshore section, and I would encourage anyone to come. There are restaurants, hairdressing salons, a dog groomer, a lovely African cafe and a supermarket, just to name a few. But the parking in that area is crazy. There are so many residents in the area. People in the electorate want to walk

their dogs and there is nowhere to park their car. The government completed a parking study at the Yerrabi foreshore in 2011. Recommendations were made on how the number of car parks could be increased—27 car parks, in fact—and it was only going to cost \$164,000 in 2011, but the government has done nothing.

Since then, two additional car parking surveys were undertaken, in 2014 and 2015. Still, we have no additional car parks. Following this, in 2019 the government finally caved and did another parking study. This one cost the government \$112,000. Who knows what the cost of the earlier studies were, but surely a visionary government would have spent the \$164,000 back in 2011. It would have helped the businesses that are trying to create a great dynamic there on our water, where people would come for coffee, but it has not happened. It is a continuing disappointment to people in my electorate.

When the government knew how big this area would be, the planning was not there. Like my colleagues, I am extremely doubtful that this planning bill put forward by the government will see the changes that Canberrans need, because there is short-sightedness. The Labor-Greens government are not visionary and have not been visionary for my electorate.

In 2021, Minister Steel moved amendments to a motion that I raised which outlined that the Gungahlin community was eager to see increased community facilities. He noted that there was a particular need for more parking for customer access to support local businesses on the foreshore. Mr Steel noted that access to the foreshore was a priority issue for the government, yet the government have still failed to make the necessary changes after 12 years of studies. This is the big problem that we have. As I said, the government knew how big the area would be, how big Gungahlin was going to grow, yet have chosen not to build the roads and the infrastructure to suit the growing population of Gungahlin. Do better. Mr Barr says that to us all the time. My response is: do better with planning for Gungahlin because the impact is real.

Things are so bad in Yerrabi that we have government backbenchers having to move notices of motion to publicly call on their own government to get their act together and start planning for the future. In Yerrabi, we have heard from most members of the government that Gungahlin is the fastest-growing region in the ACT, yet the government have failed to include the necessary recreational and entertainment infrastructure to provide for young families, kids, teenagers and adults.

I note Mr Pettersson's motion in 2021 calling—in the most watered-down way possible—on the government to maybe look at using the mechanisms available to government to expedite the Gungahlin cinema project, but, of course, no such action has been taken. We still do not have a cinema. I remember talking about it. My son is now 25. We were so excited when he was about three that we would not have to go to Belconnen. I will stick with over 10 years. It is a campaign that has been ongoing for recreational facilities and entertainment, yet the government is incompetent and it fails to deliver these benefits to a growing community.

Mr Pettersson is not the only Yerrabi government backbencher who has called on his own government to act. Who could forget Mr Braddock's motion in 2021 calling on

the planning minister to report to the Assembly every three months on town centre planning and to develop a strategy to actively encourage employment in the Gungahlin town centre. In the build-up to the debate, Mr Rattenbury weighed in, saying:

It is evident that there are significant planning challenges in Gungahlin town centre. The community has repeatedly asked for green space, community facilities, and commercial opportunities to build a more viable place ...

That debate was cut short and adjourned, despite fiery words from the Greens. Instead, it seems that, yet again, there has been another term of the Labor-Greens government with lots of noise about planning in Gungahlin, followed up with little action.

Mr Gentleman responded to the issues raised by Mr Braddock through a petition. He raised the Gungahlin District Community and Recreational Facilities Assessment and how this community consultation aimed to determine current and future demand for community and recreational facilities and identify gaps in provision. A report outlines nine areas where the government have identified gaps and further investigation. Amongst these is a youth centre, and multipurpose indoor courts and outdoor courts for basketball and netball. Where is the planning for these facilities? Why does it take this government so long to act on their own information that they pay a lot of money for? How long must people who live in Yerrabi call for more recreational facilities before this government deliver?

Also, in response to this petition, the minister announced the government will develop an employment prospectus for the benefit of Gungahlin and the town centre to support further economic development. I and the businesses that I have spoken to in my electorate would be interested to know if there has been economic development or benefit analysis for businesses in the area, because I have not seen any.

As shadow minister for business, I talk to many businesses in the area, and their frustrations and struggle with the planning system are huge. Commercial spaces in Gungahlin are too small to make some businesses viable. I have talked about the Gribble Street businesses. There is no parking in that street. The residents park on the street. Shoppers are going elsewhere. There is a more eloquent way to put that, I am sure, but people cannot park there when they need to do their shopping at the grocery shops and fast-food takeaway places.

It is just not good enough. We feel left behind. As I said before, the government knew how big we would be and how many apartment blocks were going to be put in the area, and we are struggling. The government needed to be more visionary. The people of Gungahlin deserve it.

Let us think about Gwydir Square in Kaleen. That shopping centre was built in the 70s. There has been no upgrade since then. The school just across the way has doubled in size, yet there have been no upgrades to the shopping centre. The minister was doing an upgrade and we asked for more toilets and extra car parks. The toilets still do not work. This speaks to the overall planning of a shopping centre from the 70s with no planning for the growth of the local community.

**Mr Cain:** Shame.

**MS CASTLEY:** It is a shame. Thank you, Mr Cain. Residents tell me they avoid Gungahlin Town Centre because it is so hard to get in and out of. Now we are fearing the same thing in Casey. I challenge any one of you: pop out to Amaroo shops at around 5 o'clock at night. It is the same: one road in, one road out. I asked the minister a question about Kenny High School—that a road needed to be adjusted or something like an inroad needed to be added—and the response was, “We are not going to do the whole road at the moment. Even though we know the school will grow and there will be more suburbs, we are just going to do a little bit for now.”

It is short-sighted, and I am so frustrated for my electorate about this. We are going to have more roadworks down the track that cause problems for parents getting their kids to school and to work on time. I know. When I first moved to Gungahlin years ago, everyone was saying, “There is one road in and one road out.” That is anecdotal and locals joked about it, but I had to get my kids from Ngunnawal to school on time and out through Horse Park Drive. Oh, my goodness. It took years for that to get started and years for it to be finished, and it is still really difficult. I knew someone who was moving house and they said, “We will not move to the other side of Gungahlin Drive. We cannot do it. We cannot afford that time.” These are significant issues from real Canberrans, real voters.

People in the suburbs where I have been door-knocking are clear that they do not want high densification because it has such a negative impact on those town centres, those shopping precincts that we have. On 25 February, the Gungahlin Community Council issued a statement on the inquiry into the planning bill, saying:

The GCC had hoped the Reformed Planning System would identify, enshrine, and defend the needs and interests of the community against the expertise, resources, and commercial intent of the development industry, and (potential) short-term decision making and lack of investment by government.

More importantly, we hoped the process of reform would restore trust in the Planning System. To do this we expected the reform would be collaborative, allowing the community to understand and be part of the change, rather than being a victim of it ...

The Combined Community Councils of the ACT, in a recent media release, stated:

Reasonable people can accept decisions they may not agree with that are made through good process, but the CCCACT believes they will not accept them if the process is not transparent. The Government runs the risk that the processes prescribed in their Planning Bill will not be regarded or accepted by the Community.

They went on to say:

The Planning Bill should not be considered by the Assembly until all the relevant parts of the legislation (Territory Plan, Explanation of Intended Effects, Design Guides and District Strategies) are available and have been comprehensively discussed with the community.

I have no confidence that this planning bill will meet the desperate needs for recreation and entertainment infrastructure. Recently, a *Canberra Times* report questioned whether this government will be able to complete one of the few recreational facilities that it has announced, the Throsby Home of Football, in our electorate, unless it receives federal government funding. It is another blow for Yerrabi and for the kids that want to play football and grow in the community.

This will not address the needs of businesses and young families through parking, suitable roads and opportunities. They have talked about these issues for more than a decade. The people of Yerrabi have been clear in their complaints about the abysmal planning system. Locals say Gungahlin is a place you eat and sleep. As I have pointed out, members of the Labor-Greens government have acknowledged their own failings through various speeches, but that is all they have done. It is talk and no action. I could go on outlining individual failures. There are so many other planning concerns. My Gungahlin did a bit of a survey, “Which is the worst intersection in Gungahlin?” and the responses were: “What? Just one?” It is a problem. I am telling you it is a problem, and it is not good enough.

I will not go on any further. I will wrap up by saying that the planning bill was criticised for its lack of transparency and failures, and studies, reviews and strategies that cost hundreds of thousands of dollars to create and end up delivering nothing. The Canberra Liberals believe that, with this bill, it will be no different. I and my colleagues will not be supporting the bill.

**MS VASSAROTTI** (Kurrajong—Minister for the Environment, Minister for Heritage, Minister for Homelessness and Housing Services and Minister for Sustainable Building and Construction) (5.11): I rise to speak about the Planning Bill. Urban planning is important. It shapes our physical environment, it guides how we engage and move through places, and it creates a framework for the places we live, work and play. It contributes to our sense of place and belonging. It can enhance or, alternatively, negatively impact on our health, wealth and wellbeing. It can connect or isolate us.

The way we shape our city has never been more important. The decisions that we make now will stand for decades. As we face a climate emergency, a biodiversity crisis, a housing crisis, and an increasing inequality crisis, it is vital that we have an urban planning system able to engage with the challenges that we face now and those that we will face in the future. We must plan for a city that responds to a climate that will be warmer and dryer. We must ensure that we design a city that remains liveable for all of us and translates our aspirations as a connected, caring and progressive community.

The issue of planning is sometimes a contentious one in the ACT. While most people do not think about it day to day, many people have an experience of planning, either as they have tried to engage with the system or as they have reacted to a proposed planning decision that may impact on them. Planning impacts on our lives every day—where our houses are built and how close we live to public transport, services and nature. It can impact on the accessibility and affordability of our housing and our ability to access community facilities and be more connected. The Canberra community rightly has high expectations about the quality of design, the providence of our planning history and the need to be a modern contemporary city.



In the lead-up to the 2020 election, the ACT Greens had many conversations with the community about areas where the current planning system was not meeting expectations. We were very clear in our agenda about how we needed to improve the current system. Key issues that we cared about and were reflected in the discussions that we had with community included the need to better embed the policies of government around responding to climate change and environmental protection, as well as social connection and equality—how we ensured that our planning system delivered on things such as affordable housing.

We saw problems with the way that community engagement was built into the planning system and we saw too many examples of a system that incentivised mediocre outcomes due to only building to rule—the lowest common denominator. We saw a system that was often forced to approve development that was out of step with community expectation—never more illustrated than by the need for the Assembly to legislate to ensure that an inappropriate development did not proceed in Fyshwick at the beginning of this term.

The process to get here has not been easy, and it was not always the case that I could have stood here, in this place, and signalled my support for the proposed bill. Indeed, when the original bill was tabled, I and my Greens colleagues left cabinet as we were unable to support a bill that we believed fell way short of our expectations and community expectations about what was needed in a new planning system.

However, some of the really important scrutiny and analysis that occurred has changed that. I would like to commend the work of the Assembly's Standing Committee on Planning, Transport, and City Services for the excellent work that they led around the Assembly inquiry. In a short period of time, they were able to analyse the bill, engage with the community and provide clear guidance to the Assembly on the issues that needed to be addressed to give confidence that a new bill would result in improved outcomes.

Their 49 recommendations have guided our approach, not only to amend the bill but also consider other elements that, while sitting outside the bill, needed to be addressed. Amendments that will be presented through the debate of the bill provide significant enhancements to the original bill. They embed climate resilience and environmental protection into the objects, principles and criteria for the decision-maker. They recognise the importance of ensuring the planning system engages with the issue of housing affordability. Amendments also strengthen decision-making, enhance transparency and protect appropriate review. They improve community engagement and consultation mechanisms. They provide clarity about the importance of instruments, such as the design guides to direct decision-making.

The ACT Greens have not taken the lazy path of just saying no. Instead, we have worked to look at the key issues and worked to ensure that any new planning legislation is better than what is in place now. Since my election to the Assembly and taking on the role of Minister for the Environment, I have actively engaged on planning issues as they pertain to environment protection, climate resilience and living infrastructure. I have also worked hard in my role as Minister for Homelessness and Housing Services to champion social, public and community housing and ensure that our planning system can support our aspirations of an inclusive city.

I have been clear about the interconnected nature of these issues and the need to find solutions that do not see one crisis solved by trading off another. I am proud of the work that has already been undertaken by my ACT Greens colleagues and myself to enhance the status of environmental values and infrastructure through variations to the current Territory Plan. As we work through the overhaul of our planning system, we are continuing to ensure that these advances are consolidated and further developed. While elements of this work can be seen in the Planning Bill and its amendments, this focus will be key in the next phases of the project—particularly how they are embedded and protected in the Territory Plan and its associated documents.

Introducing an entirely new planning system is a large and complex task. It is challenging to get the balance right between releasing all the documents at once and overwhelming the community, or releasing them in a staggered fashion to avoid that, but then having the anxiety that we cannot see the whole system at once, and allowing enough time for the public service to learn from commentary and feedback and refine the documents as they go.

We are working hard to get the bill to a place where there is a strong foundation and a framework for the new system. It is vitally important that we have the architecture of this system settled in order to understand how the different parts work. For instance, amendments that we will debate in the next stage of this Assembly debate will determine the statutory status of instruments, such as the design guides, and the weight which decision-makers must place in them when making decisions. This makes a big difference in our level of confidence—that, while we move to an outcomes based system, it is clear that it is not a ruler system or one where anything goes.

While significant, the passing of the bill is only one step in implementing a new planning system. A new act cannot be fully enlivened until we finalise the interim Territory Plan and its associated documents. When it comes to the Territory Plan and district strategies, by bringing in the Territory Plan as an interim plan, there is an opportunity for the Assembly to choose to inquire and for the community and the planning authority to learn by doing. This is a critical part of implementing a new policy, particularly when there are such big changes, as this one is.

As the Minister for the Environment and Minister for Heritage, and with policy responsibilities around living infrastructure as the Minister for Sustainable Building and Construction, as well as Minister for Homelessness and Housing Services, I have been engaged deeply in these proposed planning system changes. As I have noted, we are not taking the lazy route of just saying no but have sought to work deeply to ensure that a new bill will improve things. We have sought to see significant positive changes to ensure that we have a climate-ready, net-zero, sustainable, inclusive, equitable, green and liveable city.

**MS LAWDER** (Brindabella) (5.21): I rise today to speak on the Planning Bill 2022 as it relates generally to my electorate of Brindabella. This proposed legislation and its accompanying documents, such as the draft district strategies, have caused me to reflect quite a bit on the past, the present and the future of planning in Tuggeranong.

The way the documents stand at the moment, I am reminded of an old Irish joke. A hopelessly lost tourist asks an old man by the side of the road, “How do I get to Dublin from here?” The old man thinks for a few minutes and then says, “Well, I wouldn’t start from here, if I were you.” That is pretty much how I feel about this Planning Bill and the accompanying documents. I do not believe that we are going to get the outcomes that we, the community, are looking for from this proposed legislation and documents.

I know—and I think others know too—that Tuggeranong is the most beautiful part of Canberra, with its rolling hills, the views of the Brindabellas, its close proximity to parks and nature reserves, and, of course, Lake Tuggeranong. The natural environment is one of the most treasured aspects of living in Tuggeranong. That is what I hear from people down south. The draft district strategy drafters have heard the same types of things. They have said that what residents value about Tuggeranong includes its well-designed layout and landscape character from the original National Capital Development Commission’s plan; the mountain views, the bush setting and connections to green, open and natural spaces; Lake Tuggeranong and the Pines; and the connections throughout the district provided by cycle and walking paths.

While there is much to love about living in Tuggeranong, residents also have a lot of concerns about the future of the region. We see in the documents the future vision for Tuggeranong. It includes light rail—or the tram—along the Athllon Drive corridor, as a location for jobs, shopping and services. It states that water quality problems would be a thing of the past. These are admirable items in a future vision, but I wonder whether, at this point, some of these, if not all, are more like a fairy tale.

Tuggeranong currently has a low share of employment. For the future of Tuggeranong, this is a real concern. Regarding economic access and opportunity generally, the town centre and tram corridor is one of the lowest future additional jobs areas identified in the district strategies. The lowest is Weston Creek, but if you added together Weston Creek, Woden and Molonglo—which is the way we often think about that Woden-Weston area—their potential job growth far outstrips Tuggeranong; it is four times more.

Tuggeranong currently has 20 per cent of the population but only an 8.7 per cent share of employment. According to the current planning regime here in the ACT, we are going to have a dwindling share or proportion of the ACT’s population. While there will be a small overall growth in the numbers, as a percentage of the ACT’s population it will be dwindling. What is that going to mean for the future of our businesses and services down there in Tuggeranong?

Another thing in the district strategy that is highlighted—one of the five key drivers listed in the strategy—is to reduce car dependence. Earlier today we talked a bit about this in relation to active travel. People are concerned in Tuggeranong about the Labor-Greens government’s ideological push against cars. The draft district strategy says:

The dispersed and suburban street layout of Tuggeranong and wide road corridors mean that enhancing connectivity for active travel can be difficult and that the district is generally more car dependent.

Recently I read Canberra historian Jenny Horsfield's book *Voices Beyond the Suburbs*. In it, she sums up the original intent for the development of Tuggeranong, as depicted in the town planning documents. She says:

The town was to be part of a modernist vision of the young capital, with the valleys and new suburbs connected to the rest of the city by a freeway stretching from south to north. It was a layout based on the ideal of private transport and high car ownership, with citizens commuting to work and then returning to their life in pleasant, low-density neighbourhood units—a mid-20th century ideal of living.

Residents choose to live in Canberra for a range of reasons—the opportunities, for example, that a capital city can bring them. But people have chosen Tuggeranong because of the suburban, quieter neighbourhood and the bigger, wider open spaces. Labor and the Greens should respect those individual choices and not attempt to remove that choice in order to appease their own ideological ideals.

Another concern raised with me—and it is touched on in the draft district strategy—is about accessible community amenities and local shops. Residents want to be able to walk down to their local shops for a coffee in the morning or be able to stop at their neighbourhood shops for milk or bread or something to eat on the way home. However, for many residents, that is definitely not the case. I have repeatedly advocated to the government about local shopping centres, and the abandoned ones throughout our neighbourhoods. There has been no improvement or strategy on this issue. The draft district strategy says:

All residents in Canberra should be able to walk to a group or local centre where they feel welcome and safe and can find basic goods for day-to-day living.

For residents in suburbs such as Fadden, Richardson, Monash and Bonython, this is not an option. They do not have local centres and are some kilometres from these types of facilities. Whilst the strategy says they will try to provide targeted interventions to address declining group and local centres, I fear this will be too little, too late.

As an example, I picked five homes in Tuggeranong. To get to the shops from Sparkes Close, Fadden, it is 2.8 kilometres to Erindale, 3.3 kilometres to Chisholm or 2.7 kilometres to Gowrie, and it is quite hilly. From Delprat Circuit, Monash, it is 2.8 kilometres to Erindale or 1.3 kilometres to South.Point. From Gurr Street, Calwell, it is 1.3 kilometres to Calwell shops and a hilly 2.7 kilometres to Theodore shops. From Clem Hill Street, Gordon, it is 1.8 kilometres to Lanyon Marketplace or 1.8 kilometres to the little Gordon shops, where Little Luxton is. From Henry Melville Crescent, Gilmore, to Chisholm Village is 1.5 kilometres.

Some people might think that is not very far, but if you have three little kids with you, if you have got shopping to take home, if you have got a mobility device of any kind, or if you have bad knees or ankles or hips these are distances that preclude you from getting your cup of coffee by walking there in the morning, or from getting something on the way home and walking back from the shops. It is many kilometres for residents to access local shops.

Tuggeranong has the highest rate of separate or detached houses in the ACT. The average in the ACT is 62 per cent; it is 82 per cent in Tuggeranong. Again, this is one of the things that people in Tuggeranong like best about the area. There is an ongoing demand for separate housing. Potential future housing demand, based on recent population projections, shows that the growth will be only in medium density and high density areas. There will be no additional detached house growth. How is this providing more choice? How is this enabling young people to get a first home owner grant?

Similarly to the local shopping centre, community facilities such as libraries and swimming pools are difficult for many Tuggeranong residents to access easily. There is low access to community facilities in much of Tuggeranong. Most of those community facilities are in the north and the west. The eastern and southern suburbs have little access. That is according to the draft district strategy. Furthermore, many of the facilities are ageing and in need of an upgrade—things like libraries and swimming pools kilometres away from where residents live.

Importantly, I think, the community councils have all come out against this legislation. My colleague Mr Cain has identified many of the reasons and will talk further about that in the detail stage. I hear a myriad of concerns from residents. The Tuggeranong Community Council, for example, has expressed concern that the Tuggeranong Draft District Strategy does not represent the character of the district—in other words, as I read out earlier, what Tuggeranong residents value about Tuggeranong. In their submission they note that the Tuggeranong Homestead, a nationally significant heritage facility, is included in the key sites and change area at Calwell group centre. They say that residential development in the homestead and surrounding open space is not appropriate and that it definitely should not be considered as a change area.

I note that a few weeks ago the Minister for Heritage came out and said, following community backlash, that the homestead will be protected by heritage rules. The fact that it is marked in these documents for potential development is a real concern and has caused some concern amongst Tuggeranong residents. It seems like one of those cases of the left hand not knowing what the right hand is doing. Who is going to win that battle? How can you trust them? How can you trust what they say? That is the concern. Who is going to win that battle: planning, development and dollars for the government, or heritage? It remains to be seen.

Additionally, as the shadow minister for the environment, I am worried about how this legislation will impact our bush capital. In their media release on 30 May the Combined Community Councils of the ACT stated:

The Bill does not include the human right to a healthy environment or mandatory rules for Development Application assessment against the Territory Plan relating to access to sunlight, planting area for deep-rooted trees and other vegetation, private open space, and adherence to the Heritage Act in relation to natural, cultural and built heritage sites and precincts. This threatens the Garden City principle that is highly valued by residents.

That is from the Combined Community Councils. Earlier this year there were some engagement sessions held. I went to one of these at the Erindale shops. When I say

“engagement sessions”, I did not feel especially engaged because it was a table out the front of the Erindale shops where you could write comments on a postcard. The two people who were staffing the stall could not or would not answer any questions, provide any clarification or engage at all in discussion. They said that all they were there for was to take written comments on the postcards.

I know these were called engagement sessions, not consultation, because we all know that consultation is a dirty word for this government. People know that by “consultation” they mean: “This is what we are going to do. We are going to come out and tell you about it. Too bad what you say; we are not going to change it.” So they come up with a shiny new phrase: “engagement sessions”. Is that what engagement means: taking a postcard of comments? There is no feedback for the person who has made those comments; no answers to their questions. It is not the way that this type of thing should be handled.

I fear that this legislation that we are talking about, and the associated documents, will threaten what south-side residents love most about living in Tuggeranong. Minister Steel said that you cannot please all the people all the time, or words to that effect. The thing about this particular piece of legislation and the associated documents is that it appears that it pleases no-one. It appears that no-one is happy with this draft Planning Bill, not just that you cannot please all the people all the time.

The legislation also causes great concerns with regard to parking. We already have issues with parking near apartments and units around Lake Tuggeranong. Areas that should be grassed are mud because residents in the nearby units have nowhere else to park. Some of the discussion on this legislation has been that there will be further changes to parking, and this is quite concerning to people. I think the legislation fails to put community at the centre of the planning process. For that reason, and the many others that Mr Cain has outlined, the Canberra Liberals will be opposing this bill.

**MS DAVIDSON** (Murrumbidgee—Assistant Minister for Families and Community Services, Minister for Disability, Minister for Justice Health, Minister for Mental Health, Minister for Veterans and Seniors) (5.35): Madam Speaker, discussions on planning reform are a crucial part of conversations about how we as Canberrans want the future of our city to look. We in the ACT Greens realise that as our city grows, we want to maintain the high quality of life we enjoy in Canberra. That means finding smart and sustainable ways to meet the needs of a growing community whilst protecting our environment and quality of life so that future generations of Canberrans can enjoy them too.

We are facing intersecting crises—a climate emergency, a biodiversity and extinction crisis, housing affordability pressures and cost of living demands. We need to find solutions to all of these crises together, and I am hopeful this planning debate and the amendments that will be discussed will enable us to look at these issues in an interconnected way. This is why I will be supporting my colleague Ms Clay’s amendments to the Planning Bill.

The ACT Greens are calling for greater environmental and biodiversity protection to be embedded into our planning system. This includes adapting to and mitigating the effects of climate change. We know many in the community share our concerns about these environmental values and share a love of our bush capital.

The ACT Greens are calling for a planning system which delivers affordable housing for Canberrans. We know that our city is growing and we need more housing and infrastructure to meet our population's needs. The ACT Greens believe that a high-quality infill development can bring many benefits and is a positive alternative to endless urban sprawl. However, we do not just need more housing; we need more affordable and accessible housing, and we need this close to public and active transport corridors.

The ACT Greens will seek to strengthen the principles of good community consultation. We recognise those directly affected by development, such as nearby residents, need more direct engagement than others. It is so important that the consultation process empowers Canberrans to be informed and allow sufficient time to provide feedback on designs in a meaningful way.

I know that the community is really engaged in the planning bill and what this means for the future of Canberra. Over the past few months I have met with or heard from a number of representatives, including from community councils from my electorate of Murrumbidgee, to better understand their concerns regarding the Planning Bill and the Territory Plan and district strategies relevant to their local area. Being the beautiful patchwork quilt electorate at the heart of the ACT, my electorate of Murrumbidgee provides some really good examples of the diversity of issues this Planning Bill needs to address.

The ACT Greens have been listening carefully to the community. We will not pass a bill that we do not think is good enough. This is the reason we stepped out of cabinet. It is important that we get this right. It has been a long hard road and the destination has not yet been reached. I look forward to seeing Ms Clay's amendments as well as feedback from the community in a detailed debate.

**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) (5.38), in reply: I would like to thank members for their contributions to the debate today and over the many months that have led us to this moment.

The debate today has been a long time coming. A planning system review and reform project started in the previous term of government and has been underway for years. The passage of this bill is an important milestone in this reform process. It means we can proceed with creating the structure and the documents that establish the new outcomes focused planning system.

When I introduced this bill in September last year, I described it as a significant step forward for planning in our city. Today, and over the coming weeks, we will continue to progress these reforms as we step closer to the new system.

This bill is a result of a comprehensive review of our planning system and many years of hard work. The Planning Bill 2022 was presented to the Legislative Assembly on 21 September 2022 and referred to the Standing Committee on Planning, Transport and City Services that same day. I would like to acknowledge the work by the committee and thank it for its report, which was released on 22 September 2022.

The government responded to the report in April 2023, with the majority of the recommendations agreed either in full, in part or in principle. I will run through the amendments to the bill that are being proposed by the government today that give effect to matters raised by the committee in its report. But first I would like to acknowledge the considerable work that has been undertaken to get us here today.

The bill creates a legislative framework for the new planning system. It seeks to create a modern planning system that is accessible, easy to use and delivers improved planning and development outcomes across the city. The bill is a culmination of a comprehensive review of our planning system, including extensive consultation with the local community and industry. It delivers a spatially-led and outcomes-focussed planning system, with a greater focus on strategic planning and spatial direction for the territory at different scales and improved built form outcomes.

We want to further improve and modernise the way we plan for the future in light of the new challenges faced by cities around the world, including population growth and climate change.

The bill effectively balances the needs of users of the planning system with the broader expectations of the ACT community. It has a number of key elements, including an outcomes focused encouraging design planning results and having proponents think about how the proposal can contribute to the wellbeing of Canberrans, rather than proscribing how things need to be done using inflexible metrics; a principled approach to planning, providing a benchmark to provide guidance for how planning and development should be undertaken; and a focus of consultation with interested and affected parties as well as professionals across a range of planning and other areas of expertise.

I would like to acknowledge the work of the Standing Committee on Planning, Transport and City Services in their inquiry into the Planning Bill 2022. The committee made a number of recommendations which have been carefully considered by government. The government has made amendments to the Planning Bill 2022 to give effect to those issues raised by the committee that were agreed by government. We will also be making minor and technical changes to reaffirm the government's commitment to the design and implementation of a modern, outcomes-focused planning system.

I will now turn to the amendments in more detail. The views of those within our community in the development process are valued and will assist in achieving great outcomes under the new planning system. The government is proposing to amend the bill and the planning regulations to include a two-stage notification process for significant developments.

The first stage will involve consultation for 20 working days to enable community to provide their views on the development proposal as submitted. Following the first stage of notification, the applicant will need to provide a response to public comments and an entity advice received. The second-stage notification will begin once a response has been received by the applicant. The proposal and response will then be notified for a further 10 working days so that the community can view and comment on the applicant's responses.



This two-stage process for significant development will provide an opportunity for extended consultation and increase the accountability for proponents to the consultation process.

This process replaces the pre-DA consultation process that occurs in the current system. We know that this process is not working as intended, because there is little scope to hold proponents to account on their early consultation work. This new process maintains the important elements of community consultation on significant development, while also making proponents more accountable to the process. We heard in the committee inquiry hearings how important this consultation is for both industry and the community, and I think we have reached a really good outcome with this new process.

The government is further enhancing its commitment to housing affordability by including housing affordability principles in the principles of good planning. This will make sure that planning strategies, plans and policies will support the delivery of reforms that improve housing access, affordability and choice to support more housing options for people who have low incomes.

I have also announced previously the government has included ecologically sustainable development at the heart of the Planning Bill. This will encourage proponents to maximise economic, social and environmental values when making decisions and framing proposals under the legislation.

The government is proposing a further change to the way the bill defines “ecologically sustainable development”. Following feedback, the government will remove the word “growth” from the definition to focus on the achievement of economic prosperity, rather than economic growth and prosperity.

I have also announced previously that the bill encourages planning decisions to consider the knowledge, culture and traditions of traditional custodians. We are proposing to further give effect to our recognition of traditional custodians by including a new section in the bill and regulations that exempt Aboriginal land management practices from requiring development approval.

The government is also proposing to give greater prominence to design guides. Design guides provide suggestions for development proposals to encourage better and best practice planning outcomes. The design guides are intended to improve the planning and design of streetscapes, public spaces and residential developments, and to protect and enhance biodiversity.

The guides will facilitate better design outcomes by providing benchmarks for designing and assessing how development responds to key themes. These will need to be considered where relevant as part of the development application and assessment process.

The government is also proposing to amend the definition of “high quality design principles” by adding that development should also provide appropriate solar access. This acknowledges that, as the community increasingly turns to renewable forms

of energy, a person's access to solar energy is not unfairly limited by a development proposal.

The government is proposing minor changes to the framework for strategic and statutory planning to clarify when a planning report and response report must be prepared to support proposed changes to strategic and statutory planning. These changes will aid users of the legislation by improving the readability of the legislation.

Finally, in relation to the bill, several minor technical changes have been made to correct dictionary definitions, minor drafting edits and to provide further clarity of the policy intent of various provisions of the bill.

I announced previously that, under the new legislative framework, we propose to have two planning regulations: a general regulation that will provide thresholds for the application of processes under the bill and administrative details to support the provisions of the bill; and an exempt development regulation that will provide regulation to allow various low-risk developments to occur without development approval. The Magistrates Court (Planning and Development Infringement Notices) Regulation 2008 is also being worked on.

For the benefit of the many people who are interested in engaging in this process, I am going to take this opportunity to update the Assembly on the next steps for the implementation of the new planning system.

The planning system has three major components: this bill, the new district strategies and the new Territory Plan. It is important that the bill passes the Assembly first, because it is needed to allow the government to finalise these other two components. The majority of the bill will not be commenced until later this year, in order to allow for these components to come back before the public. We will be making changes to both the Territory Plan and the district strategies, but these cannot be finalised until the necessary sections of the legislation are commenced. That is why we have done things in this order.

The next steps, once the bill passes, is for the Territory Plan and the district strategies to be finalised by government. We will do this in the next month. The Territory Plan will come back to the Assembly to consider before it takes interim effect under the new system in September this year and our new system commences proper.

I expect the Standing Committee on Planning, Transport and City Services will then take the opportunity to scrutinise the Territory Plan. For this reason, it will be an interim plan that commences, and the government will not finalise it until the committee has scrutinised the plan.

I will leave it, of course, to the committee to decide what form this scrutiny will take. But, whatever it is, I trust they will do an excellent job. They did so with their inquiry into this bill, and their scrutiny role remains equally as important for this next step.

I will have more acknowledgements to make as we move into the detail stage of the debate on this bill. But, for now, I will just say that this has been an effort on a monumental scale from many, many people. It is a privilege to be able to progress this

hard work into law, and I am very proud of what we have been able to manage to achieve. Together we are planning for the future of our city.

In summary, the government amendments effectively balance the needs of users of the planning system with the broader expectations of the ACT community. Those amendments I mentioned enhance the bill's ability to support Canberra's growth, while maintaining its valued character, to respect our environment and heritage values and to acknowledge the important contribution that traditional custodians make to planning in the ACT. The new system will realise long-term aspirations for the growth and development of Canberra, while maintaining the valued character of our city.

I commend the bill to the Assembly.

Question resolved in the affirmative.

Bill agreed to in principle.

### **Detail stage**

Clause 1.

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

### **Adjournment**

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

That the Assembly do now adjourn.

### **Reconciliation Week**

**MRS KIKKERT** (Ginninderra) (5.51): This is Reconciliation Week. As I have said before, truth telling is essential to reconciliation. Nothing improves until we accurately understand the reality on the ground.

On this point, I was disappointed this morning by Mr Gentleman's ministerial statement on correctional services. The statement includes some data but omits other data. It also includes some incorrect data. For example, the minister said that the recidivism rate of Aboriginal and Torres Strait Islander detainees has increased to 77.4 per cent when measured based upon returning to prison or a community sentence within two years of release. That is true, according to the Productivity Commission. The minister then stated that this is the second highest rate in the nation, behind New South Wales, at 72.8 per cent.

Naturally, I went straight to the report to double-check this figure for New South Wales; it is also correct. Clearly, 77.4 per cent in the ACT is higher; and, therefore, worse than 72.8 per cent. This means that, on this measure, the ACT is doing worse than all other Australian jurisdictions. I strongly suspect that this incorrect statement was an honest mistake, but it paints a false picture.

Data from other sources not mentioned by the minister helped to paint a more complete picture. For example, the Bureau of Statistics' latest *Prisoners in Australia* report shows that more than 87 per cent of Indigenous detainees in the AMC have previously been imprisoned. The same report shows that Aboriginal and Torres Strait Islander people in the ACT are locked up at a rate more than 20 times greater than non-Indigenous people—the worst ratio in the nation. Clearly, much needs doing.

Minister Gentleman stated this morning that the government is committed to addressing over-representation of First Nations people in the criminal justice system as a matter of priority. That is a nice-sounding statement, but where are the outcomes to match?

Under the topic of outcomes, three weeks ago I spoke about a protest march that organisers called a “voice for the dead and failed”. As I mingled with participants, I repeatedly heard the same thing: essential services in the territory are not culturally competent and are letting Aboriginal and Torres Strait Islander people down. Health minister Stephen-Smith and mental health minister Davidson might disagree with that statement; but, on this matter, I am inclined to believe the voices of Indigenous Canberrans over the words of Labor and Greens ministers.

One who participated in the march was Kristen Franks, a Ngunnawal, Ngambri and Dharawal woman, who runs the largely self-funded Mental Health for Mob. Today I want to publicly thank her for helping to fill the gap by providing a culturally safe place to heal. As she has said:

To us, identity is at the core of who we are. Connection is what we crave, and if we feel that we do not have that in a room, we are never going to be truly comfortable enough to heal.

I sincerely wish Kristen the best. Her efforts are very beautiful. I conclude by reading a poem titled *The Beauty*, shared by my friend William “Billy T” Tompkins, a member of the Stolen Generations Council:

I see all beauty, I see it all around  
 I see and feel it within, in the air and on the ground.  
 Beauty comes in all shapes and sizes, colour and stance.  
 Beauty is the beholder when I see it at first glance.  
 A beautiful heart spreads its love, you feel the warmth on touch.  
 Finding beauty in all its glory, is always half your luck.  
 Life is so beautiful, do not hide it or put it to waste.  
 Live your life to the fullest before it becomes too late.  
 Our eyes are the entrance when butterflies start to flow.  
 When beauty catches you unawares and your face begins to glow.  
 Hearts can break and hearts can mend, that is the beauty of life.  
 Beautifying your inner soul, the beauty of your light.

Thank you, Billy.

## **Sport and recreation—skate parks**

**MS DAVIDSON** (Murrumbidgee) (5.56): Madam Speaker, I am once again asking for your patience as I speak about the need for community sports facilities in my electorate of Murrumbidgee. My colleague Mr Davis has been calling for a long-term strategic plan and a detailed facilities management plan for grassroots community sports across the ACT since April 2021.

Mr Davis can assure you that I am a keen supporter of many community sports, especially women's cricket and contact sports. But one sport that I am particularly interested in is skating. Every summer, I try to get some extra skate time in at skate parks around the ACT, and I can tell you that some are in greater need of maintenance than others.

Woden is one of my favourites for its diversity of obstacles and features, particularly for roller-skaters. Belconnen is similarly good, but it is a long way to go for a quick session. Gungahlin, by comparison, could do with a greater diversity of skate features and some resurfacing work, and Weston skate park is similar. Tuggeranong has better views than Weston; but, again, it could do with some serious upgrade work. There is also the issue of ensuring that maintenance is kept up for the small neighbourhood skate parks, like Fadden, where I have had what I think is my most hilarious ramp fail so far, even if it did leave a few bruises.

I am very pleased that there is an Assembly committee inquiry into skateboarding and skate park facilities across the whole of the ACT, including accessibility of skateboarding and skate parks across the community, skateboarder safety and welfare, skate parks, including planning and maintenance, skateboarding and skate park history, the relationship with other cultural activities, like music and visual art, and any other related matters.

Something that I would love to see talked about more is how we make our streets more skate-friendly, so that skating is something we see across our local neighbourhoods. Instead of installing skate-stoppers, we could have street furniture that is durable and fun to jump or grind across. It means we can activate spaces at times when they are otherwise isolated.

This would help us in creating an inclusive, welcoming Canberra community. Every time I go to the skate park, someone I do not know wants to share tips or talk about a trick they have just mastered. I know that if I stack it, someone will pick me up. There is absolutely a positive, vibrant relationship between music and art and skate culture.

Thanks to groups like Canberra Skateboarding Association, there are more girls, there are more kids from diverse cultural backgrounds and there are more young people from low income households learning how to skateboard. There are young people with disability in the Shredabilities program at Abilities Unlimited Australia who are learning to skateboard. I have worked with kids learning to skate roller derby in the past, with Canberra Roller Derby League, and I know Mr Davis will be very happy to hear that their team is called the Prime Sinisters!

I encourage anyone in our community who is interested in skate culture and in skateboarding facilities in the ACT to participate by completing the online survey or by making a submission by 23 June.

### **Multicultural affairs—events**

**MR CAIN** (Ginninderra) (5.59): I would like to take you on a bit of a journey with me to recount some of my multicultural adventures of the last few weeks. Of course, anyone present or watching online is invited to join me.

On the weekend, it was a delight to join the 60th Anniversary of Africa Day celebrations at St Monica’s school hall, just down the way from my home. On 25 May 1963, the Organisation of African Unity was formed, not long after being renamed the African Union. It was a delight to accept the invitation of Dr Yvette Poudjom Djomani from the African Australian Council ACT to attend. I could only make it for about an hour that afternoon. It was an afternoon program of drumming, costumes being displayed, language being expressed, obviously food—sadly, I missed out on that—and some musical presentations as well. It is really wonderful to see our African community celebrating a day that reminds them that they can be one together. Being one together is a really worthy goal for every part of our community—to see us as one Canberra, for example. It is wonderful to be part of a group that is celebrating unity. Unity is obviously what we all long for. The motto for this year’s Africa Day celebration, the 60th anniversary, is “Our Africa, Our Future”.

As a bit of contrast, on Sunday afternoon—a very cool day—I was at the top of the Arboretum, near the Wide Brown Land sculpture and the Himalayan cedar forest picnic area, to commemorate the 70th anniversary of International Everest Day. That was primarily with the Nepalese community in Canberra—one of the fastest-growing communities in our city. I really appreciated the invitation from Dr Krishna Hamal from the Federation of Nepalese Community Associations of Australia. I made the food event for that one, so I was very happy I could do that. It is always a delight to be offered the opportunity to say a few words on behalf of the Canberra Liberals at such events, and I was able to do so at both on behalf of the Canberra Liberals as shadow minister for multicultural affairs.

Those are a couple of highlights from my weekend—one indoors, one outdoors. It was interesting to stand next to the Wide Brown Land sculpture at the Arboretum in company with a community whose home has mountainous giants. It is such a strong contrast, and yet there is such a strong friendship with our Nepalese community, and they really embrace being part of this broader, successful multicultural Canberra.

### **National Women’s Rugby League—Canberra Raiders**

**MS BERRY** (Ginninderra—Deputy Chief Minister, Minister for Early Childhood Development, Minister for Education and Youth Affairs, Minister for Housing and Suburban Development, Minister for the Prevention of Domestic and Family Violence, Minister for Sport and Recreation and Minister for Women) (6.02): I was honoured to have the chance to visit the inaugural Canberra Raiders NRLW team after one of their

first training sessions at the Braddon Raiders Centre on Wednesday. It is incredibly exciting that the NRLW is expanding and we will now have a team based in Canberra. There is a group of young women—professional athletes—who are moving to our city to be part of this new team.

Seeing the expansion of elite women's sport in Canberra is both exciting and inspiring. A lot of activist athletes have worked incredibly hard to get to the point we are today. I acknowledge past NRL trailblazers. Even though we have a long way to go, this is an amazing milestone that we can all celebrate together. I was happy to be able to present each member of the team with a gift and welcome pack from the ACT government.

I would like to congratulate the following Canberrans who are joining the team: Ella Ryan, Ahlivia Ingram, Georgia Willey, Aaliyah Lomas, Grace Kemp and Alanna Dummett. I would also like to extend a very warm welcome to the following players who are coming to Canberra, and congratulate them too on joining the team: Simaima Taufu, Zahara Tamara, Monalisa Soliola, Sophie Holyman, Ash Quinlan, Madison Bartlett, Shakiah Tungai, Mackenzie Wiki, Hollie-Mae Dodd, Chante Tamara, Tommaya Kelly-Sines, Felice Quinlan, Ua Ravu, Elise Smith, Apii Nicholls, Kerehitina Matua, Jessica Gentle, Tara Reinke, Petesa Lio, Cheyelle Robins-Reti and Emma Barnes.

I welcome them all very warmly again and I wish them all the very best for their first game, which is on the 23rd, and for the inaugural first game in Canberra, at their new hometown, against the Roosters on 29 July. I am excited to see them play, and I know I am not the only one in Canberra who cannot wait to cheer them on.

Question resolved in the affirmative.

**The Assembly adjourned at 6.05 pm until Tuesday, 6 June 2023 at 10 am.**





## Questions without notice taken on notice

### Mental health—workforce strategy

**Ms Davidson** (*in reply to a question by Mr Pettersson on Thursday, 11 May 2023*):

All Australian jurisdictions are experiencing mental health workforce challenges and have identified a range of actions to respond to their mental health workforce needs. Some have standalone workforce strategies or plans while others are part of broader mental health planning. In addition, the ACT, along with other states and territories, has worked closely with the Australian Government on a national approach through a draft National Mental Health Workforce Strategy. We are awaiting release of this document.

While the strategies and plans have different descriptions of categories for action, the ACT's workforce priority areas closely align with the national Strategy, and broadly aligns with the other jurisdictions' approaches. Like the ACT, the national and jurisdictional plans have lived experience workforce as a key area for further development. In the ACT, lived experience positions within the Office for Mental Health and Wellbeing and Canberra Health Services will lead some of this work. These positions will be able to draw upon work being undertaken nationally and across jurisdictions. Other jurisdictions have also identified activities around training and staff development including career pathways and the changing profile of the workforce.

The larger states have a broader reach for actions to address their greater complexity due to their size and composition including working across multiple local hospital, primary health networks, and training institutions. The ACT is taking the learnings from the other jurisdictions as well as considering local responses that have been successful in addressing the ACT's unique needs.

Similar to the ACT, jurisdictions have also noted the need to work collectively on the challenges at a national level. The ACT is represented on the National Mental Health Workforce Working Group which provides us an important opportunity to contribute to the work at a national level as well as to learn from the work being undertaken by the other jurisdictions. It is particularly important that we work collectively so that actions in one state or territory does not adversely impact on others.

Like other jurisdictions, we are undertaking a broad consultation process to inform the development of the action plan. The work is being guided by a representative working group. I look forward to being able to release our first action plan later this year.

### Calvary Hospital—acquisition

**Ms Stephen-Smith** (*in reply to a question by Ms Castley on Thursday, 11 May 2023*):

At this stage, the ACT Government does not know exactly how many suppliers and contractors have contracts with Calvary for the Calvary Public Hospital Bruce (CPHB). Canberra Health Services (CHS) will work with Calvary in the transition period to manage contract novations and ensure continuity of operations and safe patient care.

The amount of contact being made to the Transition Team from employees, contractors and suppliers is constantly changing with an increase being seen since the *Health Infrastructure Enabling Act 2023* was notified.

As at 5 June 2023, four suppliers/contractors have provided information to CHS on the goods or services they provide for CPHB. Contact from suppliers has also been made through the Transition Hotline. There has also been 17 contracted Visiting Medical Officers (VMO) who have provided information to CHS.

### **Calvary Hospital—acquisition**

**Ms Stephen-Smith** (*in reply to a question by Mr Hanson on Thursday, 1 June 2023*):

The Territory's current engagement with PwC has a total value of \$2.304 million including GST, this will be reflected on the contracts register when a deed of variation is finalised and uploaded to the contract register. The contract register has the current contract with the ACT Health Directorate and PwC and an executed deed from a previous variation. This contract covered the development of the infrastructure business case and commercial advice through 2022.