



Debates

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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.

Announcement of member to fill casual vacancy

MADAM SPEAKER: The Clerk has been notified by the Electoral Commissioner that, pursuant to sections 189 and 194 of the Electoral Act 1992, Miss Laura Nuttall has been declared elected to the Legislative Assembly for the Australian Capital Territory to fill the vacancy created by the resignation of Mr Davis. I present the following paper:

Legislative Assembly for the Australian Capital Territory—Casual Vacancy—
Declaration of the poll—Letter from the Electoral Commissioner, ACT Electoral
Commission, to the Clerk, ACT Legislative Assembly, dated 28 November 2023.

Oath or affirmation of allegiance

MADAM SPEAKER: In accordance with the provisions of the Oaths and Affirmations Act 1984, which requires the oath or affirmation of a new member to be made before the Chief Justice of the Supreme Court of the Australian Capital Territory or a judge of that court authorised by the Chief Justice, Lucy McCallum, Chief Justice of the Supreme Court of the Australian Capital Territory, will attend the chamber.

The Chief Justice attended accordingly—

Affirmation of allegiance by member

Miss Nuttall was introduced and made and subscribed the affirmation of allegiance required by law.

Commitment to code of conduct

Miss Nuttall, in accordance with continuing resolution 5, affirmed her commitment to the principles, obligations and aspirations of the Code of Conduct for all Members of the Legislative Assembly for the Australian Capital Territory.

The Chief Justice having retired—

MADAM SPEAKER: On behalf of all members, Miss Nuttall, welcome to the Assembly.

Legislative Assembly—unparliamentary language Ruling by Speaker

MADAM SPEAKER: Yesterday in the debate on the motion concerning the territory's credit rating, moved by Ms Lee, Mr Barr took a point of order concerning the use of the word "gaslighting". In the uncorrected proof *Hansard* Ms Lee states:

The fact that Mr Barr's contributions in this debate, if not pure fantasy, made-up stuff, consisted literally of comparing me to Campbell Newman and Tony Abbott speaks volumes. It speaks volumes about what Mr Barr's conduct is going to be like in the lead-up to the ACT election. The fact that it is all gaslighting, all deflection, all insults comparing me to Mr Campbell Newman ...

Mr Barr, in his point of order, asked the Deputy Speaker or the Speaker to consider the meaning of gaslighting and provide a ruling to the Assembly on whether it is an appropriate parliamentary term. I have examined the proof transcript of the proceedings, together with the relevant provisions of Assembly standing orders.

Standing orders 54 and 55 state:

Offensive words

54. A Member may not use offensive words against the Assembly or any Member thereof or against any member of the judiciary.

Personal reflections

55. All imputations of improper motives and all personal reflections on Members shall be considered highly disorderly.

Standing order 56 also provides that whenever the attention of the Speaker is drawn to the words used, the Speaker shall determine whether they are offensive or disorderly.

An online dictionary defines gaslighting as:

Psychological manipulation of a person usually over an extended period of time that causes the victim to question the validity of their own thoughts, perception of reality, or memories and typically leads to confusion, loss of confidence and self-esteem, uncertainty of one's emotional or mental stability, and a dependency on the perpetrator.

Having considered the matter raised, I rule that the words used were offensive and disorderly. Accordingly, I ask Ms Lee to withdraw the word.

Ms Lee: I withdraw.

Petition

Ministerial response

The following response to a petition has been lodged:

Pest management—Indian (common) myna—petition 17-23

By **Ms Vassarotti**, Minister for the Environment, dated 27 November 2023, in response to a petition lodged by **Dr Paterson** on 29 August 2023, concerning common Indian myna bird control.

The response read as follows:

Dear Mr Duncan

Thank you for your letter of 29 August 2023 about e-petition E-PET-017-23 that was lodged by Dr Marisa Paterson MLA with the Assembly on 29 August 2023. Pursuant to Standing Order No. 100 of the ACT Legislative Assembly, I am pleased to provide you with this reply to address the subject of the petition.

As the Minister for the Environment, I acknowledge the Principal Petitioner and his organisation for their ongoing advocacy for the government to increase control action against the Common Indian Myna (Common Myna) bird. I declared the Common Myna a prohibited animal in 2021 pursuant to the *Pest Plant and Animals Act 2005* (the Act). This declaration under the Act makes it an offence to keep or supply a Common Myna. The Act also allows me the option of preparing a pest animal management plan. I also acknowledge Dr Paterson MLA for sponsoring this petition for the government's consideration.

The ACT Government has a significant responsibility for managing Canberra's high-quality natural environment. These environments provide crucial habitat for numerous plant and animal species including those that are risk of extinction. With decades of experience in invasive species management, the government employs a scientific, evidence, and risk-based approach to prioritise the allocation of its finite resources towards invasive plant and animal activities. This approach guides the government's control actions against species that pose the greatest risk of causing harm. These include deer, pigs, rabbits, African Lovegrass and Serrated tussock to name just a few. This prioritisation process remains dynamic, adapting to new information to maintain the sustainability, resilience, and health of these ecosystems and to safeguard the agriculture industry and urban areas.

ACT Government biosecurity and conservation experts have assessed the risk of harm that Common Mynas have on the environment and agriculture in the ACT. This assessment has concluded Common Myna distribution in the ACT is mainly in urban areas and that their presence in woodland habitats have declined significantly over the past 20 years. There is currently insufficient evidence provided to suggest that Common Mynas have contributed to the decline of Matters of National Environmental Significance and threatened native bird species in particular. In addition, Common Mynas do not affect agricultural production. Overall, whilst remaining a pest in urban environments, the threat posed by Common Mynas is considered low.

The government has considered the research conducted in 2014 by Dr Kate Garrock. Dr Garrock determined that intense localised culling where Common Myna densities are high can be effective, but that “current cull efforts are not high enough to have significant widespread reductions on Common Myna abundance in Canberra.” The paper also noted that “natural reproduction, survival and/or immigration [of Mynas] is able to replace the culled individuals”.

In addition, the government has considered the information published by the RSPCA on the management of Common Mynas in the ACT. This RSPCA states “Although recent research using long-term observations of bird abundance in Canberra has suggested that the Common Myna has a negative impact on the long-term abundance of some native bird species, the significance of this impact has been questioned, as has the methodology used for the research. Furthermore, since the impact of Common Mynas is not clearly understood, it is yet to be determined if killing Mynas has any effect other than reducing local Myna populations.” The RSPCA also concludes that “trapping and killing by community groups should not be encouraged. Rather, in agreement with a number of experts on this issue, efforts to enhance bird diversity in urbanised areas would be better directed to improving the quality of natural habitat.”

The Conservator and Flora and Fauna and other conservation officials of the ACT Government met with the Principal Petitioner in early 2023 to gain a shared understanding of the issues associated with Common Myna management in the ACT. Discussion topics included the impact of the species on the environment, and whether CIMAG’s practice of using car exhaust fumes (carbon monoxide gas) to euthanise birds was considered humane. At the meeting, the Principal Petitioner was encouraged to further explore his organisation’s concerns with the Canberra Ornithologists Group (Canberra Birds).

In consideration of all information available, the government does not view that there is sufficient evidence available at present to prioritise the development of a management plan and increase control and other actions against the Common Myna as described in the petition when compared to the threats posed by other pest plant and animals. However, the government is currently a strategic biosecurity assessment that was funded in the ACT Budget 2023-24. The Common Myna will be considered as part of this assessment. This strategic level assessment will help to further guide and inform the government on the priorities for pest plant and animal management that pose a threat to the ACT.

In recognition of the essential role played by community groups to protect, conserve and enhance the ACT’s environment, the ACT Government encourages collaboration with existing groups like the Canberra Ornithologists Group (COG) to support good decision making about what, if any, management and control actions need to be taken against Common Mynas. This approach reflects the government’s ongoing commitment to evidence-based decision-making and responsible environmental stewardship.

Thank you for providing me with the petition. I trust that the information in this letter is helpful to the Principal Petitioner and the Sponsoring Member.

Motion to take note of petition

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

That the response so lodged be noted.

MS VASSAROTTI (Kurrajong—Minister for the Environment, Minister for Heritage, Minister for Homelessness and Housing Services and Minister for Sustainable Building and Construction) (10.11): I rise to speak briefly to the government response to the petition about Indian or common myna control and management.

Before discussing the petition, I would like to acknowledge and thank the principal petitioner, Mr Bill Handke, for his ongoing advocacy to the government, to enhance the control action against common mynas. His interest and passion to protect the environment from this pest species is appreciated. Mr Handke and government conservation officials met and discussed the issues of the petition in early 2023, and I met with him quite recently.

It is important to note the significant pressures on the ACT to combat invasive species. There is an ever-growing number of these threats. The ACT government has shown an unwavering commitment and has demonstrated in this last budget increased resourcing to protect the ACT's environment from the significant impacts of many invasive species of plants and animals. However, with a significant spectrum of threats, the government must prioritise its control actions accordingly.

Despite high community interest in the Indian myna, the evidence shows that they are primarily a nuisance pest in the urban environment, rather than a species that is posing a significant threat to the ACT's native plants and animals. However, this does not mean that they will be ignored. The ACT government is currently developing an integrated invasive species management plan so that pest species such as Indian mynas are managed as part of the risk matrix that maximises the protection of the environment and makes the most effective use of government resources and community effort.

I have a great deal of respect for the concern that our community shows over the impact of common mynas on our local environment. I am really grateful for the advocacy from passionate environmental groups, such as the Canberra Indian Myna Action Group, to protect the environment. It is clear that this strikes a chord with many Canberrans. Many people share my concern about the ever-growing threats that invasive species pose to our environment. It is important that we listen to ecological experts, who have told us that looking at the common myna as an issue in isolation is counterproductive. They advise us that it is much better to pursue a holistic view of environmental repair in the ACT.

As noted, the ACT is actively developing the ACT's next integrated invasive species management plan, which will address invasive species challenges and include monitoring for any future impacts of mynas. A comprehensive report is being commissioned to identify the highest priority species in the ACT, based on their impact, enabling the government to make risk-based decisions for invasive species management. Invasive species do pose an increasing threat to our natural environment, especially in the context of climate change. Moving away from individualised invasive species management plans to an integrated and holistic approach to environmental protection is therefore incredibly important.

The community expects us to make decisions based on the best evidence and to focus on what will make the biggest and best difference for our environment. The

connection between pests and the decline of other animals and plants is important to understand. The declaration of the common myna as a pest species in 2021 was an important step to ensure that this species is part of the analysis of the integrated approach to pest management. As part of this work, and as part of the integrated planned control measures, we will continue to gather evidence regarding the impact of Indian mynas on our native species.

Question resolved in the affirmative.

Housing—ACT Housing Strategy 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) (10.15): I rise today to present the ACT Housing Strategy year 5 report card. The government has taken significant steps forward in supporting affordability, choice and sustainability across the housing spectrum for all Canberrans, even in the face of a housing crisis that has seen the housing landscape change dramatically since the strategy was launched in 2018.

Of the 74 actions outlined in the Housing Strategy, 37 actions have been completed, 26 are either progressing or continuing, one is not progressing and three remain in development. Of the strategy's seven annual actions, all have been completed. The government continues to provide land for residential development through the annual Indicative Land Release Program.

Canberrans generally enjoy a high standard of living. However, people on lower incomes are finding it increasingly difficult to compete in the private rental market. Where that market has failed, it is up to the government to step in and take action. That is what the government has been doing, through the Growing and Renewing Public Housing Program, the \$60 million Affordable Home Purchase Scheme and a range of land tax exemptions. Together with the commonwealth government's Social Housing Accelerator and the Housing Australia Future Fund, this government continues to deliver short-, medium- and long-term solutions to housing the growing community of Canberrans.

Madam Speaker, I would like to share with you some of the housing policy highlights from this year. Goal 1 is an equitable, diverse and sustainable supply of housing for the ACT community. A 270-dwelling, build-to-rent site was unveiled in Turner, showcasing this government's dedication to innovative housing options. This development is close to the CBD and light rail, providing accessibility and connectivity for its residents. Crucially, 15 per cent of these dwellings are earmarked for affordable rentals, ensuring that eligible tenants have the opportunity to secure housing at less than 75 per cent of the market rate. Building on this success, the government is working towards the release of a second large-scale, build-to-rent project in the Gungahlin area.

The passage of the Planning Bill 2022 will further this government's ambition to ensure housing supply, diversity and affordability. It will also better enable delivery

of at least 70 per cent of new dwellings located within the existing urban footprint, as set out in the ACT Planning Strategy 2018.

Goal 2 is reducing homelessness. In 2022 the ACT government's Strategic Investment Plan laid the foundations for improved homelessness services. As part of this, direct grants were given to 13 organisations in March 2023, with additional funding allocated to Safer Families grants. Further, the new youth housing manager function has helped 120 young people to maintain stable tenancies. That is on top of the 40 units that opened at Common Ground in Dickson in October 2022 for people at risk of or experiencing homelessness.

Housing ACT has built an extra 183 public housing homes in the past year and has another 337 under construction. That is on top of the 38 homes purchased from the market to go into the public housing portfolio. Although the road has been bumpy at times, this government is full steam ahead in its efforts to expand and improve the stock of public housing available to Canberrans experiencing disadvantage or vulnerability. It is not just about getting roofs over people's heads. The government is focused on building and buying public housing homes that are adaptable, accessible, sustainable and comfortable; homes close to services, shops and public transport; and homes where tenants can flourish.

Goal 4 is increasing affordable rental housing. This government is working with stakeholders to facilitate a range of affordable housing solutions for our community. One of the ways this has been happening is through the request for proposal process, which encourages developers to set aside dwellings within build-to-rent developments to be rented at an affordable rate. We anticipate the delivery of 160 community housing-owned or -managed affordable rental properties through the 2022-23 process and look forward to reporting on even more, following the 2023-24 process.

I am also encouraged by increasing participation in the Affordable Community Housing Land Tax Exemption Scheme, which is open to property owners who lease their property at an affordable rate, via a registered community housing provider. The scheme now has 170 properties. Our goal is to reach 250 properties. The government will continue to promote this scheme to increase awareness and encourage greater participation. I encourage owners of additional properties to engage with and participate in this scheme.

Additionally, the government has established minimum energy efficiency standards in rental homes. These new standards are strengthening tenants' rights and will improve the comfort of rental homes and support ambitious emissions reduction targets.

Goal 5 is increasing affordable home ownership. Over the course of 2022-23, 130 eligible buyers exchanged contracts to purchase homes through the Affordable Home Purchase Scheme. Since the scheme started, in 2018, more than 420 eligible buyers have exchanged contracts on homes. As we speak, there are 630 homes currently in the construction pipeline that will be sold at affordable rates. The government continues to support the path to home ownership with stamp duty incentives, a move aimed at further facilitating the path to home ownership.

The 2023-24 ACT budget was a signifier of the government's ongoing commitment to addressing housing affordability. As you know, Madam Speaker, it featured a record

investment of \$345 million to foster more build-to-rent projects, revitalise public housing and facilitate the expansion of the community housing sector. The \$60 million affordable housing project fund established under this project will increase the number of long-term affordable rental homes available within our community. Housing policy is complex and crosses several different areas of government. That is why the Office of the Coordinator-General for Housing was established. It is driving a whole-of-government approach to issues across the housing spectrum.

In conclusion, the achievements outlined in the ACT Housing Strategy year 5 report card demonstrate this government's progress and ongoing vision for safe, secure and affordable housing for all Canberrans. I am happy to report that the average cost of renting a home in Canberra fell by three per cent over the year to September, according to CoreLogic. At the same time, the vacancy rate increased from 1.4 per cent to 1.8 per cent over the year, indicating a healthy balance between housing supply and demand. These figures stand in stark contrast to the national landscape, where rents rose by 8.4 per cent and the national rental vacancy rate declined to 1.1 per cent over the same period.

I think that speaks for itself. The ACT Housing Strategy is moving us in the right direction. There is always more work to do, though, and this government is ready and willing to do it. I present the following papers:

ACT Housing Strategy—Year 5 Report Card, dated November 2023.

ACT Housing Strategy—Year 5 Report Card—Ministerial statement, 29 November 2023.

I move:

That the Assembly take note of the ministerial statement.

Question resolved in the affirmative.

Our Booris, Our Way—update Ministerial statement

MS STEPHEN-SMITH (Kurrajong—Minister for Aboriginal and Torres Strait Islander Affairs, Minister for Families and Community Services and Minister for Health) (10.23): Today I am pleased to present the six-monthly progress reports for the government response to the recommendations from the Our Booris, Our Way review and the *Out of home care snapshot report 2018-2023*, and I table both of those documents. As I provide this update I would like to acknowledge the dedicated Our Booris, Our Way Implementation Oversight Committee, whose unwavering commitment and willingness to share their knowledge and experience continues to drive the approach of the ACT government in improving the care and protection system and reducing the over-representation of Aboriginal and Torres Strait Islander children and young people in out of home care.

Reducing the representation of Aboriginal and Torres Strait Islander children and young people continues to be a high priority for the ACT government. Indeed, it is the

first domain of Next Steps for Our Kids, the ACT strategy to strengthen families and keep children and young people safe. As of 30 June 2023, 241 Aboriginal and Torres Strait Islander children were living in out of home care, representing 29.5 per cent of the total children and young people in out of home care.

While this remains an unacceptable level of over-representation, it is important to put these figures in context. The equivalent numbers, as of 30 June 2018, were 277 Aboriginal and Torres Strait Islander children and young people, comprising 33.8 per cent of all children and young people in care. This means we have seen a reduction in both raw numbers and in the over-representation rate by about 13 per cent between these two points in time. Further, many of these children and young people are on long-term orders in stable, loving homes. More than 71 per cent, as at 30 June 2023, were living with kinship carers and/or on enduring parental responsibility orders. Many of these children and young people will be in care until they turn 18, highlighting that these raw numbers cannot be reduced overnight.

Encouragingly, we have seen a reduction in the number of children entering out of home care in 2022-23 to the lowest number since I started tabling these reports. There were 23 entries of Aboriginal and Torres Strait Islander children into care in 2022-23, representing 21 per cent of all entries. Again, this is still substantial over-representation, but it compares with between 24 per cent and 29 per cent over the past three years and 33 per cent, with 54 entries in 2017-18, prior to the Our Booris, Our Way review.

In line with the Our Booris, Our Way recommendations, we continue to focus our efforts with Aboriginal and Torres Strait Islander families to provide early support, and that is contributing to the reduction in entries. But we also know that we have more to do. These numbers, while small, go up and down each month and we are always seeking to learn and evolve our responses. We know that we need to listen to the voices of people with lived experience so that we can understand the wider historical and structural issues that continue to affect Aboriginal and Torres Strait Islander people today. These include the impact of past trauma, intergenerational poverty and systemic racism—impacts that continue to reverberate through generations. So we must work together to change the future. This is not an easy task, and I share the committee's and community's frustration. While we continue to work closely with the committee on much needed reforms in the child and youth protection system, by supporting families early before they enter crisis and before they find themselves at risk, we can change their interaction with the child protection system.

I acknowledge that some recommendations are taking longer than others to progress. I understand the committee's frustration and I share it. I want to assure the community that we continue to focus on the implementation of the recommendations, in partnership with the committee. That is why I am keen to acknowledge and share some important achievements that have been made in this reporting period. These achievements contribute to the comprehensive and deep changes that we are making right across the child, youth and family services system, which span legislation, policy, practice and wider service provision.

Most recently, Minister Cheyne and I announced the appointment of Ms Vanessa Turnbull-Roberts as the first ACT Aboriginal and Torres Strait Islander Children and

Young People Commissioner. I congratulate Ms Turnbull-Roberts on her appointment and look forward to working with her. The new commissioner will work to protect and promote the rights, interests and wellbeing of Aboriginal and Torres Strait Islander children and young people in the ACT individually and at a systemic level. This independent, statutory role was designed in consultation with First Nations peoples as part of the ACT government's commitment to fully implementing the recommendations of *Our Booris, Our Way*. I have no doubt Ms Turnbull-Roberts will be a passionate advocate for Canberra's First Nations children, young people and families, and I look forward to working with her as we continue to reform the child, youth and family services system.

The ACT government has made a commitment to establish a responsive and high-functioning legal framework for the ACT's child protection and family support system. This reform will align the Children and Young People Act 2008 with *Next Steps for Our Kids*. It will also address the recommendations from key reviews and reports regarding the ACT's child protection and family support system that have called for legislative change. Modernising the Children and Young People Act will drive change in the ACT's child and youth protection system. The legislative reforms that the government is delivering respond to current challenges, research insights and what the ACT community has told us they need.

The changes to the act prioritise the safety, welfare and wellbeing of children and young people, preservation of families wherever possible and provision of earlier support to families in need. Consultation on the proposed amendments occurred during 2023. A discussion paper was supported by consultation on the *YourSay* conversations website, along with more than 40 briefings with different stakeholders to gain a deeper understanding of how the proposed changes would affect the ACT community.

The following broad themes emerged from discussion and feedback about stage 1 of the changes to the act, which have been passed. The first is using decisive and clear language to ensure consistent and effective implementation of the Aboriginal and Torres Strait Islander Child Placement Principle. The second is that successful implementation of the proposed reforms heavily depends on the active involvement of Aboriginal and Torres Strait Islander communities. It was recognised that time and resources are required to gain trust and establish effective partnerships, given the legacy of colonisation and the marginalisation of communities. The third is that robust data collection and monitoring mechanisms will need to be in place to measure the impact of these reforms for Aboriginal and Torres Strait Islander children, young people and families. These mechanisms must also account for the sensitivity of personal and cultural information. Further changes to the legislation will be introduced in 2024, building on the first tranche of reforms passed during the last sitting period.

In addition, the newly established Aboriginal Service Development Branch is supporting the development of the ACT's Aboriginal community controlled sector, in partnership with the community and the Children and Families, Domestic and Family Violence and Housing sectors. This branch has also been leading work over recent months to support new, emerging and established ACCOs to engage in the procurement of out of home care services.

An experienced and dedicated First Nations Family Support Team has also been established and has started working with families to keep children safe and connected to culture and community, supported by funding through the 2023-24 budget. The Aboriginal and Torres Strait Islander team is developing a practice framework that is led by the Aboriginal and Torres Strait Islander Child Placement Principle.

A Care and Protection Legal Advocacy Service also commenced in the first half of 2023. Delivered by the Aboriginal Legal Service, it provides culturally appropriate legal and advocacy services for Aboriginal and Torres Strait Islander families coming into contact with the ACT's child and youth protection system. To strengthen support for Aboriginal and Torres Strait Islander kinship carers, a First Nations Kinship Liaison Officer was recruited in the first half of this year. This officer is providing targeted and culturally informed support for any kinship carer, regardless of where they are in their caring journey.

As members would be aware, the six-monthly progress report on A Step Up for Our Kids has been presented to the Legislative Assembly since April 2018, with the most recent snapshot report tabled in May 2023. The title of the report has been updated to *Out of home care snapshot* to reflect the transition to the current strategy and its breadth beyond out of home care. While the name of the report has changed, the data items remain consistent. It is important to note that this is internal operational data, which can be updated and changed between reporting periods, and caution should be exercised when using and interpreting data in this report and comparing between reporting periods. Nevertheless, this snapshot report continues to provide insights into the impact of the A Step Up for Our Kids and Next Steps for Our Kids reforms, as well as the continued challenges in out of home care.

Earlier I provided some of the insights in relation to the over-representation of Aboriginal and Torres Strait Islander children and young people. But let me provide the Assembly with some broader information about the six-month period that is being presented for the first time in this report. From December 2022 to July 2023, 57 children and young people in total entered out of home care. This is a reduction of about 20 per cent from the same period in the previous year, when 72 children and young people had entered care, and is the lowest number of entries into care by the end of the year since 2017-18.

During the same period, there were 81 children and young people who exited out of home care, which is almost double the number for the same period in the 2021-22 when 48 children and young people had left care. Given this, we see a slight reduction in the number of children and young people in out of home care, from 839 children and young people in quarter 1 to 817 children and young people in out of home care in quarter 4. Of the total number of children and young people who entered care, 15 returned to care in the second half of 2022-23. This is in line with the same period in 2021-22, when 15 children and young people returned to care. Overall, 2022-23 saw the lowest number of children and young people enter out of home care since snapshot reporting commenced in 2017-18. The reasons for the fluctuations in the number of children and young people in out of home care are complex. But, as I said earlier, we know that children, young people and their families need earlier support if we are to divert them from contact with the statutory system.

The Next Steps for Our Kids provides us with the reform road map over the next seven years. Next Steps makes a strong commitment to providing earlier support for families. It sits alongside other work that will have an impact on the child and family sector and provides a central focus for improving outcomes for children, young people and families where there is vulnerability and risk and intersection with statutory systems. Under Next Steps, the government is working to ensure comprehensive engagement with the child and family services sector to deliver an integrated service delivery system to better meet the needs of children, young people and families in the ACT.

We are ensuring that there is strong governance oversight of the implementation of the strategy. This has included a group of Critical Friends who have played a key role in supporting the development and finalisation of the strategy and the first four-year action plan, as well as providing advice on future governance arrangements. I met with this group several times this year and greatly benefited from the discussion, feedback and advice they have provided on key issues in the child and family reform space. This group has now been formalised and expanded with the commencement of the Child and Family Reform Ministerial Advisory Council, and I was pleased to attend its inaugural meeting on 27 September.

The next stage of procurement for out of home care is currently occurring with a focus on foster care, kinship care and intensive family support services. These are an important set of service packages that will deliver, in practical terms, on the suite of commitments under Next Steps for Our Kids. Work with the Aboriginal Community Controlled sector will be a priority in progressing this. The ACT government is committed to the phased transition of approximately 30 per cent of the existing funding for intensive family support and out of home care to Aboriginal Community Controlled Organisations—or ACCOs. This percentage recognises the level of over-representation.

Of course, the work to implement the Our Booris, Our Way recommendations continues to be guided by the Our Booris, Our Way Implementation Oversight Committee. The new Aboriginal Service Development Branch, which I spoke about earlier, was also established in response to reports, including *We don't shoot our wounded* and the *Our Booris, our way*. The establishment of the branch acknowledges the recommendations from these reports and the calls from the community to support, develop and enhance the ACCO sector.

The new branch will lead this work, with the goal of establishing a central capability to work with established and emerging human services ACCOs in the ACT, providing services that are culturally safe, trauma informed and healing aware. The goal of this work is to enable ACCOs to sustainably lead self-determined solutions for Aboriginal and Torres Strait Islander people across the ACT and build relationships with government to ensure that directorates recognise the expertise and right to self-determination of Aboriginal and Torres Strait Islander people through ACCOs. CSD has begun working with existing Aboriginal and Torres Strait Islander stakeholders to co-design what this approach should look like and will continue to champion this work across the human services sector.

I am pleased to advise that the snapshot report indicates that the number of Aboriginal and Torres Strait Islander children in the care of the director-general, with a cultural care plan in place, has improved over the past six months. As of 31 December 2022, 94 per cent of Aboriginal and Torres Strait Islander children who were in the care of the director-general and living in out of home care at that time had a current cultural care plan. By 30 June 2023, this had increased to 99 per cent. Data from the snapshot report shows that the placement types in out of home care continue to remain relatively stable, with most children and young people living in kinship care placements. At the end of the snapshot reporting period, there were 51 children and young people residing in residential care or other supported living arrangements. This figure includes children and young people in therapeutic residential care, bespoke accommodation arrangements and in the Community Adolescent Program, which supports young people in semi-independent living accommodation.

I have recently announced the commencement of a new therapeutic residential care provider for the ACT. Therapeutic residential care plays a critical role in supporting young people to change the trajectory of their lives, which are often very complex. Through the implementation of the Sanctuary Model, as a new model of therapeutic residential care in the ACT, young people in residential care will be better supported to heal from their trauma. As part of engaging this new provider, specific clauses were developed and included in the contract that reflect the territory's expectations for the delivery of services to Aboriginal and Torres Strait Islander children, young people and their families. The contract demonstrates the government's commitment that all services for Aboriginal and Torres Strait Islander people must be culturally safe, trauma aware and healing informed and to be provided by culturally responsive staff. These clauses will be included in all contracts with service partners, going forward.

In the second half of 2022-23, 20 children and young people who were in out of home care became subject to a finalised Enduring Parental Responsibility or Adoption Order. This is an increase compared to the first half of the financial year, when only three children and young people were the subject of a permanency order. As I previously indicated, that lower than targeted result in the first half of the year stemmed from a short-term bottleneck due to changes in adoption legislation and processes, changes in staffing across all agencies and an increase in court time frames. It was anticipated that there would be significant movement in the system progressing matters in the second half of the financial year, and I am pleased to report that this has occurred.

Implementation work for Next Steps is progressing and is underpinned by a commitment to partnering with the non-government sector through Commissioning for Outcomes. I will continue to report on key data as the new Next Steps strategy matures the service system. As part of this work, CSD will look to build capacity to capture robust data to inform these reforms.

Thank you for the opportunity to share this update with you on the progress of the Our Booris, Our Way recommendations and the most recent *Out of home care snapshot report*.

I present the following papers:

Our Booris, Our Way—Review—

Six-monthly update (January to June 2023).

Six-monthly implementation update—Government response and Out of Home Care Snapshot Report—Ministerial Statement, 29 November 2023.

Out of Home Care Snapshot Report—A presentation of data covering 1 July 2017 to 30 June 2023.

I move:

That the Assembly take note of the ministerial statement.

Question resolved in the affirmative.

Children and young people—mental health services Ministerial statement

MS DAVIDSON (Murrumbidgee—Assistant Minister for Families and Community Services, Minister for Disability, Minister for Justice Health, Minister for Mental Health, Minister for Veterans and Seniors) (10.40): I rise to present the ACT Position Statement on Trauma Informed Practice for Children and Young People.

Trauma has a devastating and wide-ranging impact on individuals and on our society, with associated significant costs in areas such as mental health, health care, housing, education, work and vocation, the justice system, drug and alcohol services, and employment. The impacts are widespread across our families and our ACT communities.

The position statement will provide clarity across the ACT on what is meant when we refer to trauma and trauma informed practice. It will highlight the importance of awareness of trauma and trauma informed principles across the ACT human services sector, including both government and non-government services. It will also help to create an authorising environment and enhance the ability of the sector to be more collaborative, child and young person-centred and culturally safe.

This position statement has evolved out of the Youth at Risk of Developing Mental Ill Health project: a four-year project co-funded between the ACT and commonwealth governments through the 2022 Mental Health and Suicide Prevention Bilateral Agreement. One of the aims of the project is to develop a territory-wide collaborative response for young people with trauma and complex needs. The principles of trauma informed practice will enable the development of a trauma informed landscape in the ACT. It will also help to enhance other work currently being undertaken in the child and youth sector such as MindMap, MOST or Moderated Online Social Therapy program, Next Steps, and the National Principles for Child Safe Organisations.

One of the goals of the position statement is to develop a common understanding of trauma and trauma informed practices across the sector, which I will take the opportunity to share with members of the Assembly today.

Trauma is a response to a deeply distressing or disturbing event that overwhelms a person's capacity to cope. Traumatic experiences can elicit a sense of intense fear, terror and helplessness, and can result in a range of physical, psychological, emotional and behavioural reactions. Trauma responses from children and young people are their attempts to overcome this sense of overwhelming stress and keep themselves safe in their environment. However, sometimes even after the stressful or traumatic event has passed, some children and young people continue to respond with distress and the symptoms of trauma in the absence of actual danger. This is further complicated when the child or young person has experienced more than one traumatic event, or when they have complex needs.

One of the fundamental principles of trauma informed practices is that trauma must be seen as the expectation and not the exception. This does not mean that everyone is assumed to have a history of trauma; rather, it is an anticipated possibility that everyone may have experienced trauma. Everyone benefits from receiving services in a trauma informed way, and the use of trauma informed practices ensures that no harm is done when engaging with children and young people.

Similarly, trauma informed organisations acknowledge that some of their staff have lived through traumatic experiences or experienced adverse childhood experiences, similar to those of service users. For programs to be safe for clients they must also be safe for staff, with ethical practice, self-care and risk management strategies supported by management and workplace policies. It is therefore important that all people who have interactions with children and young people be trauma-aware and understand how they, in their work role, can safely respond to the children or young people in their workplaces.

International research estimates that 62 to 68 per cent of young people will have been exposed to at least one traumatic event by the age of 17. The recently released Australian Child Maltreatment Study found that child maltreatment is endemic in Australia, with 62.2 per cent of the people in the study having experienced child maltreatment, which is only one potential form of trauma a child or young person may experience.

The likelihood of having experienced trauma is much higher for young people with other risk factors, such as contact with the justice system, engagement with the child protection system, living in out-of-home care, or people in the LGBTIQ+ community. People from culturally and linguistically diverse backgrounds, particularly those seeking asylum and refugees, also experience greater stress and trauma compared to other groups. Events such as political conflict prior to migration, combined with experiences after migration, such as adjustment to a new country, a new language, discrimination and in some cases uncertainty about visa status—all can add to greater risk of experiencing trauma.

Trauma has also had a significant impact on the Aboriginal and Torres Strait Islander community in Canberra, which is tied to the history of colonisation and ongoing systemic issues such as poverty, discrimination and cultural disconnection. The effects of this trauma being passed down through generations is known as intergenerational trauma.

There are also systemic and globally traumatic experiences that impact children and young people collectively. For example, the Canberra bushfires in 2003 and 2019, the COVID-19 pandemic, climate change and the rising cost of living.

We know from the Australian Child Maltreatment Study that the trauma of child maltreatment has profound effects on mental health, with 48 per cent of those who have experienced maltreatment having a mental health disorder, compared to 21 per cent of those who did not experience maltreatment. Health risks are also more common for people who have experienced child maltreatment, with this group being over six times more likely to be dependent on cannabis; nearly four times more likely to have self-harmed in the past year; 4.6 times more likely to have attempted suicide in the past year; and 3.7 times more likely to be admitted overnight to hospital for mental health disorders.

We also know from the 2022 *Understanding the 'missing middle'* report developed by the Office for Mental Health and Wellbeing, that children and young people with a history of trauma and those with complex needs experience barriers accessing mental health supports. Evidence-informed best practice suggests that for these children and young people to heal and begin a recovery journey, they require access to cohesive therapeutic supports that are delivered collaboratively from multiple agencies, such as care and protection, health, mental health, education, youth justice, domestic and family violence services and similar supports.

This is why it is so crucial for all services that support children and young people to use trauma informed practices. Trauma informed practice has been shown to improve the mental health trajectory of children and young people, as well as reduce system costs and have broader economy-wide benefits. Trauma informed practices play a significant role in fostering an environment in which a child or young person's specific needs are responded to appropriately; they can be supported to recover from their experiences and to heal. Resilience is emphasised. A resilient child is more likely to respond to a traumatic event with minimal distress, or they may exhibit a temporary drop in their ability to cope, followed by an early and effective return to their usual level of functioning.

The position statement also includes examples of how services and organisations have moved towards a trauma informed approach, which may help to educate the sector on how trauma informed practice could be implemented in their service or organisation.

I would particularly like to mention three local examples of organisations employing trauma informed practices.

The ACT Education Directorate developed a directorate-specific trauma informed practice training package during COVID-19. This package is informed by the Trauma-Sensitive Schools Training Package, which is freely available online as a package of graduated training components for a range of target participants, from the classroom setting to the policy and executive team.

Mental Health, Justice Health and Alcohol and Drug Services Division in Canberra Health Services have used an external provider for trauma informed care training for teams that look after people who are more likely to have experienced trauma, such as

people in the Alexander Maconochie Centre, or the new adolescent mental health unit, as well as staff newly commencing in the division.

Canberra Health Services have also made significant inroads into the adoption of these principles in Women, Youth and Children's Community Health Programs, by embedding Blue Knot's trauma informed practice training into required learning for all staff, as well as adopting the principles in the design of the Enhanced Health Service's new Model of Care.

No-cost tools and resources are also identified throughout the position statement to support the embedding of the principles of trauma informed practice. All the practice examples have ensured that individuals with a lived experience, and children and youth mental health sector workers, were involved and contributed to the design, implementation and evaluation. These are the people who know best what will work and what does not.

The ACT government is committed to supporting the mental health and wellbeing of children and young people in the ACT. The journey to embed, coordinate and integrate trauma informed practices will take time, and we will continue to work on the establishment of the ACT's Youth at Risk Trauma Service. The second key deliverable under the Youth at Risk Project is an evidence guided community-based therapeutic youth trauma service for 13- to 17-year-olds with co-occurring trauma, living with, or at risk of developing, moderate mental ill health, disability and/or drug and alcohol use. Work is continuing to progress the development of the trauma service, comprising a try, test and learn pilot, which is expected to commence in the first half of 2024. The trauma informed practice principles will be embedded in the trauma service.

This ACT government position statement for trauma informed practice for children and young people represents a significant step in making positive change for the outcomes and recovery of our children, young people and their families in the ACT.

I present the following papers:

ACT Trauma Informed Practice for Children and Young People Position Statement, undated.

Position Statement on Trauma Informed Practice for Children and Young People Ministerial statement, 29 November 2023.

I move:

That the Assembly take note of the ministerial statement.

MS STEPHEN-SMITH (Kurrajong—Minister for Aboriginal and Torres Strait Islander Affairs, Minister for Families and Community Services and Minister for Health) (10.50): The impact of trauma on children and young people can shape their development and have lifelong impacts. Trauma can result in deep distress and drive a range of physical, emotional and behavioural responses, and yet it is often invisible to the wider community. Historically, as a society, we have not understood or supported

people through traumatic events or the ongoing impacts of cumulative trauma. This is particularly the case for children and young people.

Trauma is depicted in popular culture in very specific ways that are violent, isolated or something that should not be discussed. We all know the old saying that children should be seen and not heard. That societal expectation in previous generations has meant many children and young people did not feel they were able to speak up, even if they could, about their experiences. The outcome of not addressing this very serious issue is that we are not supporting some of the most vulnerable people in our community. When we do not support children and young people who have experienced trauma, we see the ongoing impact across our human services, in higher incidents of homelessness, abuse, mental health conditions and interactions with the justice system.

For many years I have been advocating for better service responses for children and young people with complex trauma who are falling through the gaps. In 2020, ACT Labor's first election commitment in the health portfolio included commitments to establish a multi-disciplinary service to support young people who have mental health needs co-occurring with trauma, disability and/or drug and alcohol abuse, and an intensive trauma service for adolescents built on the Melaleuca Place model to support the recovery of 13- to 17-year-olds who have experienced trauma, including abuse or neglect. The 2022 *Final report: understanding the 'missing middle'*, completed in collaboration with the Young Coalition of the ACT and Capital Health Network, again confirmed and highlighted the "limited options for specialised trauma services for children in the ACT".

I look forward to the establishment of these critical services for children and young people experiencing complex trauma and co-occurring conditions that Minister Davidson has talked about. I know Minister Davidson is working towards the delivery of these services and ensuring they are embedded in a service system that is better integrated and more trauma informed. The position statement tabled today will support this aim.

Within my portfolios, there are a number of examples of high-quality trauma informed practice and work towards embedding trauma informed care. This includes the therapeutic assessment and planning team in Child and Youth Protection Services, which provides a range of trauma informed resources and supports for children and carers. This includes Connect for Kinship Carers, a nine-week attachment based program for kinship carers of children and young people aged 8 to 16 years. Connect for Kinship Carers aims to equip carers with the skills to foster security, safety and stability for young people, and to confidently and sensitively respond to challenges as they arise. Participants also benefit from connections with other carers and sharing lived experience with others in a similar life stage.

In Canberra Health Services, trauma informed care staff training delivered by the Blue Knot Foundation has commenced in maternity services with the first workshops held on 5 and 6 October 2023. More broadly, there has been a considerable focus at Canberra Health Services on ensuring a baseline understanding of family violence and health responses, with training delivered with a trauma informed lens. I am pleased that these examples are included in the trauma informed practice statement that

Minister Davidson has tabled. These are just two examples showing that there have been steps forward in ensuring that services are trauma informed and delivering trauma informed care and support.

I look forward to continuing to see the results of this work and enhanced trauma informed services for all children and young people in the ACT and commend Minister Davidson on the work.

Question resolved in the affirmative.

Legislative Assembly—member code of conduct

MS BURCH (Brindabella) (10.54): I move:

That we, the Members of the Tenth Legislative Assembly for the Australian Capital Territory, having adopted a revised code of conduct for Members, reaffirm our commitment to the principles, obligations and aspirations of the code.

Members, this motion is quite simple and straightforward—that, having adopted a revised code of conduct, we the members reaffirm our commitment to the principles, obligations and aspirations of the code. I would like to highlight some of the significant changes that we are recommitting to today. From the review of the Standing Orders, we have included elements in continuing resolution 5 of a code of conduct, at (C)(7)(a):

- (7) In their capacity as an employer on behalf of the Territory under the Legislative Assembly (Members' Staff) Act 1989:
 - (a) seek to promote, and by their conduct reflect, an Assembly workplace that is collegiate, inclusive and diverse and in which health and safety risks are eliminated or minimised;

We have also added under section (D):

- (D) Through this Code of Conduct, Members express that they have zero tolerance for bullying, sexual and other harassment, sexual assault and discrimination¹ and pledge that they will not themselves engage in such conduct. Consistently with this, Members undertake that, in the course of their duties and activities as a Member, they will:
 - (1) offer and provide support to a person who indicate they were making (or may wish to make) a complaint alleging bullying, sexual and other harassment, sexual assault or discrimination;
 - (2) seek to be sensitive to the needs and feelings of any such complainant and to recognise their possible need for trauma-informed care;
 - (3) as appropriate, seek expert advice and assistance as to the manner in which the Member should act in such circumstances;
 - (4) recognise and respect that it is the right of a complainant as to whether and how they seek and pursue official investigation of their complaint;
 - (5) respect the confidentiality of personal information concerning a complainant;

- (6) not imply, threaten or take detrimental action against a person because they are, or have indicated that they may become a complainant;
- (7) not offer any improper inducement to a person to not make, or to withdraw, such a complaint;
- (8) seek to preserve any evidence that may be relevant to the investigation of such a complaint;
- (9) fully cooperate with any official inquiry in connection with a complaint; and
- (10) take appropriate action if they observe another person engaging in bullying, sexual and other harassment, sexual assault or discrimination.

Those are the key elements updating our code of conduct. I am very pleased to bring this to the house and chamber today, and to see all members abide and agree to this new form of the code of conduct, thereby being the best we can be for the people of the Australian Capital Territory.

Question resolved in the affirmative.

Liquor Amendment Bill 2023

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

Title read by Clerk.

MR RATTENBURY (Kurrajong—Attorney-General, Minister for Consumer Affairs, Minister for Gaming and Minister for Water, Energy and Emissions Reduction) (10.59): I move:

That this bill be agreed to in principle.

I am pleased to introduce the Liquor Amendment Bill 2023 to the Assembly today. This bill provides for a small number of amendments to be made to the Liquor Act 2010 and Liquor Regulation 2010, to strengthen our security framework for licensed venues. The measures to be introduced under this bill will support Canberrans to participate in the local entertainment scene more confidently and safely. They will support our police and justice system to operate more effectively. The proposed measures will also remove ambiguity for the businesses involved and cultivate the conditions to attract more customers, improving social connection and cohesion by developing an environment which encourages Canberrans to socialise in their city.

The catalyst for these changes was an incident that occurred in 2021. A police investigation of an alleged sexual assault at a Canberra night club could not proceed as the licensee did not retain security camera images for the period required under the terms of its liquor licence. In September 2021, the Commissioner for Fair Trading, who is responsible for issuing liquor licences and permits and for taking disciplinary action against licensees, subsequently instituted ACAT proceedings against the licensee for multiple contraventions of the Liquor Act 2010 and Liquor Regulation

2010, including failure to retain the security footage, for which the licensee was reprimanded and fined.

Although the licensee faced consequences for its breach, the impeded police investigation was of particular concern to me and to my colleague, Minister Cheyne. As Attorney-General, it is my responsibility to uphold the harm minimisation and community safety principles which are integral to the Liquor Act 2010 and its associated regulations. As Minister for Business and Better Regulation, Minister Cheyne has been leading the redevelopment of a vibrant night-time entertainment economy, a program which includes a commitment that the integrity of the Liquor Act's harm minimisation principle remains intact.

In March 2022, Minister Cheyne and I convened and chaired a security camera roundtable. We spoke with liquor industry representatives to discuss potential options to strengthen the existing security framework for licenced venues. Following this, officers of the Justice and Community Safety Directorate consulted further with community and liquor industry stakeholders, including the Liquor Advisory Board members and the Australia New Zealand Policing Advisory Agency, as well as government agencies, including the Better Regulation Taskforce and Access Canberra as the ACT's liquor licensing regulator.

On speaking with stakeholders and reviewing the existing legislation, it was evident that security camera requirements for bars and nightclubs were not applied consistently, being determined either by terms negotiated with the regulator as part of a venue's risk assessment management plan, or by the imposition of standard terms applied as a security camera condition, introduced in 2017, being placed on the licence.

The bill provides security camera conditions for all bar and nightclub licences issued at any time. The bill requires that security cameras be fitted and operated on licensed premises for a bar licence or nightclub licence and any other land under the control of the licensee in the vicinity of the premises. The footage must be retained for a period of 30 days and no longer than 90 days.

The bill requires that security cameras at licensed premises, or on any other land under the control of the licensee in the vicinity of the licensed premises, must be installed so that, insofar as possible, the cameras are clearly visible to persons who enter those locations. This condition applies to all liquor licences issued at any time. Licensees must have a sign displayed at or near each entrance to the premises or land stating that people may be recorded at those locations. This condition applies to all liquor licences issued at any time. The amendments will come into effect three months after the notification day to allow licensees a period of adjustment.

These amendments limit the right to privacy. As stated in section 12 of the Human Rights Act 2004: everyone has the right not to have their privacy, family, home or correspondence interfered with unlawfully or arbitrarily, and not to have their reputation unlawfully attacked. The bill creates a statutory obligation on bars and nightclubs to capture, use and disclose security camera images. Video surveillance, even where conducted in public, still amounts to a limitation on the right to privacy. It is important that any such limitations are accompanied by adequate and effective safeguards against unauthorised disclosure, retention or misuse of a person's image.

Limitations on the right to privacy must be no more restrictive than those necessary and proportionate to realising their intended policy objectives. The objective sought to be achieved by the bill is to protect public safety and to promote a fair justice system that deals with matters, including crimes, in a reasonable and expeditious manner. The proposals will strengthen deterrence of violent incidents in licensed venues and support thorough police investigations into incidents that do occur.

The approach chosen will ensure that evidence is available to police when needed, which will result in more thorough investigations of violent incidents in licensed venues. These amendments are also intended to provide certainty for affected liquor licensees about their obligations by providing an unambiguous, standardised retention period for security images and by setting the retention period at a time determined to be the minimum to achieve the required outcome.

The proposed legislation will incorporate the following safeguards requiring that security camera images be stored for at least 30 days, but for no longer than 90 days, after which the images must be deleted. Other safeguards include ensuring each security camera in a licenced bar or nightclub will be clearly visible to people at the premises or on the land under the control of the licensee in the vicinity of the licensed premises, and that a sign must be displayed at or near each entrance to the premises or other land under the control of the licensee in the vicinity of the licensed premises that indicates security cameras are used on the premises and that the person may be recorded while present there.

In short, the amendments will ensure consistent application of the appropriate standards for security camera usage that were introduced with the 2017 reforms, while incorporating new safeguards to ensure the capture and retention of images is advertised to the public and the images are disposed of in a way that ensures conformity with the privacy considerations in the Human Rights Act 2004. I thank members for their consideration of this bill and commend it to the Assembly.

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

Road Safety Legislation Amendment Bill 2023

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

Title read by Clerk.

MR STEEL (Murrumbidgee—Minister for Skills, Minister for Transport and City Services and Special Minister of State) (11.07): I move:

That this bill be agreed to in principle.

The ACT government is committed to continually improving road safety on the path to the realisation of Vision Zero: zero road fatalities and zero serious injuries on our roads. It is why, through our Safe Systems Approach, we are focused on people and driver behaviour. There are some actions and behaviours from a small number of people that present an enormous and unacceptable risk to our community. Speeding,

hooning, distracted driving, and driving under the influence of drugs and alcohol cause serious injuries and deaths on the ACT's roads, and a strong and effective regulatory system is essential to stamp out these behaviours.

In the ACT Road Safety Action Plan 2020 to 2023, the ACT government committed to undertaking a review of the ACT's road transport penalties framework, including a review of drink- and drug-driving offences and their associated penalties, to ensure that they remain proportionate to the risk of harm on our roads. The next Road Safety Action Plan, which will cover 2024 to 2025—the last under our current strategy—will continue the strong focus on drink- and drug-driving as a government priority. We recognise that drink- and drug-driving is a significant road safety issue that is a major contributor to fatal crashes in the ACT, and we will keep targeting and deterring this type of dangerous driving behaviour. I look forward to releasing that action plan soon.

As part of our unwavering commitment to improving road safety, the Assembly passed the government's first tranche of reforms earlier this year, the Road Safety Legislation Amendment Bill 2022, which addressed a range of dangerous driving behaviours on ACT roads. ACT Policing have been effectively using these powers for several months, swiftly removing more than 150 dangerous drivers from ACT roads for 90 days through the issuance of immediate licence suspensions. But we are not finished. When it comes to road safety, particularly with drink- and drug-driving, we recognise the need for swifter, stronger and fairer reforms that make our roads safe for all road users: reforms that lead to real and positive changes in driver behaviour.

Today I am proud to stand before the Assembly to introduce the next tranche of significant reforms through the Road Safety Legislation Amendment Bill 2023, which addresses drink- and drug-driving behaviours on ACT roads. The purpose of this bill is to amend the Road Transport (Alcohol and Drugs) Act to improve road safety by providing enhanced penalties to deter drink- and drug-driving behaviours, implement an infringement scheme for first-time low-range drink drivers, introduce a new combined drink- and drug-driving offence and introduce cocaine as a prescribed drug that ACT Police can screen drivers for at the roadside.

This bill has a focus on making our roads safer. The amendments in the bill are practical and will increase ACT Policing's ability to immediately stop drink- and drug-affected drivers and protect the lives of other road users in the ACT. The amendments also send a clear and strong message to the community on the government's zero tolerance toward drink- and drug-driving behaviours.

As the Standing Committee on Justice and Community Safety's inquiry into dangerous driving heard, there are tragic outcomes that drink- and drug-driving have on the community. We have heard from the victims, their families and other road safety advocates about the need to effectively address dangerous driving behaviours. This bill listens to these calls and follows ongoing engagement with ACT Policing and other stakeholders about how to practically address dangerous driving behaviour.

Of the 35,591 random breath tests conducted in the ACT in 2022, 875 persons were charged with drink driving—2.5 per cent of all random breath tests conducted—and, of the 2,757 roadside drug tests conducted in the ACT in that year, 446 were charged with drug driving. That was 16.2 per cent of all roadside drug tests. Those are

unacceptable figures. Between 2010 and 2020, 40 per cent of all drivers involved in fatal collisions had either alcohol or a prescribed drug in their system, or both.

The numbers are clear that alcohol and drug use whilst driving affects deaths on our roads, and the toll on our community from these tragic and preventable deaths is just too high and will never, ever be acceptable. We see the menace of drink- and drug-driving continuing to jeopardise the lives of innocent people, causing immeasurable pain to families and communities. Addressing this is a key responsibility of government, and one that must be addressed with swifter, stronger and fairer reforms that discourage and deter drink driving by anyone at anytime, anywhere.

The first concept embraced by this bill is the pursuit of swifter deterrence. We can deter potential offenders and hold those who commit offences to account more effectively by increasing the penalties for drink- and drug-driving offences and making sure that those penalties are applied sooner rather than later. This bill makes significant reforms that allow for swifter action against all drink and drug drivers. Issuing infringements to first-time low-range drink drivers and imposing immediate licence suspensions for all drink and drug-affected drivers at the roadside will lead to swifter outcomes and consequences.

This sends a strong message to the community that, if you drink or take drugs and drive, you can receive an immediate licence suspension. This makes our roads safer by immediately removing impaired drivers from the roads. Swifter action is intended to lead to swifter realisation of the consequences of a person's actions. This, in turn, has shown to lead to higher levels of deterrence and lower levels of recidivism. However, this swiftness is also balanced against strength and fairness. The government remains absolutely committed to doing all it can to stress that this behaviour is not acceptable.

The risks of drink- and drug-driving to road users are well established in research and crash data, and the community is well aware of the dangers of driving after drinking or taking drugs. Additionally, all licensed drivers on our roads know the rules and that they are obligated not to drink or do drugs and drive. Despite this, and the ongoing enforcement and campaign efforts over many years about the dangers of drink- and drug-driving, there remain a proportion of road users who do not use the roads in a responsible way and who endanger the lives of themselves and other road users. This is why we will reinforce stronger consequences for this dangerous behaviour.

By increasing the penalties for drink- and drug-driving offences, we send a clear and unambiguous message: the safety on our roads is non-negotiable. The prospect of stronger consequences for drink- and drug-driving is intended to act as a strong deterrent, compelling drivers to reconsider their actions before getting behind the wheel while under the influence of alcohol, drugs or both in combination. Stronger penalties serve as a powerful motivator to change behaviour and, in doing so, we can save lives and reduce the horrific burden of drink- and drug-driving injuries and fatalities on our emergency services, first responders and our communities.

The bill also seeks to ensure that offenders are delivered fair outcomes that reflect the severity proportionality of their offending. The bill recognises that not all offenders are the same and that there must be room for rehabilitation. The government's goal is

not to unfairly punish offenders for this dangerous driving behaviour but to deter, rehabilitate and reintegrate those who have made mistakes, offering them an opportunity to reflect on their error and change their behaviour in a positive way.

We recognise the essential and enduring need to continue addressing the root causes of drink- and drug-driving, in parallel with increasing penalties to create a holistic approach to the issue. This is the rationale that underpins the government's intent to introduce a drink driving infringement for level 1 and level 2 first-time drink-driving offenders. We want to deter the dangerous behaviour of drink driving, but we accept that a person should not be excessively punished or have a criminal record attached for their first offence that may lead to unintended and unfair long-term impacts extending far beyond the offending.

Introducing drink-driving infringements for level 1 and level 2 first-time low-range drink-driving offenders is not new in Australia. First-time low-range drink drivers in New South Wales and Victoria already receive infringements, and have done so for many years now. In these jurisdictions, as it is in the ACT, it is critical that legal systems deliver fair outcomes. Infringement notice schemes are designed to provide an alternative to prosecution that acknowledges that no two offenders are the same and no two offences occur in the exact same circumstances. If a person is issued with a drink-driving infringement and disputes liability, they continue to have the option of having their fair day in court, just as they are able to for other road transport related infringements.

The introduction of infringements for first-time low-range drink-driving offenders will also free up operational resources in ACT courts and ACT Policing by avoiding the resource-intensive court hearing process. In setting penalties for driving related offences in the ACT, the government seeks to provide a balance between deterrence, community safety and providing drivers with the assistance they need to change their behaviours.

This bill amends several sections of the Road Transport (Alcohol and Drugs) Act 1977 to ensure that penalties better achieve the aim of protecting road users and deterring repeat offending. For a drink-driving offence under this bill, the new maximum penalty for a repeat offender charged with a level 4 drink-driving offence is up to 150 penalty units, 18 months imprisonment and a default automatic licence disqualification period of 36 months. Penalties for first offenders are also increased substantially, with penalty units increasing for first offenders across the board, in addition to increases in the minimum automatic licence disqualification period.

The bill allows first-time offenders who commit level 1 and level 2 drink driving to be issued with a traffic infringement notice with a financial penalty of \$800, instead of facing court. This is paired with an immediate suspension notice which suspends a person's drivers licence for 180 days, which mirrors the default automatic licence disqualification period of six months that would apply to a first offender if they went to court. ACT Police retain the option to charge a person for a first-time level 1 or level 2 drink-driving offence if they deem it is appropriate in the circumstances.

The bill also increases offences for drug driving, with the new maximum penalty for a repeat offender being a maximum penalty of 50 penalty units or six months

imprisonment and a default automatic licence disqualification period of 12 months. All drug-driving offenders can also be given an immediate suspension notice by ACT Policing, followed, of course, by serving the remainder of their automatic disqualification period when this is finalised by the court.

The most serious offences for driving under the influence, section 24, which has previously been debated in the Assembly recently, carries new maximum penalties of up to 200 penalty units, 24 months imprisonment and a default automatic licence disqualification period of 48 months for repeat offenders. This offence is used in the most serious of cases where a person is intoxicated to the point where they are incapable of having proper control of their vehicle.

I emphasise that these are the maximum penalties that a court can impose. As is currently the case, the court will apply judgement in ordering the most appropriate penalty based on the circumstances of the case. However, these new penalty levels send a very clear and decisive message that drink- or drug-driving offences are considered some of the most serious and intolerable behaviours on our roads.

The bill also raises the maximum penalty for people who fail or refuse to undertake drug and alcohol screening tests. This ensures that there is no incentive for a person to actively and intentionally avoid drug and alcohol testing in an attempt to obtain a lesser charge penalty.

The bill also introduces a new combined drink- and drug-driving offence into the territory's road transport legislation. The new combined offence seeks to comprehensively address the pressing issue of impaired driving. This offence is not only about modernising our road transport legislative framework but also about aligning ourselves with the progressive strides made by our counterparts in other jurisdictions.

Combining alcohol and other drugs, even in small quantities, can further increase impairment beyond what a person may experience if they drink or take drugs in isolation. A person who drives or rides while impaired can make dangerous decisions, increasing their chance they will harm themselves, their passengers or other road users. Indeed, over the decade 2010 to 2020, 17 per cent of all drivers involved in fatal crashes had both alcohol and a prescribed drug in their system.

Penalties for the new combined impaired driving offence where a person is driving under the influence of both drugs and alcohol are intentionally designed to significantly exceed those for separate drug or alcohol driving offences. For example, a level 4 repeat combined drink- and drug-driving offender can be penalised up to 200 penalty units and face an imprisonment sentence of up to 24 months, be disqualified from driving for up to four years and will be required to install an alcohol interlock device on their vehicle. Police will also be able to issue them with an immediate suspension notice. The rationale for this is two-fold: the principle that certain drugs and alcohol in combination can create a multiplier effect in terms of intoxication; and to counteract potential community views that certain drugs when combined with alcohol can cancel each other out.

I am also pleased that the bill incorporates cocaine into the ACT's roadside drug-testing regime. Cocaine is a potent stimulant drug and it poses a significant threat to road safety when used by drivers. Its effects on cognition, attention and reaction time are well-documented, making it imperative that we expand our efforts to detect and deter cocaine-impaired driving. New South Wales, Queensland, Tasmania and the Northern Territory have already included cocaine as a drug that is tested for at the roadside. These jurisdictions can now identify and address an additional layer of impairment, which contributes to a more comprehensive approach to road safety.

Integrating cocaine in the roadside drug-testing regime sends a clear message that we are committed to addressing the evolving landscape of substance abuse and its impact on road safety. It is a proactive step to protect innocent lives and prevent accidents caused by individuals operating vehicles under the influence of cocaine. The inclusion of cocaine is not just about detecting and charging offenders; it is also about raising awareness and educating the community on the dangers of drug-affected driving generally as well as providing support for those struggling with substance abuse issues.

These reforms are an important step to ensuring our roads are safer for all users. This bill is the next stage in our review of road transport penalties to ensure that they are proportionate both to the risk of harm and to other offences. The amendments are practical and proportionate. They increase ACT Policing's ability to immediately detect and deal with drink- and drug-driving offences, which in turn removes dangerous drivers from our roads and protects the safety of other road users.

As Minister for Transport and City Services, I remain committed to reducing the prevalence of dangerous driving by ensuring that there are swifter, stronger and fairer sanctions for this dangerous type of behaviour on our roads, and I commend the bill to the Assembly.

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

Education (Early Childhood) Legislation Amendment Bill 2023

Debate resumed from 26 October 2023, on motion by **Ms Berry**:

That this bill be agreed to in principle.

MS LAWDER (Brindabella) (11.25): I will be responding for the Canberra Liberals, as Mr Hanson is unwell today. Since 2018, the government has been introducing legislative standards for qualified teachers in the ACT. The Canberra Liberals have supported the previous bills, and I can inform the Assembly we will also support this bill.

The bill makes amendments to the Education Act 2004 and the ACT Teacher Quality Institute Act 2010. The amendments to the Education Act are in four areas: (1) recognising children start learning from birth; (2) recognising the importance of quality early childhood education in the years prior to compulsory education;

(3) provisions to support children enrolled in but not attending government preschool; and (4) the principles for cooperation and information sharing.

The amendments to the TQI legislation are in five core areas: (1) establishing the registration of early childhood teachers; (2) protecting children's safety; (3) authorising the sharing of information with appropriate authorities; (4) authorising TQI to suspend registration or a permit to teach immediately should there be an unacceptable risk of harm to a child or children; and (5) enabling TQI to issue a written notice to a teacher on the granting of the approval of their permit to teach.

The bill also includes an additional area of amendment to the Education Act unrelated to early childhood education but that needs to proceed urgently in relation to the delegation review of suspension, and we support those changes.

In all, the bill is designed to give effect to reforms that have been requested by the profession for some time, and it provides clear legislative authority and guidance on the standards, qualifications and procedures in the sector. The bill has gone through extensive consultation within the early education sector through the TQI and with teachers across the ACT system. External stakeholders consulted on the draft bill included the Association of Independent schools, Catholic Education, the ACT P&C Association, the ACT Preschool Teachers Association, Early Childhood ACT, Family Daycare Australia and others.

Mr Hanson would also like to thank the minister's office, particularly Rebecca and Verne, for their briefing on the bill and making available directorate and TQI staff to answer the questions. It was helpful and appreciated.

Previous reforms aimed at improving professional standards and providing further safeguards for children have been supported by the Canberra Liberals. This legislation continues that process, and we support the bill today.

MR STEEL (Murrumbidgee—Minister for Skills, Minister for Transport and City Services and Special Minister of State) (11.28): What happens in the early years of a child's life is nothing short of extraordinary. Children are born to learn and, in the first five years, they undergo the most rapid period of brain development in a person's lifetime. It means what happens in those first years is critical: the bonding serve and return interactions with parents—their first teachers throughout these years—and the quality of experiences that they have with trained early childhood professionals and early childhood settings in a range of different forms.

The ACT has a proud history of offering every child free and high-quality government preschool education in the year before formal schooling, which has given me and so many other Canberrans the benefits of social non-cognitive and cognitive benefits prior to entering the ACT's excellent schooling system. However, Labor recognises that two years of quality preschool gives children the best start to set them up for success. We recognise the evidence that two years, not one, of quality early childhood education amplifies the benefits of early childhood education. These benefits, the research, shows can last through primary school and even into high school—and the children who get the most benefit are the most vulnerable children.

The Productivity Commission is currently conducting an inquiry into early childhood. In their recent draft report, *A path to universal access to early childhood education and care*, they summarised evidence from Australia and overseas that shows that most early childhood education and care programs have positive effects on children's early academic, cognitive or non-cognitive skills. They found that such benefits are more likely for preschool attendance and for older children and that these benefits can last well into adulthood. A small number of studies found that an expansion of early childhood education and care can have a positive effect on adult outcomes, such as income, completing school, getting a job and avoiding contact with the justice system.

The ACT government recognised the emerging research, which continues to emerge, in *Setup for Success*, the ACT's early childhood strategy. It why Labor's key education policy is to introduce three-year-old preschool—two years of high-quality preschool education prior to formal schooling, which begins next year with enrolments open at many early childhood services, both government and non-government. This is a policy that works hand in hand with federal Labor's cheaper childcare package, which subsidises additional hours above those available under the ACT's preschool programs, not only for early childhood development reasons but also to support parents' workforce participation.

For the first time in the ACT, this bill proposes that our laws will promote early childhood education by ensuring that every child can access a high-quality early childhood education program, including universal three-year-old preschool, universal four-year-old preschool or an equity-based program, like our well-known Koori Preschool program.

As the ACT makes this significant step to enshrine this in law, we know that there is further work occurring nationally about how we can step up and provide 30 hours of universal access to early childhood education and care across the childcare subsidy system and also government preschool programs—which is obviously a subject of the current Productivity Commission inquiry.

But it is not the duration of early learning alone or the dosage in hours that makes the biggest difference to children's cognitive and socio-emotional outcomes. As the Productivity Commission found, the extent to which and whether an early childhood education program promotes better outcomes for children depends on the quality of that program. The quality of an early childhood program really is about the quality of teaching provided in an early childhood setting by an early childhood professional.

Since the introduction of the National Quality Framework and the National Quality Standards, which have been enshrined in law in the ACT under the Education and Care Services National Law, there have been requirements for higher qualification levels to ensure that, particularly, all long-daycare services have staff with the skills to support children's development from the certificate III qualified staff—which is one of the most popular qualifications being studied under our rollout of the fee-free TAFE program at the CIT—right through to the degree qualified early childhood teachers, and there are requirements to have a minimum number of those depending on the size of the long-daycare centre.

I note Ms Lawder's comments in relation to the Liberals position on this, but my experience has not actually been that the Liberals have supported these reforms in the past. They fought bitterly against the introduction of the National Quality Framework. I am glad that we are hearing today that they may have changed their position—but that would certainly be news to me!

The early childhood sector is also a professional one. They have already been acting like a professional sector. They have been undertaking ongoing professional learning for some years. I was involved in that in my prior life, before coming into parliament, to support the early childhood sector with some of that professional development to make sure that they can deliver the early years curriculum and the Early Years Learning Framework under the National Quality Standard.

There is not a more important national local endeavour than supporting children's education and development. But, unfortunately, in Australia, our teachers are not given the same status as other professions. This has to change if we are to become a more productive and knowledgeable country. We must look at ways to strengthen and raise the status of the teaching profession, and this should include early childhood teachers. I am pleased that this bill recognises early childhood teachers as a profession through professional registration in the Teacher Quality Institute. While this will be voluntary from April 2024, it will promote teacher quality by upholding the standards and maintain public confidence by delivering excellence in education. It promotes the status of this important profession.

I would also like to acknowledge, in supporting this bill, the pivotal role that the Minister for Education, Yvette Berry, has played in supporting early childhood education. This is not just because of her significant experience representing early childhood professionals at United Voice, which is now known as the UWU, but also because of her genuine understanding of the benefits of early childhood education and care, her support for children's development and her care for the staff that are so critical to supporting their future outcomes. Today, with the support of the Assembly, the research and those values and the understanding that Minister Berry has become law. I commend the bill to the Assembly.

MS BERRY (Ginninderra—Deputy Chief Minister, Minister for Early Childhood Development, Minister for Education and Youth Affairs, Minister for Housing and Suburban Development, Minister for the Prevention of Domestic and Family Violence, Minister for Sport and Recreation and Minister for Women) (11.36), in reply: I am pleased today to have the opportunity to close the debate on the Education (Early Childhood) Legislation Amendment Bill 2023, which I presented in October. I thank all members for their contributions to the debate on the implementation of this bill from today.

This is an omnibus piece of legislation that amends the Education Act 2004, the ACT Teacher Quality Institute Act 2010 and the ACT Teacher Quality Institute Regulation 2010. This bill represents the fourth phase of legislative reform under the ACT Future of Education Strategy. This bill will also deliver on important actions in the ACT government's early childhood strategy, Set up for Success.

This bill will formerly recognise early childhood education as part of the education system and provide for the professional recognition of early childhood teachers—a long overdue recognition of their expertise. These amendments will strengthen the early childhood sector and see the ACT leading the nation in our commitment to early childhood education.

This bill will amend the Education Act to recognise that children start learning from birth; recognise the importance of quality early childhood education in the two years prior to compulsory education; make provision for the Education Directorate to support attendance for children enrolled in but not attending government preschool programs; and include principles for collaboration and cooperation to encourage information sharing relating to a child’s education and care.

This bill will also amend the Teacher Quality Institute Act to enable the registration of early childhood teachers, expand provisions that protect child safety and allow for the issuing of digital registration cards.

The amendments proposed in the bill have been developed in consultation with key stakeholder groups in the early childhood sector, education unions, parents and citizens associations, as well as relevant statutory authorities. These stakeholders are key partners in delivering the reforms proposed by the bill.

A number of these stakeholders are in the chamber or watching online today. I particularly want to acknowledge Shae Haylen and other Early Childhood Australia representatives; Simon Bennett, as CEO of Community Services #1; Karen Pollard, as Co-Chair of ACT Children First Alliance; Executive Director, Children’s Services for Community Services #1, Anna Whitty, of Northside Community Service; and Kellie Stewart, from Communities at Work.

From the Education Directorate, I want to pay particular acknowledgement to Nicole, Hannah, Isabelle, Rebecca and Danielle for all of their hard work in putting this legislation together. Thank you and congratulations on getting this legislation done. I would also like to acknowledge Teacher Quality Institute CEO Lyndall Reid, and the team, who are watching online. They have been so committed to recognising and enshrining the importance of early childhood education in law.

It is important to highlight that this bill does not impose additional regulation on the early childhood sector. Early childhood education and care services are regulated under the Education and Care Services National Law Act 2011. These amendments will not replace or duplicate this. This bill is about professional elevation and recognition.

The amendments update the main objects of the Education Act to include promoting early childhood education by ensuring that every child can access a high-quality early childhood education through the universal three-year-old preschool, universal four-year-old preschool or equity-based preschool programs delivered or funded by the ACT government.

This bill also requires the director-general to set up procedures to encourage attendance for children enrolled in government delivered preschool programs. The procedures must state that attendance is not compulsory, state the benefits of attendance, and include steps that may be taken to support a child's attendance.

While preschool is not compulsory, it is important to note and recognise that low attendance in preschool can often indicate that a family may require additional support, and it has the potential to lead to future patterns of non-attendance at school. By establishing procedures for government schools to encourage preschool attendance, all children, regardless of their background or life experiences, will have a better start to their schooling.

This amendment only relates to government delivered preschool programs, as non-government preschool programs have existing levers to encourage attendance through the federal childcare subsidy scheme. It is important to note that ACT government delivered preschool programs do not attract the federal childcare subsidy and therefore do not have the same levers available to encourage the attendance of preschool children.

The bill also includes principles for collaboration and cooperation, to encourage information sharing relating to a child's education and care. The amendment will not introduce new legal requirements for information sharing but, instead, will encourage education providers and other services involved in supporting a child's education to share relevant information to support the educational, developmental, wellbeing and safety needs of the child and ensure a smooth transition between services.

This bill will make another minor amendment to the Education Act relating to the delegation and review of school-related suspension powers. This amendment clarifies that the power to review suspension decisions can be delegated to the Director of School Improvement role within the Education Directorate. In addition to updating the Education Act, this bill will amend the Teacher Quality Institute Act to introduce early childhood teacher registration. This will recognise the professionalism of early childhood teachers and the impact they have on young people in their brain-building years.

Early childhood teachers are at the heart of what makes learning great. They deliver educational programs which ignite and guide children's curiosity, creativity and development. They are expert professionals, highly qualified and skilled. Currently, the Teacher Quality Institute Act is focused on registering teachers in primary and secondary schools. This bill will introduce a new category of registration for teachers in early childhood education and care settings whose expertise is in teaching children in the birth to five years or birth to eight years age groups, because a teacher is a teacher, whether they work in early childhood services or in a school.

High levels of educational success, employment and social skills have all been linked to participation in quality early childhood education. When children are healthy, safe and learning well in their early years, they are better able to reach their full developmental potential as adults and participate effectively in economic, social and civil life. This bill acknowledges the critical contribution early childhood teachers make to the education of young children and to their life chances into the future. It acknowledges that early

childhood teachers are a respected and valued cohort in a larger esteemed group of teaching professionals who provide quality education to our children.

This bill also expands provisions in the Teacher Quality Institute Act that protect children's safety. The bill stipulates that the Teacher Quality Institute must exercise its functions in the best interest of the child's safety and welfare. The bill extends the authority for the Teacher Quality Institute to share information about teachers with other teacher regulatory authorities across Australia and New Zealand. Children's safety is the highest priority.

Teacher privacy is also very important. The Teacher Quality Institute will not be able to share information about teachers with just anyone. When the Teacher Quality Institute is reasonably satisfied that there is an unacceptable risk of harm to children, it will be able to inform the other teacher regulatory authorities. This should be in a situation where the Teacher Quality Institute has refused a teacher registration or when a teacher's registration is suspended or cancelled for a reason that could impact on the safety of children. This bill also authorises the Teacher Quality Institute to immediately suspend a teacher's registration or permit to teach only when the Teacher Quality Institute is reasonably satisfied that there is an unacceptable risk of harm to the child.

Finally, this bill introduces provisions for the Teacher Quality Institute to issue digital registration cards. Instead of carrying a plastic card, teachers will be able to present digital evidence of their registration, providing a more convenient option for teachers and reducing Canberra's plastic waste by around 60 kilograms per year.

Following the passage of the bill, the Education Directorate and the Teacher Quality Institute will work closely with the early childhood education and care sector to implement these reforms. Most reforms will come into effect on 1 January next year, with the exception of the early childhood teacher registration scheme, which will commence on 1 April 2024. Registration will not be compulsory, but early childhood teachers who choose to register will be able to reap the benefits that come from professional recognition, alongside their primary and secondary teaching colleagues.

Additionally, the amendments relating to the delegation and review of suspension powers will commence immediately after the act is notified. This government is committed to ensuring that all children in the ACT have a great education and the life chances and opportunities that flow from that.

When I came into the Assembly and made my first speech, I talked about the work that I had done in my previous role with the United Workers Union, and my last campaign, which was leading the "Big Steps" campaign for professional recognition and professional wages. Early childhood educators play a vitally important role in the development of our children. These are the first people who parents entrust the care of their children to, and they are responsible for helping children to learn to play with others, to interact in new environments and to build the characters that will stay with them for the rest of their lives.

You would think that these people, with such responsibility, would be rewarded with recognition and the professional wages that they deserve, yet throughout that

campaign I met educators who could not afford to live in garages, who worked multiple jobs in order to make ends meet and even could not have their own children in care. I know that that campaign is not over yet. I cannot wait for the day that early childhood educators get the recognition that they deserve in wages. I will continue to advocate to the federal government for acknowledgement in wages, but today we make a giant step forward in recognition of the early childhood sector, through this legislation.

I would like to take a moment, again, to thank all of the stakeholders who participated in the consultation process for this legislation and whose work has led us to this point today. I also thank the early childhood education and care giants who, for decades in the past before this day, have campaigned for this important recognition. We stand here today because of your advocacy and because of the advocacy of all of the educators who came before you. I commend the bill to the Assembly.

MISS NUTTALL (Brindabella) (11.49), by leave: I would like to begin by acknowledging and profusely thanking the Minister for Education for bringing these important amendments to the Education Act. These amendments are a testament to the ACT government's commitment to the wellbeing and development of Canberra's youngest citizens. These amendments explicitly add a fundamental principle—the recognition that children begin learning from the moment they are born. By recognising this reality, we are not merely adapting to change; we are leading it. We are affirming that early childhood education is not a luxury, nor a convenience, but an essential building block of a child's future.

I think anyone who has ever interacted with children will attest that they are constantly visibly learning. In my previous job I had the privilege of witnessing this little spark of curiosity, those gears grinding, as children experienced for the first time a lot of things that we adults take for granted. It seems obvious enough, but it is so important for the people entrusted with children in their formative years to be properly, sincerely recognised.

The amendments to this bill actively aim to underscore the significance of quality early childhood education in the two years preceding compulsory education. Research consistently demonstrates that a child's early years are critical for cognitive, social, and emotional development. By prioritising the quality of education during this period, we are choosing to invest in the foundation of our children's lifelong learning journey.

The ACT Greens strongly believe in every child's right to a higher quality education. We are committed to inclusivity and affirm that every child, regardless of circumstance, deserves an equal opportunity to access and benefit from early childhood education. We strongly believe that learning is a lifelong process that is fostered in both formal and informal settings, and that free, high quality education promotes equality of opportunity. This is the cornerstone of a healthy democracy and is fundamental to a prosperous and fair society. The Greens wholeheartedly support the acknowledgement of early childhood educators within these amendments. Early childhood educators are vitally important to society, as they nurture the very foundations of our future.

The amendments also propose changes to the Teacher Quality Institute legislation. These changes are equally significant, focusing on the voluntary registration of early

childhood teachers and reinforcing the importance of child safety. Our early childhood teachers work incredibly hard, and these amendments aim to elevate the standing of early childhood education by allowing for professional recognition of early childhood teachers.

These proposed amendments are not just legal modifications; they are a reflection of our values and our priorities. By recognising the importance of early childhood education, fostering collaboration and prioritising child safety, we are laying the groundwork for a society that truly values the wellbeing and potential of every child from day dot. The ACT Greens are very pleased to support these amendments and, in doing so, we reaffirm our commitment to a future where every child has the opportunity to thrive and reach their fullest potential.

Question resolved in the affirmative.

Bill agreed to in principle.

Leave granted to dispense with the detail stage.

Bill agreed to.

Building and Construction Legislation Amendment Bill 2023

Debate resumed from 14 September 2023, on motion by **Ms Vassarotti**:

That this bill be agreed to in principle.

MR PARTON (Brindabella) (11.53): I rise to indicate that the Canberra Liberals will be supporting the government's Building and Construction Legislation Amendment Bill. Fortunately for everyone in the chamber, I will only be speaking briefly! I want to thank the minister's office and directorate staff for providing us with extensive briefings on this bill.

I want to genuinely say that one of the things that shines through so clearly for me is what great people we are blessed to have working in this machine. Their work, on so many levels, is to be applauded. It is certainly being applauded by other stakeholders who we consulted on this bill. There are no complaints out there in the construction landscape. There is a view that this legislation is absolutely warranted. It has broad support, and it is the work that governments should be doing.

This is a relatively simple piece of legislation designed to address existing safety concerns with medical gas systems and distributed energy resources. It is sensible legislation designed to address safety concerns and prevent some tragic situations seen in other jurisdictions. I am confident that this bill will result in a greater safety net for all Canberrans, through a guarantee of experienced and qualified workers undertaking distributed energy resources installations.

The amendments moved by Minister Vassarotti seek to ensure the security of payment and bring the ACT into line with the existing legislation in New South Wales. The Canberra Liberals have no issue with the amendments brought by the minister and will be supporting them. All they do is strengthen the right of a tradesperson to be

paid for their work, and we think that is a pretty good thing. We are all in favour. Good work. Not much more to see or say.

MR GENTLEMAN (Brindabella—Manager of Government Business, Minister for Corrections, Minister for Industrial Relations and Workplace Safety, Minister for Planning and Land Management and Minister for Police and Emergency Services) (11.55): I support Minister Vassarotti's Building and Construction Legislation Amendment Bill as a way to improve the effectiveness of the ACT building regulatory system. This is an important bill which updates the statute book by amending multiple pieces of legislation that deal with building, electricity, gas, water and sewerage. Building quality is a crucial aspect of our built environment. It ensures that our homes are safe, resilient to a changing climate and remain fit for purpose into the future.

As our city responds to changing trends and climate pressure, the way that work is regulated is also going to need to change. As we transition away from gas and focus more on new types of technology, such as rooftop solar systems, we need to ensure that our regulatory systems remain fit for purpose. This includes ensuring that tradespeople have the appropriate skills and training to effectively install and maintain new types of electrical systems, which this bill addresses.

I also note that the bill seeks to ensure contractors are paid in a timelier manner, similar to their New South Wales counterparts. The building industry has experienced significant pressures in recent years, and I support the changes that will improve this and provide greater stability to contractors in the ACT. While these changes are an important step in improving building quality in the ACT, it is crucial that the implementation of the changes is rolled out effectively. I look forward to seeing the progress of these changes in the future. I commend the bill to the Assembly.

MS CHEYNE (Ginninderra—Assistant Minister for Economic Development, Minister for the Arts, Minister for Business and Better Regulation, Minister for Human Rights and Minister for Multicultural Affairs) (11.57): I am also pleased to rise to speak on this bill today. I will also be brief. As Minister for Business and Better Regulation, I support this bill and the important reforms it introduces in building and construction legislation. These reforms will help to better ensure safety for our community and support integrity, accountability and compliance in the building and construction industry.

In particular, the bill will focus on extending the powers of the ACT's electrical inspectors who do such invaluable work by making sure electrical installations are safe and installed correctly. Currently, inspectors only have the power to disconnect installations that have reached the point of being dangerous, but not before. This bill will give inspectors the ability to order the repair or replacement of electrical equipment installations that they deem are at risk of becoming dangerous. This will provide important protections for our community.

For the people installing medical gas systems, the bill will introduce a licensing framework that allows new qualifications for undertaking this work. This means the people who rely on these systems to administer medical gases, and the patients who

need them, can be confident that the installation has followed established verification processes and that it is accurate and safe.

Further supporting the ACT government's strong focus on renewable energy, this bill will introduce a requirement that electricians who install photovoltaic or solar energy systems are appropriately qualified to do so. It will enable the Construction Occupations Registrar to endorse an electrician licensed to work on these systems if the licensee has the appropriate qualifications and experience. The uptake of these systems within the ACT community makes it even more important to ensure that measures are in place to protect the community from the risk of poor installations in the future. Placing this requirement in ACT legislation through this bill, rather than relying on national schemes, is the right step forward.

In addition to the matters above, I support the range of other reforms that this bill will introduce, including in the regulation of architects, security of payments and fidelity funds schemes. Many of the changes that are being made in this bill take on board the feedback and advice of building inspectors. With this bill, the ACT government is showing its commitment to the continuing improvement of the ACT's building regulatory system. I also commend it to the Assembly.

MS VASSAROTTI (Kurrajong—Minister for the Environment, Minister for Heritage, Minister for Homelessness and Housing Services and Minister for Sustainable Building and Construction) (11.59), in reply: I am pleased to close the debate on the Building and Construction Legislation Amendment Bill 2023. I would like to thank members for their contributions to the debate on this bill. This bill supports an effective and fit-for-purpose building regulatory system for the ACT. The bill includes amendments that support building quality and safety, and effective regulatory oversight of building, electrical, gasfitting and plumbing work.

I thank the industry and the community for their engagement with this bill, in particular the feedback from industry on the amendments to the Building and Construction Industry (Security of Payment) Act 2009. Engagement from stakeholders on these amendments has informed the government's amendments. These amendments introduce a statutory override for time frames for payments that applies when the construction contract is silent or tries to set a longer payment term than in the statute. These amendments are designed to support contractors being paid on time and in full.

I am committed to working with industry, and nationally, to deliver regulatory and policy settings that support contractors, the viability of the industry and the financial security of those members in the industry that are most vulnerable within the sector to the effects of insolvencies and delays in payment for work undertaken.

I would also like to thank the community and industry for their engagement with the review of the ACT's residential building work insurance regulatory settings. The amendments in this bill are the first step in responding to the interim findings of that review. The review will be finalised this year, with further action, including amendments to supporting subordinate laws, likely to be undertaken next year.

These actions will focus on improved regulatory oversight, increased transparency and consumer protection for residential building work insurance, including fidelity fund schemes. Residential building work insurance is an important consumer protection measure for those having building work undertaken. I am committed to regulatory settings that are fit for purpose and support a viable insurance market in the ACT.

In addition to the changes I have just mentioned, the bill includes amendments to improve the quality and safety of electrical work undertaken in the ACT. This is achieved through two amendments to the bill. The first relates to providing electrical inspectors with more options for assessing the safety of electrical installations.

Under the bill, electrical installations that have sat idle for more than six months or longer will need to be inspected, tested and passed by an inspector. In addition, electrical inspectors will have new powers to assess whether an installation is becoming unsafe and to act at that point. At present, regulatory responses are limited to the moment at which the electrical installation has become unsafe.

Secondly, the bill introduces new licensing requirements for electricians undertaking work on declared distributed energy resources. Distributed energy resources include rooftop solar and electric vehicle charging equipment. Electricians undertaking this work will need to hold a specific endorsement on their licence. The endorsement will be issued in circumstances where the electrician can demonstrate that they have the requisite qualifications, skills and experience to undertake such installations. These amendments support the ACT government's commitment to sustainable and safe buildings and the ACT's pathway to electrification.

The bill also introduces amendments to support the regulation of medical gas systems to address safety risks with the installation, testing and maintenance of these systems. Incorrect installation and poor maintenance of these systems has significant risks to the health, safety and economic wellbeing of individuals, as evidenced by two serious incidents across the border. The Environment, Planning and Sustainable Development Directorate is working closely with Canberra Health Services as a key partner, and industry, to support the implementation of the new regulations and to finalise the design of the scheme.

The bill includes amendments designed to improve the effectiveness of the ACT's building regulatory system. This includes amendments to the Water and Sewerage Act 2000 to remove the existing disparity between requirements for residents of single dwellings and residents of units or townhouses; amendments to the Building Act 2004 relating to certificates of occupancy to increase the involvement of owners in decision-making during the construction process; amendments to the Architects Act 2004 to support the issuing of a code of professional conduct for registered architects, which aligns with the government's commitment to accountability and transparency of those working in the building and construction sector; and amendments to the Building Act 2004 to support ease of compliance and clarity relating to how an energy efficiency certificate is issued, and to whom, which supports the commencement of new energy efficiency provisions in the 2022 edition of the National Construction Code, which commence in the ACT on 15 January 2024.

When we move to the detail stage of the debate, as noted, I will seek leave to move some government amendments to the bill that are minor and technical in nature and respond to feedback from stakeholders on the bill and comments made by the Standing Committee on Justice and Community Safety in its scrutiny role.

In summary, the Building and Construction Legislation Amendment Bill 2023 will improve the effectiveness of the administration of the ACT's building regulatory system and ensure that it remains contemporary and fit for purpose. I commend the bill to the Assembly.

Question resolved in the affirmative.

Bill agreed to in principle.

Detail stage

Bill, by leave, taken as a whole.

MS VASSAROTTI (Kurrajong—Minister for the Environment, Minister for Heritage, Minister for Homelessness and Housing Services and Minister for Sustainable Building and Construction) (12.06), by leave: I move amendments Nos 1 to 7 circulated in my name together [*see schedule 1 at page 4042*] and table a supplementary explanatory statement to the government amendments. These amendments are minor and technical in nature, and in response to scrutiny comments.

Amendments agreed to.

Bill, as a whole, as amended, agreed to.

Bill, as amended, agreed to.

Nature Conservation Amendment Bill 2023

Debate resumed from 19 September 2023, on motion by **Ms Vassarotti**:

That this bill be agreed to in principle.

MS LAWDER (Brindabella) (12.08): I rise to speak on the Nature Conservation Amendment Bill 2023. The purpose of this bill is to restrict the use of inappropriate fruit netting in ACT residential premises to prevent the risk of injury or death to native wildlife.

The bill amends the Nature Conservation Act 2014, as well as the Magistrates Court (Nature Conservation Infringement Notices) Regulation 2015. It is to ensure that the use of prohibited fruit netting is treated as an offence, and outlaws the display of prohibited netting for sale without the appropriate signage stating its prohibition. Prohibited netting is defined as that which has a mesh hole size greater than five millimetres by five millimetres. This ban on larger nets is aimed at protecting wildlife such as native birds, reptiles and small mammals, all of which can be fatally entangled in the larger nets.

We absolutely agree with this protection of our wildlife, but I cannot help comparing this to some other instances, and it seems a little unfair. For example, using your mobile phone while driving a car, as we all know, is against the law. We all know that this is extremely dangerous and can cause injury or death, yet people still do it, unfortunately. The government have installed cameras to detect people who might use a mobile phone while driving, and they are having a three-month grace period in which the mobile phone use detected by cameras will be met with a warning and no fine. I feel it is a little disproportionate that we are bringing in this brand new law about the use of netting and not giving people an opportunity to adjust to it.

I absolutely welcome an education campaign, as well as the net swap program that was undertaken with the assistance of ACT Wildlife. This brand new offence is being brought in; it is a strict liability offence, in which case ignorance of the law, lack of intention or recklessness are not a defence, yet we are giving people a grace period for the use of a mobile phone. I find it quite difficult to understand.

Nevertheless, we do support the principle of this bill. It is positive, and it is always important to ensure that the activities of Canberrans are not harming native wildlife or damaging our city's ecosystem. That is why I am pleased that we will support this bill today. In fact, we have a history of supporting this prohibition of harmful fruit netting. In 2021, when the Assembly debated a motion on this very issue, my colleague Ms Castley, who was then the shadow environment minister, called for swifter action on the ban, but this was not agreed to by Labor and the Greens.

Overall, the objective of this legislation is an important step to ensure that we protect our native wildlife. A scrutiny report highlighted potential limits to the protection of privacy and presumption of innocence under the enforcement regime but required no response from the government.

I would like to thank the minister's office and directorate officials for providing a briefing to me on this bill some time ago. Once again, I state that, despite some concerns, as I have outlined, we are pleased to support this measure today to protect our wildlife.

MR GENTLEMAN (Brindabella—Manager of Government Business, Minister for Corrections, Minister for Industrial Relations and Workplace Safety, Minister for Planning and Land Management and Minister for Police and Emergency Services) (12.12): I support the Nature Conservation Bill 2023. While the bill is relatively short, it provides an important policy change to the Nature Conservation Act to prohibit fruit netting with holes greater than five millimetres.

Man-made materials and plastics can have devastating effects on wildlife in the environment, and it is well documented that many native species can get trapped in netting draped over bushes and fruit trees. Our trees are home to a variety of birds and animals. Unfortunately, once animals get stuck in netting, they do not always survive. The change to smaller size tree netting will reduce the risk of harm to these animals as we move into the fruit-growing season.

I would like to take this opportunity to acknowledge the broader work that occurs in the territory in relation to wildlife. This includes our Parks and Conservation Service, as well as community organisations such as ACT Wildlife who assist injured animals.

The bill complements the very good work done by volunteers and our parks people. I support this bill and its passage through the Assembly.

MS CLAY (Ginninderra) (12.13): I am pleased to speak in support of Minister Vassarotti's bill to amend the Nature Conservation Act to restrict the use of non-wildlife friendly netting. In November 2021, the Legislative Assembly passed my motion, agreeing to develop this legislation, which only allows the use of animal-friendly netting here in the ACT. And here we are; now we have it, it is great. The bill prohibits the use of unsafe fruit netting in ACT residential premises to prevent the risk of injury or death to wildlife. It will contribute to the protection of native wildlife, particularly the threatened grey-headed flying fox, and it will make sure that these animals are not getting entangled in nets anymore.

We have set a global goal for nature of securing a nature-positive world by 2030. We cannot afford to lose any more species. Everything we do as a government from here on has to help, halt and reverse the loss of nature if we want to achieve that goal. Addressing one threat to a species through this legislation is a small step, but those small gains can add up to significant impacts long term.

Biodiversity is so important. It is made up of all of the life on Earth—plants, animals, microbes and ecosystems. Each element is important and everything is interconnected. Biodiversity is all around us. It is in our reserves, our parks and our playgrounds, and it is in our backyards. Many of us learn about biodiversity for the first time in our own homes, in our gardens. I have been on a great journey with my nine-year-old daughter, who was out in the garden picking fruit at the age of one with our dog, and that dog has now taught her to pick tomatoes and apples, and climb trees. The dog has shown her how to climb trees because that is how he gets his apples. We know that this is how our children learn about looking after nature, and that is what this amendment bill is all about. It is about protecting the nature in our backyards, and it is about teaching us and letting us teach our kids that we can do an even better job.

By using wildlife-friendly nets to protect our fruit trees, we are protecting the foraging bats and all of the other small animals, the lizards, the possums and the reptiles, from unnecessary entanglement. It means they can keep doing their work for our benefit. They can do pollination, seed dispersal, natural insect control, and all of the other roles and functions that they perform in nature. We also hope that, through this small change, people will become aware of the diversity of species that visit their homes, including the actions people can take to be kinder to the environment.

Public education and awareness are integral to the success of this legislation. It is important to note that the ACT government and ACT Wildlife have already produced and published electronic and printed materials to educate Canberrans on the dangers of unsafe netting for wildlife.

Through a \$25,000 grant from the Environment, Planning and Sustainable Development Directorate, ACT Wildlife has commenced a net swap program that has already provided more than 1,000 nets to Canberrans, free of charge. We expect many more Canberrans to come forward and swap their unsafe netting in the coming months. I would encourage anyone who is listening to this debate to check their netting. If they can fit a finger through the gauge, those holes are too big. They can get some new

netting at a local shop or they can use this free swap-over program. It is also a big advantage that the legislation includes the requirement for signage to be displayed by retailers who choose to continue to sell unsafe netting. That signage will make sure that, when you are in a shop, you can buy the right netting.

This legislation will bring into effect the motion that the Assembly agreed to two years ago that I was really privileged to bring forward, to eliminate the use of non-animal friendly netting here in the ACT. I commend this bill to the Assembly.

MS VASSAROTTI (Kurrajong—Minister for the Environment, Minister for Heritage, Minister for Homelessness and Housing Services and Minister for Sustainable Building and Construction) (12.17), in reply: I am pleased to close the debate on the Nature Conservation Amendment Bill 2023 and thank colleagues for their contributions to the debate.

This bill advances wildlife protection and animal welfare in the ACT by prohibiting the use of unsafe fruit tree netting that can cause injury and death to native wildlife through net entanglement. Canberrans can still use fruit netting, provided that these are wildlife-friendly nets.

I would like to give three important reasons why the Assembly has provided support for the passage of this bill today. Firstly, this small change in our environmental legislation is a big step forward towards the protection of the threatened grey-headed flying fox in the ACT, listed as vulnerable under Australia's Environment Protection and Biodiversity Conservation Act and our own Nature Conservation Act.

These flying foxes are susceptible to entanglement in nets as they seek out fruit and nectar in people's yards. Entanglement in fruit netting is a major cause of hospital admissions for flying foxes in urban environments, and in the ACT it is identified as a serious threat to the species. In the past 10 years, there were 802 flying fox rescues recorded in the ACT alone. Nearly half of those rescues were due to net entanglement and, sadly, a quarter of those rescued could not be saved. Restricting the use of unsafe nets and encouraging the use of wildlife-friendly ones is a simple step to address this threat.

Secondly, banning the use of unsafe netting has been proven to be effective in decreasing wildlife entanglement in Victoria. In September 2021, Victoria was the first jurisdiction to ban the use of fruit netting with a mesh hole size greater than five by five millimetres. Two years after the ban, the effect of Victoria's safe netting regulation continues to be positive and has put a significant dent in entanglements and rescues. As of June 2023, Wildlife Victoria reported a 70 per cent drop in the four-year average of rescues due to net entanglement.

By supporting the bill, we are able to ensure that this small change will deliver significant wins for flying foxes and other small wildlife in the ACT. This simple shift means that people can still harvest without harm—a win for people and the environment.

The third and final point that I would like to make is that, by supporting this bill, we are acknowledging the voice of many Canberrans who have shown strong support for the shift to wildlife-friendly netting. Canberra is blessed to have a highly educated population that is environmentally aware and compassionate to the cause of animal welfare. We have already seen a positive response to the proposed new laws by the Canberra community.

The Environment Protection and Sustainable Development Directorate has, as we have heard, partnered with ACT Wildlife to deliver a net-swap program, running from September to December 2023, that replaces old netting with compliant netting free of charge to the ACT community. ACT Wildlife has reported that 259 households have participated in the net-swap program so far, with a total of 1,113 nets distributed to community members.

I will now outline key aspects of the bill and how they offer a simple yet effective way to reduce harm to our native wildlife. Section 127 of the bill provides the definition of prohibited fruit netting, which is netting that has a mesh whole size greater than five by five millimetres when fully stretched. Netting with large mesh size is more likely to entangle animals, and their struggling can cause injury and strangulation, often leading to death. Reducing the netting mesh size greatly reduces the risk of animal entanglement.

The bill will prohibit the use of inappropriately sized fruit netting in residential premises only, as data from ACT Wildlife shows that this is where almost all wildlife entanglements occur. Only the use and not the sale of these nets will be prohibited. Retailers who choose to sell the prohibited fruit nettings will be required to place a sign next to the nets informing the public of their prohibited use. This approach allows the ACT to adhere to national mutual recognition laws related to the sale of goods and at the same time inform the public of the fruit netting prohibition. Large retailers such as Bunnings are already no longer selling fruit netting with mesh sizes greater than five by five millimetres, and we expect smaller retailers to follow.

The ACT made similar prohibitions in 2019 when it banned enclosed yabby nets, including “opera house” style traps, in order to help protect platypus and other native wildlife such as crayfish from drowning in unattended nets. A similar signage requirement was also given to retailers who chose to continue selling prohibited yabby nets. This has been a simple yet effective way to deter usage, while at the same time informing consumers and customers that prohibitions exist on the use of certain types of nettings in the ACT.

Lastly, new sections 138A and 138B of the bill provide for a strict liability offence where a person uses a prohibited netting on a plant or does not display the netting in accordance with the display requirements for prohibited fruit netting. The use of a strict liability offence is seen as directly relevant to environmental objectives and allows for a quick and effective response to noncompliance. The suggested penalty of five penalty units and no imprisonment for the use offence and 10 penalty units for the failure to display signage in retail stores is well below the maximum penalty.

I want to assure Ms Lawder in particular that the issue of infringement notices will be guided by an internal policy that places emphasis on education and awareness as the primary mechanisms for compliance with the law.

As mentioned previously, the net-swap program being delivered by ACT Wildlife will help to enhance awareness and public education to get Canberrans to start using wildlife-friendly nets. As well as offering replacement nets, the program also provides the opportunity for ACT Wildlife and conservation officers within government to distribute brochures and conduct face-to-face education. This is in addition to the information provided on the government's environment website and Wildlife ACT's website about the dangers of fruit netting to wildlife and what Canberrans can do to minimise the risk.

This bill will see Canberra take a small but significant step forward in the protection of flying foxes and other native wildlife. If we can prohibit the use of harmful netting, we can decrease the risk of unnecessary distress on animals and the people who rescue them. It is an easy victory and a workable and effective policy solution. I commend the bill to the Assembly.

Question resolved in the affirmative.

Bill agreed to in principle.

Leave granted to dispense with the detail stage.

Bill agreed to.

Sitting suspended from 12.25 to 2 pm.

Questions without notice

Business—economy

MS LEE: My question is to the Minister for Business and Better Regulation. Minister, the Australian Bureau of Statistics *Counts of Australian businesses, including entries and exits* shows, again, that the ACT has the worst business survival rate in the country for businesses that were operating between 2019 and 2023. The Canberra Business Chamber's quarterly business survey found that 34 per cent of businesses think it is more difficult to do business in the ACT than any other jurisdiction. In addition, the latest ASIC insolvency data for the financial year to date shows that appointments over companies in the ACT have more than doubled between 2021 and 2023 and are now 66 per cent higher than in Tasmania.

Minister, why is it so much more difficult to operate and grow a business in the ACT since you became minister?

MS CHEYNE: It is not.

MS LEE: Minister, what is your plan to improve these metrics for ACT businesses in the next 12 months?

MS CHEYNE: Madam Speaker, I would suggest that Ms Lee starts by not being so selective with the statistics that she is using. The economy in Canberra is strong. The Chief Minister's responses to questions—

Mr Cocks: You just keep telling people that!

Ms Castley: ASIC has got it wrong!

MS CHEYNE: Do you mind?

MADAM SPEAKER: Just ignore the interjections, Ms Cheyne.

MS CHEYNE: Madam Speaker, it was clear in the response that the Chief Minister gave yesterday that the ACT is outperforming every other jurisdiction in Australia over this past year. Household spending in the ACT increased by 8.2 per cent through the year to September 2023 and in current price calendar adjusted terms, with rises across all categories except furnishings—

Ms Lee: A point of order, Madam Speaker. The question was very straightforward: it was about what the minister intends to do over the next 12 months to improve these metrics; it was not about the broad-brush view of what the ACT economy is like nor household spending.

MADAM SPEAKER: I do not think there is a point of order. She was referring to another set of data, which goes to the point in question. Ms Cheyne?

MS CHEYNE: Thank you, Madam Speaker. As I was saying, the data does show that things are very positive in the ACT, and this is consistent with what we are seeing. There are excellent business conditions in the ACT; but, we do know—and this is replicated right across Australia—that business confidence in the outlook is weaker because they are nervous about the future and they are nervous about rate rises.

Ms Lee: What is your plan? What is your plan?

MS CHEYNE: Our plan is detailed in the Small Business Strategy, which was released back in July—

Ms Lee: So what's in it?

MS CHEYNE: Ms Lee can download it and get acquainted with it.

MS CASTLEY: Minister, do you still think the Canberra Business Chamber's finding that the ACT is one of the most difficult jurisdictions in which to operate a business is, as you stated, "bemusing", or will you be more willing to listen to their recommendations in the future?

MS CHEYNE: Ms Castley is conflating two totally different things. The Business Chamber has recently done a business sentiment survey, as has the ACT government, and I can say that Mr Harford, when he presented me with the business survey

recently, said that sentiment at the present time is relatively positive. It is fascinating that the Liberals are saying what they are saying and trying to quote something from a particularly long time ago!

Ms Castley interjecting—

MADAM SPEAKER: Ms Castley, please!

MS CHEYNE: I would note that my comment saying that the Business Chamber's media release was bemusing was about the budget and what was contained in the budget, and if you look at what the Business Chamber said at that time, many of those things that they were calling for were not budget related or were being progressed in other ways. Also, I would note that Mr Harford has said that, while he did note that businesses do say that it can be harder to do business here, he will continue to probe on this, because he really wants to come to me with specifics. When specifics are detailed to me, which they never are by the Liberals, that is when we do something about it, and we have. We have had a consistent record of this over the last three years.

Community councils—government support

MR CAIN: My question is to the Minister for Planning and Land Management. Minister, your government has been highly critical of the importance of the role of community councils in the ACT, a role which often touches on planning issues. As the ACT commences a new planning system, community representative bodies are disbanding when they are crucial to holding this new system to account. Minister, why is the role of community councils in the consultation process on planning being reduced under your government?

MR GENTLEMAN: I thank Mr Cain for the question. I do not agree with the premise of his question. It has not been reduced at all. In fact, we engage with the community councils on a regular basis on planning matters. We have officers from EPSDD visiting community councils and doing presentations at the community councils. Indeed, you can look at the input from the community councils as we did with the planning system review and reform project but they are not the only contact we have with the Canberra community. I would invite Mr Cain to have a look at the responses I gave to him during annual reports hearings in looking at the community consultation that occurred during the planning system review and reform project. A wide variety of consultations took place across the ACT, including the biggest YourSay consultation that has ever occurred undertaken by this government. We are still involved with the community councils of course and we take on board their comments.

Mr Cain: The combined community council did not think so; they publicly criticised your consultation.

MADAM SPEAKER: Supplementary, rather than a comment Mr Cain?

MR CAIN: Minister, how can the remaining community councils be assured that the level of participation will continue, given the Chief Minister has very clearly stated that community councils are a relic of a bygone era?

MR GENTLEMAN: I simply refer Mr Cain to my previous answer. We continue to engage with them, but there are other forms of engagement. Indeed, if you look at the volume of engagement that occurred during the review and reform project on YourSay, and other engagements across the ACT—

Mr Cain interjecting—

MADAM SPEAKER: Mr Cain, that is enough, thank you.

MR GENTLEMAN: it showed that we are well engaged with the ACT community on planning reform, and indeed the community has responded.

MR COCKS: Minister, will you commit to personally attending and engaging with the Molonglo Valley community forum, which represents the ACT's newest rapidly-growing region, and which recently rejected government funding so it can remain unfettered in providing its views to the government?

MR GENTLEMAN: I have engaged with the Molonglo group, particularly during the planning system review and reform project and we will continue to engage with them. They are modern, forthright thinkers in that particular group and I am very pleased with their contribution to ACT government policy.

Public and social housing—funding

MR PARTON: My question is to the Minister for Housing. Minister, I refer to your recent joint media release with the federal housing minister regarding the Social Housing Accelerator fund. I understand that the money will go towards building 65 public housing dwellings. Will this be over and above the additional dwellings as promised and agreed to in the PAGA? If that is not the case, how can you justify directing this substantial additional funding towards a target that you had already committed to deliver long before the HAFF was ever on the table?

MS BERRY: The answer in response to the question is: yes, it is over and above.

MR PARTON: Minister, can you very clearly detail how many extra public housing dwellings, over and above the PAGA commitment, will be delivered through the Social Housing Accelerator and when they will be delivered?

MS BERRY: There will be at least 65 homes, depending on the price. It is our expectation that that will be at least how many we deliver. The time frames will depend on the availability. But I think we have two years to deliver on the expenditure of that funding.

MS LAWDER: Minister, why does your government struggle so much to fulfill your promises with regard to the total number of public housing dwellings?

MS BERRY: I do reject the vibe of the question with regard to the government's commitment to build public housing in the ACT, because we have always committed to continue to grow and improve public housing in the ACT. Unfortunately—as

I have brought to the attention of the Assembly—what we have all lived through over the last couple of years is an international health pandemic, some extreme weather conditions, a war that restricted supply of infrastructure and a workforce crisis in the construction meant that there were delays to all infrastructure builds, not just within public housing.

As I have updated the Assembly, those time frames are improving. What was taking us 18 months to two years to build public housing is now returning to more normal time frames of around nine months. So we will be able to continue to build and deliver on our promise and commitment to the Assembly as part of the PAGA and to the broader community.

Municipal services—footpaths

MS CLAY: My question is to the Minister for Transport and City Services. Minister, the 2021 footpath audit identified almost 9,000 path defects. In the two years since that audit, just over 5,000 of these have been repaired. This is really welcome progress, but it is moving pretty slowly, given that a lot of people rely on this network for their essential travel. What changes have you made, since the defect list was published in May, to progress path repairs in a more timely matter?

MR STEEL: I thank the member for her question. I reject the premise of the question that we have been slow. This demonstrates the proactive approach that we have undertaken, by undertaking this audit to identify defects in the footpath network, which is over 3,000 kilometres long across the ACT. It was previously the case that defects were identified in a reactive manner by the community, through Fix My Street, for example.

The government has taken a new approach to address these defects. We are doing so based on defects that have been classified as the highest risk. That is the priority order that we have addressed them in. We know that the best way to address the issues is by addressing those urgent and high risk repairs from the audit. We have already addressed approximately 5,188 defects, which is the equivalent of nearly 11 defects per business day. It includes repairs to concrete paths, kerbs and gutters, pedestrian crossings, vehicle crossings and driveways. There have been repairs to asphalt paths and pavers, using cold mix to make paths safe where necessary, and also grinding.

In the budget we made a very substantial extra investment of 40 per cent in footpath maintenance, including through insourcing workers to be able to do some of those make-safe repairs on our footpath network, particularly grinding and asphalt repairs. I have already indicated that we are currently looking at the opportunities for undertaking some more insourcing in relation to pavement replacement on our footpath network as well. We will continue to work towards addressing the issues identified, as well as new issues that have come to light, through both proactive and reactive means.

MS CLAY: Minister, how do you make sure that our paths are clear and clean so that people can walk, wheel and ride on them safely?

MR STEEL: I thank the member for her question. It is a good question, because some of the defects that were identified through the 2021 audit were not considered to

be actual path defects. They were not structural problems with the path itself but things like debris on a path, dirt on a path or vegetation encroachment, like an overgrown hedge, for example.

Those issues are dealt with in a slightly different way, through different programs and different parts of Transport Canberra and City Services, such as the sweeping program, mowing and pruning, but also licensing and compliance, engaging with residents to make sure that they are complying with the nature strip guidelines. We are working in a range of different ways to address those issues.

The remaining 1,000 issues identified in the audit were of that non-structural nature. There were also some issues like aesthetic cracks to paths which do not currently show a vertical or horizontal displacement causing a safety risk but may need to be dealt with at a future point in time, or as prevention of a future safety risk becoming present as a result of that crack.

There are a range of different ways that we address those. We are dealing with the highest risk issues first, before we then move to the lowest risk. The insourcing framework work that the ACT government is doing, looking at footpath maintenance, will be much more responsive in how we manage these issues when they arise. Rather than having to wait, often up to a year, for work to be packaged together and put out for open market procurement, we can simply get on and deal with those defects. So it is a different way of doing things.

MISS NUTTALL: Minister, when will all 9,000 defects be fixed?

MR STEEL: I thank the member for her question. There will be many more defects in the future, I am sure, as the footpath network ages and as we have weathering on our footpath network. It is not simply the work that has been identified in the audit. We have got on to the highest risk issues first. There may be other high risk defects that become present that were not identified in the audit. They would be a priority to address.

If the member is suggesting that we prioritise low risk defects over any high risk defects, we do not agree with that point. What I have said is that we are changing the approach that we are taking in relation to our footpath maintenance. We are looking at the opportunities for insourcing, to be more responsive. As teams go out and do work on the network to replace panels or to undertake grinding, for example, they may see some of those lower risk defects that we have identified through the audit. Geolocation surveys and so forth may show other low risk defects around the high risk defects. We will try to get on top of those at the same time, to address them.

Public housing—energy efficiency

MR PARTON: My question is to the minister for housing. Minister, you have recently accepted \$7.2 million of funding from the commonwealth to assist with upgrades to minimum standards for ACT public housing dwellings. Your rhetoric around the commonwealth assistance leads me to believe that, without it, you would not have been able to comply with your own minimum standards mandates. What is your message to private landlords who must comply with the new standards without a handout from the Prime Minister and who will likely be forced to pass the cost on to renters?

MR RATTENBURY: I will take this question as I have policy responsibility for this area of work. I am very pleased about the partnership with the federal government. The federal government have established a significant fund to work on energy efficiency across Australia. They recognise that the ACT government have an excellent program, and they have contributed to that because we have a clear rollout mechanism and a clear goal as to what we want to get done to improve the lives of our public housing tenants.

In terms of private landlords, there are options available to them, including interest-free loans, as well as their own tax deductibility issues that go with having that kind of property. I think Mr Parton is trying to draw an equivalence that simply does not exist.

MR PARTON: Will the ACT government meet its own deadlines on these minimum standard upgrades, or will this be another target that you miss?

MS BERRY: I can probably respond a little bit on that one. Of course, it is our intention to ensure that we do meet the deadlines that we have set, and we want to make sure that we do that in a safe way. With the organisations that ensure that housing and other properties are insulated appropriately, we want that to be done safely and in a timely manner. In public housing, we do not want to interrupt tenants' lives unnecessarily. Overall, our goal is to ensure that everybody has a safe and comfortable home to live in. With respect to time frames, we will do that as safely as we can, while keeping tenants' lives at the forefront of the work that we do.

MR CAIN: Minister, how have you arrived at a total cost estimate of \$32 million, given that there is a \$7.2 million contribution from the commonwealth and \$28 million worth of funding from the ACT government? They just do not add up to \$32 million.

MR RATTENBURY: I am afraid that I do not know where Mr Cain got that figure from. I am very clear that the initial contribution of \$28 million is from the ACT government. We received an additional \$7.2 million from the commonwealth government in recognition of the quality of the program, and their desire to assist with that. Also, the commonwealth is very pleased that we are rolling it out and we are actually getting the job done. I must confess that I do not know where Mr Cain got that figure from. We are very clear about what has been allocated to this program.

Pharmacies—dispensing of medication

DR PATERSON: My question is to the Minister for Health. Minister, a pilot recently commenced in Canberra that will allow people to access the oral contraceptive pill more easily. What will this program look like and what benefits will it have?

MS STEPHEN-SMITH: I thank Dr Paterson for the question and for her interest in the progress of this important initiative to make health care more accessible. The ACT government recognises the important role of pharmacists in the healthcare system and welcomes the opportunity to see where that role can be safely expanded for the benefit of the community. That is why we joined NSW Health and the University of Newcastle in the pharmacy trial. Under the pharmacy trial, people aged 18 to 35 who require contraception may be able to get their next supply of the pill after consultation

with a participating pharmacist, if they have been taking their existing pill for contraceptive purposes and have been continuously prescribed a low-risk oral contraceptive pill in the last two years by a doctor or a nurse practitioner.

Pharmacists provide a critical service as trusted and accessible health professionals in our community. They are often the first point of contact for consumers and carers and are significant contributors in our healthcare system. Enabling pharmacists to supply certain low-risk medications when it is safe to do so is one way of providing more timely access to medications and treatments for Canberrans and reducing pressures on primary healthcare providers and emergency departments.

Of course, pharmacists are highly trained and, by participating in the trial, they will be able to have a conversation with eligible Canberrans to determine whether they can indeed provide medications or whether the person needs to see a doctor or a nurse practitioner. I was speaking to a pharmacist just the other day who was telling me that someone had come in seeking a new script for contraceptive pills under this particular trial and, in fact, they were told that they were not eligible to receive that new script from the pharmacist, and the pharmacist advised them to see a health practitioner. This is a responsibility pharmacists take very seriously.

DR PATERSON: Minister, have there been any other recent trials to increase the health care that Canberra's pharmacists can provide?

MS STEPHEN-SMITH: I thank Dr Paterson for the supplementary question. The initiative to make oral contraceptive pills more accessible expands on the trial of pharmacists supplying medications to treat uncomplicated urinary tract infections in women. The trial will evaluate the effectiveness and safety of pharmacists prescribing antibiotics to treat uncomplicated UTIs in women and people with a uterus aged between 18 and 65. UTIs are a common condition in women, and uncomplicated UTIs can be treated with a short course of antibiotics.

This initiative is a good example of community pharmacies partnering with GPs and other health professionals to treat common health conditions, with increased accessibility in a safe and efficient way helping to unclog the health system. By enabling pharmacists to initiate treatment for women with an uncomplicated UTI, we are helping Canberrans to access treatment quickly and are reducing pressure on other primary healthcare providers. With nearly 2,000 people presenting to emergency in the ACT for a urinary tract infection annually, this initiative will help reduce pressure on the hospital system and will make UTI treatments even more accessible for Canberrans across the territory. ACT pharmacies participating in the trial are required to follow strict protocols and diagnostic criteria to ensure the safe use of antibiotics in the treatment of uncomplicated UTIs and ensure patients understand when they may need to seek further care.

In addition, earlier this year, the ACT government also expanded the vaccines that pharmacists can administer in the ACT without a prescription. ACT pharmacists can now administer vaccines to certain age groups for a wide range of conditions, including hepatitis A and B, human papilloma virus, measles, mumps, rubella and meningococcal. This will be expanded further from 1 January 2024.

MS ORR: Minister, how else is the ACT government making women's health care easier to access in Canberra?

MS STEPHEN-SMITH: I thank Ms Orr for the supplementary. In addition to the pharmacy trial, our fabulous nurse-led walk-in centres can also treat women for uncomplicated UTIs, and we are continuing to expand their scope of practice as well. Earlier this year, I announced that the ACT government is investing more than \$4.6 million over four years to provide all ACT residents who require an abortion, including those without a Medicare card, access to free abortion services. Medical abortions up to nine weeks gestation are available through a trained GP, telehealth service or MSI Australia, formerly known as Marie Stopes. MSI Australia also offers surgical abortions up to 16 weeks gestation. Long-acting reversible contraceptives are also available at the time of surgical abortion.

Abortion, of course, is a health service, and not being able to access appropriate care in a timely way can have a detrimental impact on a person's mental and physical health, as well as socioeconomic consequences. This initiative is about providing women and people who need an abortion with access to the right supports and services without stigma or financial burden. The ACT government will continue to engage with service providers, including general practices, and our non-government community partners as we work to expand services in the ACT.

At the November Health Ministers Meeting, I gave in-principle support to implementing the recommendations relevant to jurisdictions of the Senate inquiry into universal access to reproductive health care. As health ministers noted, the ACT has implemented several of the recommendations already, and I look forward to working with the commonwealth labour government to deliver on the recommendations where there are joint responsibilities. I congratulate the commonwealth government on the changes that have been made to make medical abortion more accessible as well. We will continue to work with the commonwealth to improve women's access to health care.

Ginninderry—services

MR CAIN: My question is to the minister for suburban development. Minister, I have received correspondence from residents of the Ginninderry community who feel neglected by you, the SLA and the government. The planned Strathnairn school will be delayed until at least the start of 2026, despite the suburb's population growing quickly. Furthermore, there are still no local shops and the mobile reception out there is not adequate.

Minister, why are you depriving the residents of Ginninderry of essential infrastructure?

MS BERRY: In the first instance, I would encourage Mr Cain to pass on the constituents' concerns that he has received with regard to Ginninderry. I would be very happy to take those up with our joint venture partner at Ginninderry, Riverview, to address the concerns that he says his constituents are raising with him.

As to the second part of the question, I understand that the Ginninderry group have been working very closely with residents of Strathnairn to work through some of

the challenges that have more recently been identified with development and growth in that area. That continued consultation and conversation is important to ensure that the community is engaged in all of the fantastic work that the Riverview Group, our joint venture partner as part of Ginninderry, are doing in that wonderful new suburb.

Mr Cain interjecting—

MADAM SPEAKER: Mr Cain!

MS BERRY: I do not accept that people in Ginninderry are unhappy. I do accept that living in a new area does come with challenges, and the best way to overcome those is to have those really great open communication channels. I know the Ginninderry group do that through their communications and access to their Link down there—their community space—to encourage people to come and talk with the Riverview Group about how they are overcoming some of the challenges out there.

Mr Cain interjecting—

MADAM SPEAKER: Mr Cain! Mr Cain might want to just understand a little bit better the joint venture partnership and the responsibilities of each the joint venturers and their partner. The ACT government is the funding partner; the Ginninderry Riverview Group is the delivery partner, so they are really, primarily, responsible for communications with residents.

MR CAIN: Minister, when can Ginninderry residents expect to see the construction of a local or group centre in their area?

MS BERRY: I think the Riverview Group in Ginninderry are updating the community about time frames for a group centre, but I might take that on notice to be sure that I can have the most up-to-date time frames to provide the Assembly and, more broadly, the community.

MRS KIKKERT: Minister, what collaboration or correspondence with the commonwealth have you undertaken to urgently upgrade telecommunication reception in outer west Belconnen?

MS BERRY: I understand that the Ginninderry group have been discussing some of the issues that have been raised with the community with regard to Telstra, who recently installed a telecommunications pole and, however, have identified some issues with the connections of mobile phone coverage with that area. I understand that some of those concerns have been communicated with the Ginninderry community. I completely understand the frustrations some of the individuals out there would be experiencing. I know that west Belconnen does have significant gaps in coverage for both wi-fi, broadband and phones, not just out at Ginninderry—

Mrs Kikkert: A point of order, Madam Speaker. The question specifically asked the minister about what collaboration or correspondence she has had with the commonwealth rather than what Ginninderry has been doing with their residents.

MADAM SPEAKER: I do not think there is a point of order. I will give the minister the time she has left.

MS BERRY: I just wanted to continue to say that the joint venturer, obviously, briefs me regularly on issues that affect that community and the Ginninderry project more broadly, and these are the issues that the joint venture is working through with the telecommunication provider, as well as with the commonwealth government.

Obviously, I understand, as I said, the frustration that community, and, more broadly, that some of the other parts of west Belconnen are experiencing. I know myself and my colleague Tara Cheyne have written regularly to telecommunication providers and others to try to have these issues addressed, and we will continue to make sure that we advocate on behalf of those residents.

Public housing—Lowanna Street

MR PARTON: My question is to the Minister for Housing. It is that time of question time, Minister—

Ms Berry: It is my turn!

MR PARTON: where we have a question about the public housing complex on Lowanna Street in Braddon. We are exasperated too! This complex, which sits vacant, has the opportunity to house many of those on the waiting list, in a fantastic location. In recent sittings you have assured us that things are moving forward in this decade-long saga of neglect and mismanagement. Can you detail exactly what has changed since we last spoke in this place regarding this complex and provide the chamber with an estimated date for the commencement of new tenancies?

MS BERRY: Thank you, Mr Parton, for that question. I will provide an update. I am just going to get some absolute dates to make sure I have the time frames correct, if I can provide them. I am not sure if I mentioned during the last time that I was asked questions about Lowanna that there were ACAT processes that were occurring. I understand that those have been resolved, which is good. So we are another step in the direction of developing that site for future public housing, but I will come back to the chamber with some more detail on the time frames.

MR PARTON: What is the total estimated rebuild or renovation cost to have Lowanna Street brought up to standard and tenanted? What has the decade-long vacancy of this property cost the taxpayer in total?

MS BERRY: I will take the question on notice. The building is not being upgraded, it will be demolished and a new building built. The future price might not be available at the moment, but if there is detail on the actual cost, I will make sure that I bring that information back to the Assembly.

MR CAIN: Minister, why is the ACT government not able to properly manage their housing properties at a time when housing is so unaffordable?

MS BERRY: I completely reject the premise of that question. The question asked by Mr Parton was specifically about Lowanna, which had some particular complex challenges which do not exist with any other public housing properties. The ACT government has significantly invested millions of dollars—record investment—into maintaining, upgrading and building public housing properties.

Environment—lakes and waterways

MISS NUTTALL: My question is to the Minister for Water, Energy and Emissions Reduction. Minister, going into an El Niño summer, I am increasingly concerned about the rapid growth of blue-green algae within my electorate. The blooms are prominent not just in Lake Tuggeranong but also in other bodies of water around Brindabella. While the Healthy Waterways Program is currently giving some love and TLC to Lake Tuggeranong, a particular concern I have is the filamentous algal blooms in Fadden Pond.

Minister, what is the problem in Fadden Pond and what is the government doing to reduce the occurrence of blue-green algal blooms in the ACT?

MR RATTENBURY: I welcome Miss Nuttall to question time. I am pleased to see that she is continuing a fine tradition of members for Brindabella taking an interest in the water quality in the electorate.

The filamentous algae in Fadden Pond is growing because the pond water is enriched with nutrients. The high level of nutrients is the result of both the high inputs to the urban stormwater system that flows into Fadden Pond and the low levels of filtering in the system above the pond. Two major sources of nutrients in the stormwater flowing into Fadden Pond are from leaves and grass sitting in the drains and gutters in the suburb and also fertilisers leaching from gardens that then travel in the stormwater down through the system.

The ACT government is continuing to deliver the Healthy Waterways Program to improve water quality across Canberra, with a focus on the Lake Tuggeranong catchment, as I have outlined to the Assembly on previous occasions. The Healthy Waterways Program is building water quality assets such as wetlands to filter nutrients from stormwater and slow the movement of water in the landscape so that it can be filtered by soil and plants. We are also conducting research and monitoring and delivering water quality education programs. I recently had the chance to examine a new piece of infrastructure in Kambah, where there have been gaps put in guttering so the water can flow across the nature reserve area and actually be filtered that way. That is one example. Some of the projects are quite complex and some are relatively more simple.

The ACT government is also delivering the Leaf Collective project in Tuggeranong, including in Fadden, which encourages residents to remove the leaves and grass from their blocks so that they do not enter the drains in the first place. The government is also planning a program to find ways to reduce fertiliser use in the Tuggeranong catchment and, of course, elsewhere in Canberra. But, again, because of particular problems in Tuggeranong, that is where most of the effort is being focused at this point in time.

MISS NUTTALL: Will Fadden Pond be considered for inclusion in the Healthy Waterways Program?

MR RATTENBURY: While the Healthy Waterways Program is focused on building assets in Tuggeranong, there are none that are currently specifically planned for the Fadden Pond catchment. However, this location will be considered for future work, particularly in light of the issues that have been identified. The projects that are happening in Tuggeranong are taking place in other areas at the moment. For example, members of that area may have seen the work that is being done on the Tuggeranong Creek drain, behind the Calwell Playing Fields.

In addition, a catchment plan for managing water quality in the Lake Tuggeranong catchment as a whole, including the Fadden Pond catchment, is currently being prepared and will be made available for community consultation in 2024. That is designed to look at the whole catchment and will take into account the scientific research that has been taking place in the catchment. The work done by the University of Canberra, in particular, has given us a much clearer understanding of the dynamics of the catchment and particularly the source of many of the pollutants and where they are flowing to. I think that will give us a much better understanding of how to manage these issues in the Tuggeranong catchment.

MS CLAY: Minister, what can local residents do to improve the water quality in their local lakes and ponds?

MR RATTENBURY: There is actually a lot that local residents can do to improve the quality of the stormwater that enters into the lakes and ponds. One of those key things is removing leaves so that they do not wash into the drains. The point of the Leaf Collective program is to, I guess, unleash that community energy that is out there and invite residents to be part of the solution.

We can also reduce fertiliser use on gardens and on sports fields, which is a particular responsibility of the government. That is something that the government is working on as a project at the moment. Using less fertiliser and applying it at the right time—which is, ideally, not before a big rain event like we are currently experiencing—can certainly help to keep some of that nutrient load out of our waterways. We can also, of course, make sure that it is only water that is flowing down the stormwater drains and not other things. We do not want to see people disposing of paints, oil or other liquids inappropriately down the drain.

They are some small but practical things that residents can do to contribute that will complement the work being done by government to seek to improve the water quality in these catchments.

Public housing—maintenance

MR PARTON: My question is to the Minister for Housing and Suburban Development. Minister, over the last few years we have received countless complaints from tenants in multiple Housing ACT complexes that have broken garage doors. This

results in compromised safety for tenants, and these doors have, on occasion, taken years to be repaired, if at all. What is the repair policy for garage doors in Housing ACT complexes and, more broadly, why is the current maintenance arrangement failing so many tenants?

MS BERRY: I am concerned to hear about the issues that Mr Parton has raised on behalf of public housing tenants with regard to the repair of garage doors. I cannot recall receiving correspondence with regard to delays, but I will check with my office—

Mr Parton: You have. You definitely have.

MS BERRY: I will check with my office about that correspondence and whether it is a more widespread issue, to understand whether there are delays and the reasons for those delays. If I have not already, I will respond directly to Mr Parton, if he has provided that correspondence to my office.

MR PARTON: Minister, what message do you have for the thousands of tenants who cannot get urgent repairs and maintenance dealt with in their Housing ACT property?

MS BERRY: As I said, I am always concerned when I hear about public housing tenants and repairs that they have identified in their properties. Sometimes there are a number of reasons that are out of Housing ACT's and Programmed's control. That includes the availability of the tenant at the home, for the trades to get in. Sometimes it is the material. To be fair, sometimes the tenant's work is not delivered in a timely manner—and I accept that that is unacceptable—or the improvement works are not of the standard that either Housing ACT or the ACT government would expect to be delivered.

Housing ACT and I are constantly reviewing the work that Programmed does, and the engagement that we have with our tenants, to ensure that they are being responded to appropriately, in a timely manner, that the repairs that they are receiving are as appropriate, as any of us would expect got ourselves, and that the tenants are being treated respectfully. I am concerned when I hear about these concerns. When Mr Parton brings them to my attention, I always ask Housing ACT to investigate and to ensure that prompt action is taken.

MS CASTLEY: Minister, why are so many urgent and necessary maintenance issues not being dealt with by the ACT government, as the self-proclaimed “model landlord”?

MS BERRY: Sorry; what was the last bit of that question?

MADAM SPEAKER: Could you repeat the question.

MS BERRY: It was just the last three words. I couldn't hear.

MS CASTLEY: The ACT government, as the self-proclaimed “model landlord”.

MS BERRY: Right. I think I will just refer Ms Castley to the previous answer.

Australian Institute of Sport—federal review

MS ORR: My question is to the Minister for Sport and Recreation. Minister, how has the ACT government been engaging with the federal government’s review, “A fit for purpose Australian Institute of Sport”?

MS BERRY: I thank Ms Orr for her interest in the Australian Institute of Sport. As members of the Assembly know, the federal government has commissioned a review of the Australian Institute of Sport, its infrastructure and campus location. Members of the government and I recognise the long-held connection that the AIS has with Canberra and the surrounding region. As such, it was important for me to ensure that the views of the local community, sporting groups and other stakeholders be listened to, taken into account and fed into the ACT government’s submission to this federal government review.

Once the review was announced, I organised a roundtable of sporting bodies and other stakeholders to discuss their views on the AIS, and any change to the AIS, including the location and their vision for the potential future of the AIS campus in Bruce. The roundtable was held at the University of Canberra in Bruce on Tuesday, 14 November and it was well attended. The discussion that we had was positive and productive, with lots of examination of the issues that currently impact the AIS, how local sporting bodies and others use the facility and how important it is, the background and history of the campus, as well as ideas for its future use.

MS ORR: Minister, what did sporting bodies tell you about their current use of AIS facilities?

MS BERRY: Different sports and clubs make use of the AIS campus in a varied way. Some use the facilities for training only; some use the precinct for matches. Many of the sports regularly have athletes who are trained for elite careers by centres of excellence. The Canberra Capitals have had several Canberrans move from their local clubs via the centre of excellence and into professional basketball. What is more, up to 120 local athletes make use of the ACT Academy of Sport, ACTAS, on a daily to weekly basis. This facility is run and funded by the ACT government and provides Canberra athletes with specific programs and training facilities to help their development. ACTAS is located on the AIS campus and there is a large level of collaboration between the two organisations, which benefits local athletes.

The closure of the AIS arena due to underfunding and neglect by the previous commonwealth government was quite a blow to teams, particularly the Canberra Capitals, who had, as everybody in this space knows, used that facility of the AIS extensively. I hope that the necessary maintenance needs of the facility can be completed well before the 2024-25 season, so that we can get the Caps back at the arena.

MR PETTERSSON: Minister, what were some of the views from sporting bodies about the potential for the AIS?

MS BERRY: There was broad consensus from stakeholders that the AIS should remain in Canberra and that investment should be put into the current campus for a

number of improvements, maintenance activities and upgrades. The vision of stakeholders was broad, with lots of enthusiasm for the potential of the campus. This vision included an expansion of short, medium and long-term accommodation options for athletes, coaches, officials and spectators. Many sports talked about the opportunity to improve spectator participation on the site through additional events, activities and connections with athletes. There are also opportunities for research, medicine, learning and innovation going hand in hand with training and match facilities on the campus.

Overall, the vision of stakeholders was a positive one—a vision that focused on investing properly in our national institution to bring it back to its heyday and place it firmly on the map as an international sporting centre of excellence here in the nation's capital, Canberra.

North Canberra Hospital—workplace culture

MS CASTLEY: My question is to the Minister for Health. The most recent workplace culture survey reveals that only 26 per cent of nurses and midwives from North Canberra Hospital participated in CHS's recently closed culture survey, November notwithstanding. Can you provide an update on how many staff have left the North Canberra Hospital, and from what units, since the takeover of Calvary?

MS STEPHEN-SMITH: I think Ms Castley has conflated a couple of things in asking the question, so I will take on notice how many. I think the question she actually asked is: how many staff have left North Canberra Hospital since 3 July. I will take that question on notice.

MS CASTLEY: Have you inquired as to why North Canberra Hospital had a low participation rate in the recent workplace culture survey? If so, what information did you receive?

MS STEPHEN-SMITH: My understanding is that BPA, which is the provider of the culture survey, is yet to provide a full report back to Canberra Health Services, and I have not been briefed on the full outcomes of that.

I would say to Ms Castley that there was a culture survey undertaken in 2022, I believe, by Calvary when it was Calvary Public Hospital Bruce, and that had a low response rate, so there may be some longstanding issues around participation in culture surveys at that hospital. I also do not have the data that she is referring to, so I will need to also confirm that her data is, in fact, accurate. I will check that and come back to the Assembly if I have anything further to add.

MRS KIKKERT: Isn't the fact that so many nurses and midwives at North Canberra Hospital chose not to participate in this survey indicative of their disengagement under your administration?

MS STEPHEN-SMITH: No. Again, I refer Mrs Kikkert to my earlier responses to Ms Castley's questions.

Trees—urban canopy

MR PETTERSSON: My question is to the Minister for Transport and City Services. Minister, how is the ACT government tracking in achieving its tree planting target?

MR STEEL: I thank Mr Pettersson for his question. Canberra's trees are part of what makes our city one of the liveable in the world and in Australia. They make our streets and neighbourhoods more resilient to climate change. They promote biodiversity, improve air quality and reduce the urban heat island effect. That is why I am really pleased to advise the Assembly that we are on track to plant more than 64,000 trees by mid next year, far exceeding the 54,000 trees we promised to plant at the election. This is the fifth largest tree planting that has occurred in our city's history, with new stock set to grow canopy cover right across our city, especially in new and emerging suburbs that were built after 1990. We have already planted around 50,000 trees and at the moment they are enjoying a good soak!

MR PETTERSSON: Minister, what other measures has the ACT government been taking to protect and grow Canberra's urban forest?

MR STEEL: I thank Mr Pettersson for his question. Planting more trees is just one of the many strategies that we need to grow and protect Canberra's urban forest, which will help us to reach our ambitious target of 30 per cent canopy cover by 2045. To help achieve this target that the ACT government committed to under the living infrastructure plan and the Urban Forest Strategy, we have developed actions under that strategy which set out the ACT government's vision for a resilient and sustainable urban forest. The strategy includes a full list of our objectives and actions in achieving the target, and the ACT government recognises the importance of having robust legislation to make sure that we protect and enhance our urban forest. We have got a large existing urban forest. We want to prolong the life of those mature trees as much as possible by better protecting them. I am really delighted that the implementation is well under way on the urban forest, and the actual engagement is occurring with the community and with industry ahead of the start of that piece of legislation from 1 January, which will protect Canberra's trees for a generation.

DR PATERSON: Minister, how does the ACT government's tree canopy coverage target compare with other Australian cities?

MR STEEL: I thank the Dr Paterson for her supplementary question. Canberra's city-wide canopy cover, which was last measured in 2020, estimated that Canberra has a canopy cover of 22.5 per cent. LiDAR data is updated every five years to determine the success of the tree planting program and urban forestry policies. The existing canopy coverage is higher than a number of Australian cities, including greater Sydney, Melbourne and Perth. Over 20 per cent of Canberra's suburbs already have a tree canopy coverage higher than the 30 per cent target, and an additional 50 per cent of Canberra suburbs have a canopy cover above 20 per cent and 30 per cent. The majority of suburbs with a tree canopy coverage of less than 15 per cent have been developed within the last 15 years, so canopy cover in these suburbs is expected to increase as trees are planted and when they reach maturity.

The ACT government has also set the target of achieving 30 per cent canopy cover, or equivalent, across Canberra's urban footprint by 2045. Canberra's urban footprint as a local government area is much larger than many other LGAs across cities in Australia, so this actually does represent a very ambitious target given the size and scale of the ACT. The extra trees that we are now protecting under the Urban Forest Act will also make a difference to us reaching that target and being able to appropriately manage the administrative burden that is required in supporting that management, making sure we are continuing to invest in more tree planting.

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

Leave of absence

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

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

Answer to question on notice

Question 1397

DR PATERSON: I request an explanation concerning an unanswered question.

MADAM SPEAKER: Put the unanswered question to the minister.

DR PATERSON: Minister Rattenbury, I request an explanation for unanswered question 1397 on the notice paper.

MR RATTENBURY: I have been seeking additional information on that matter to try to provide the best answer to Dr Paterson. It is now back in my folder, as of this morning, and I intend to sign it today.

Planning—RZ1 changes

MR CAIN (Ginninderra) (2.55): I move:

That this Assembly:

(1) notes:

- (a) the ACT Government announced on 11 September 2023 that dual-occupancy developments under a unit title will be permitted on Residential Zone 1 (RZ1) blocks of more than 800m²;
- (b) the size of the second dwelling will be restricted to 120m² or less;
- (c) the median land size in Canberra is 748m² according to Domain Group's *Unique Housing Affordability Report*, published 10 February 2023;
- (d) there are a large number of blocks sized much larger than 800m² in the ACT, particularly in older, established suburbs which contain blocks over 1000m²; and

- (e) local building and construction industry stakeholders are concerned that a size limit will act as a deterrent to construct a second dwelling; and
- (2) calls on the ACT Government to:
 - (a) allow an owner of an eligible RZ1 block to exercise choice in the construction of the second dwelling by removing the 120m² restriction to allow a residence of a size that conforms to established planning regulations; and
 - (b) allow an owner the option of surrendering their lease for the issue of two separate leases.

For the planning minister, this is Christmas come early, because my motion is a gift to the planning minister. It is an offer, on behalf of the Canberra Liberals, to improve their RZ1 infill policy. It comes generously and genuinely. All we need is a bit of an acknowledgement that it was our idea. That is all we are asking for, Minister.

Minister, as you would be aware, you have an infill policy that is a very unambitious copy of the Canberra Liberals policy in the lead-up to the 2020 election, and it is our ambitious but respectful infill policy leading up to the next election.

As you are aware, Minister, you are allowing owners of RZ1 blocks of over 8000 square metres to unit title, if they so choose, and to build a second dwelling, but with a maximum limit of 120 square metres on the second dwelling. We are yet to hear a very satisfactory explanation from the minister as to why this is such a special number.

I do make some observations on comments by the Chief Minister and the planning minister. The planning minister grew up in a 120-square-metre house; that was fine for him, so it should be fine for everyone else. The Chief Minister, his husband and a very large cat live in a 120-square-metre house; that is fine for them, so that should be fine for everyone else. It does beg the question, Minister: if the Chief Minister's cat were not very large, would this size limit be smaller?

Madam Speaker, as you are aware, the Canberra Liberals have chosen not to restrict the size of a second dwelling but to leave that in the hands of the owner and the planning regulations that we all know govern how big a house can be built on any property in Canberra. We are leaving that to the discretion of the owner without putting a cap on the size.

I want to read some numbers regarding how many of these eligible parcels there are and in what categories. I make reference to the answer to question on notice No 34 of 15 September 2023 from the planning minister, and question No 1395. In answer to my questions as to how many of these parcels there are and how many are in different size categories, the minister responded by saying there are 28,178 RZ1 parcels between 800 and 1,000 square metres; 9,785 RZ1 parcels between 1,000 square metres and 1,200 square metres; 3,235 RZ1 parcels between 1,200 and 1,400 square metres; and 3,511 that are actually over 1,400 square metres.

With the total number of RZ1 parcels that are 1,000 square metres or bigger, we are looking at 16,531 parcels of land in our footprint,, yet the minister’s policy will be to say to those owners, “You cannot put more than a 120 square-metre second residence on your unit titled property,” without, in my opinion, an adequate explanation as to why this limit has been put on.

The effect of this limit is to deny the market a wider range of housing choices. What about the needs of very large families in our community, for whom perhaps a 120 square-metre house is not quite adequate? What about their needs, Minister?

The other thing that the Canberra Liberals are offering the minister, as a free policy improvement, so to speak, is that we will also allow the owner the opportunity to surrender their single lease with this large parcel for the issue of two leases, to allow the second dwelling to be treated as being on a separate parcel of land, as opposed to being linked, under an owners corporation, to the original house on a separately unit titled property.

These measures from this so-called progressive government are actually restricting respectful infill in our suburbs. They are limiting the choice of housing that could be available from this program. They seem to be totally arbitrary rules that are unproductive and not fully achieving the policy goal of respectfully providing more housing within our current footprint.

The Canberra Liberals have a more generous approach to both the owners and the market—to allow the owner greater discretion, to allow the owner the opportunity to have a separate title rather than to be bound under a unit plan, and to allow the market to have a greater variety of housing available to our community.

I will be interested in the minister’s response, and the response of our Greens colleagues, to this offer of a policy improvement. This is an improved policy. I urge you to accept it.

MR GENTLEMAN (Brindabella—Manager of Government Business, Minister for Corrections, Minister for Industrial Relations and Workplace Safety, Minister for Planning and Land Management and Minister for Police and Emergency Services) (3.02): I thank Mr Cain for the Christmas gift. I am grateful. Mr Cain has finally decided to engage with the content of the new planning system. However, moving a motion to amend the interim Territory Plan two days into the commencement of the new planning system and during an active parliamentary inquiry is disingenuous, uninformed and misguided.

There is much important context that is neglected in the motion. I am grateful to have an opportunity to provide this context and an explanation to the Assembly. I want to be very clear: dual occupancies—two houses on a single block—have always been permitted, and these will continue to be permitted on blocks over 800 square metres that are located within RZ1-zoned land. It was just that these site’s dwellings could not be unit titled and sold separately. It is not clear if this is a distinction Mr Cain does not understand or is simply ignoring.

Unlike the Canberra Liberals, our government is committed to providing more houses for Canberrans, and our new planning system is one of several significant steps that we have taken to provide more housing. As Mr Cain's motion alludes to, we have made recent changes to allow unit titling for dual occupancy development in RZ1 zones under the interim Territory Plan. The change will provide additional homes throughout the established suburbs that can be sold separately, without making drastic changes to the landscape in which they exist, and maintain the character of the established suburbs. It will provide the opportunity for members of our community to move to the area or for existing families to downsize over the years and stay in their local neighbourhood.

This has been a significant policy change brought in by the Labor government. I am pleased that this opens the potential for thousands of Canberrans to explore new development opportunities on their blocks, if they choose to do so. The significant cost of developing land for urban sprawl is well known, and established areas can benefit from close proximity to jobs and transport infrastructure. The current allowable dwelling size of 120 square metres will result in dwellings that have a lower impact on the surrounding neighbourhood and the environment. The allowable dwelling size of 120 square metres is considered an appropriate size to allow for smaller, more affordable dwellings to be provided in established areas, noting that these dwellings will now be unit titled and able to be sold separately.

I will correct the record. Mr Cain made a comment about the property that I grew up in—that it was 120 square metres. In fact, it was just over 80 square metres, in Reid—an FCC home. The current property that I am in, in which we raised three children and is shared with my wife, is 120 square metres. I am still in that particular property.

Mr Cain: So you've upsized.

MR GENTLEMAN: Going back to the unit titling of those dwellings, this is just one policy change that we have made in the interim Territory Plan to facilitate more houses and better planning outcomes. These changes also include the removal of mandatory plot ratio limits for residential development. Mr Cain's argument seems to be that houses should be built to the largest possible footprint within the allowed planning regulations.

Mr Cain: Which can happen now.

MR GENTLEMAN: These are the same planning regulations that Mr Cain has previously described as anti-community and anti-environment, so it is nice to hear that Mr Cain has now flipped—

Mr Cain: Never!

MR GENTLEMAN: and apparently has full faith in the current planning system's regulations and requirements—

Mr Cain: They are what they are, Minister.

MR GENTLEMAN: outside of one specific aspect of the government's RZ1 changes. Mr Cain is right to have faith in these regulations. They are the by-product of one of the biggest community consultation projects that this government has overseen, and, of course, we have learnt from the experiences of other jurisdictions. We are encouraging innovation and we are encouraging better developments and ensuring Canberra remains a great place to live as our city grows in a sustainable way.

This is the same Mr Cain who complains about the lack of land supplied by government but wilfully ignores the role of the private sector, with the release of a range of sites yearly, mostly within the existing urban footprint. This is the same Mr Cain who cherry-picks numbers out of the Indicative Land Release Program, quotes specific aspects of dated surveys and ignores the significant contributions of the private sector in land release. Meanwhile, the government and I are getting on with the job of providing more houses and good planning outcomes for Canberrans.

I will now address the second aspect of Mr Cain's motion, relating to leases. The interim Territory Plan provisions for dual occupancy development in RZ1 zones show that dual occupancy is allowed but do not permit the subdivision of the land—that is, the creation of two blocks. They do permit, subject to development approval, unit titling—

Mr Cain: These are your plans, your rules, that you can change.

MR GENTLEMAN: which helps to facilitate an outcome where both homes can be sold separately. Unit titling of dual occupancies, where the original block is retained, compared to a physical block subdivision, seeks to preserve the existing subdivision pattern of established suburbs. It also does not constrain a development by having to provide completely separate access and servicing, as in the case for a subdivision. The new Territory Plan strikes a balance of development freedom, improving the supply of housing and giving people capacity to appropriately transform their block, if they choose, while maintaining the wonderful character of our suburbs.

The new planning system has only been in operation for a few days. Indeed, there was opportunity for Mr Cain to engage during the extensive process of community consultation and stakeholder engagement, yet just this morning, on ABC Radio, Mr Cain was asked if he had been engaging with the community or industry about the changes in his motion and he was unable to answer that question.

I would now like to draw the—

Mr Cain: No—I said I'd been speaking with them. It's misleading.

Mr Assistant Speaker: Mr Cain! Mr Gentleman, please resume your seat. Mr Cain, that is half a dozen interjections in the space of five minutes. If you do not cease interjecting, you will be warned and then named. Mr Gentleman.

MR GENTLEMAN: Thank you, Mr Assistant Speaker. I would like to draw the Assembly's attention to some significant consultation that my team undertook: dozens

of workshops and community consultation meetings, consultation with the ACT community for approximately four months, and over 1,000 contributions via the ACT government's YourSay website. That is a clear difference between the consultation that government does and the consultation that Mr Cain does.

Finally, it is important to note that the Standing Committee on Planning, Transport, and City Services is currently undertaking an inquiry into the new Territory Plan, so it would not be appropriate to consider making any further changes until the committee inquiry process is complete. Once the committee has provided its recommendations at the conclusion of the inquiry into the interim Territory Plan, consideration can be given to the policies applicable in the Territory Plan, including any further development in the RZ1 zones.

I would also note that any proposed dual occupancy development, whether in accordance with the current parameters or future dwelling and block size changes, would require a development application to be prepared and submitted that demonstrates compliance with the relevant outcomes and provisions in the Territory Plan. This includes limiting over-development on an excessive scale, protecting residential amenity, and considering the surrounding area. Dual occupancy developments would need to respond to the new *Housing design guide*.

To conclude, the government will not be supporting Mr Cain's motion. Housing is an important and serious matter, which is why the RZ1 changes have been made. This is just one of the many ways in which the government is looking at providing more houses for Canberrans. Housing remains one of the government's top priorities. I look forward to the positive outcomes from the new planning system being realised in the not too distant future.

MS VASSAROTTI (Kurrajong—Minister for the Environment, Minister for Heritage, Minister for Homelessness and Housing Services and Minister for Sustainable Building and Construction) (3.12): It was not long ago that the Assembly debated a motion to approve the introduction of the Territory Plan. Part of that triggered an Assembly inquiry into the Territory Plan. So, while I supported that previous motion, I rise to not support the motion being put forward today by Mr Cain.

The ACT Greens came into this parliament with a better vision for a Canberra that was changing. We were concerned that our urban green space needs and tree canopy were not being given the status that was warranted by our often mentioned bush capital. People were concerned about the quality of the buildings being delivered, how the views of the community were being ignored, how the heritage of our past was being put to one side and how we could be responding better to the challenges of our time, such as climate change, a growing population, a housing crisis and biodiversity loss.

We knew that the people of Canberra were invested in, and wanted to be involved in, making sure that the planning system delivers a better outcome—a system that puts the needs of the community front and centre while working for our environment, both locally and globally. We wanted a system that allows for different outcomes to be applied to different districts—outcomes that recognise that districts have unique urban characteristics that should be addressed in the development of each area—and where active considerations include biodiversity and environmental impacts, how

development fits into an area and how urban green spaces are enhanced so that places are better for people to live in and encourage people to get together. We need places where people better connect and feel safer, no matter what their backgrounds are, and places that are the result of government investment in community infrastructure that is needed to support the growing number of people that will come to live in our city—places like Hassett Park in Campbell, for instance.

The ACT Greens support a more compact city which will allow us to address the challenges facing us today. Stopping urban sprawl will reduce the loss of natural spaces and will instead increase densities within Canberra's suburban areas. With this comes the opportunity to provide a greater diversity of household types, living styles and tenures. Planning controls that mandate our commitment to 30 per cent tree canopy and permeable services and a biodiversity-sensitive design guide that encourages working with our environment can only lead to better outcomes.

One initiative proposed by the government is to increase densities in the suburbs by allowing dual occupancies on blocks greater than 800 square metres in RZ1 zone areas to be unit titled where one of those dwellings is no greater than 120 square metres. The Chief Minister has said that these RZ1 changes could unlock 50,000 potential secondary dwellings across the city over coming decades.

The ACT Greens are supportive of creating compact, integrated spaces that are well designed and linked to good urban green spaces. The benefits from these spaces are enhanced if the dwellings are close to attractions and urban facilities, promote improved public transport usage and encourage active travel, such as walking and cycling.

While the Chief Minister identifies 50,000 blocks that could be redeveloped through this zoning change, it is likely that there will be reasons why this change will deliver a relatively modest increase in density. While it is a good first step, the ACT Greens remain committed to looking at additional measures that will deliver well-designed and well-located medium density beyond dual occupancies.

I question the choice of a 120-square-metre limit on the additional dwelling. It is worth noting in this conversation that Australians build the biggest homes in the world and Canberrans build the largest homes in Australia. We are concerned about the delivery of different housing types as well as ensuring that other requirements, such as site coverage, open private space and living infrastructure, are delivered.

Mr Cain believes that we should act now and review the size of the additional dwelling. The ACT Greens are open to assessing and reviewing the impact but are unconvinced that we should change this policy before the system has had an opportunity to start delivering. As noted, we have an inquiry right now into the new planning system by the Assembly's Standing Committee on Planning, Transport, and City Services, which is chaired by my colleague Jo Clay. It is about to commence public hearings. The issue of zoning is a key element that it is looking at.

I am encouraged by the wide variety of groups that will be appearing before the committee, including representative groups from planning, building, architecture, landscaping, architectural professions, community councils, individuals and

environmental groups. I am sure that the key issues, such as living infrastructure, zoning and the policies proposed to increase housing diversity will be discussed. I look forward to hearing what people have to say and the outcomes of the committee's deliberation.

The ACT Greens do not support Mr Cain's motion. The new planning system has just commenced and it is appropriate to wait for the committee's deliberations and recommendations.

MS CLAY (Ginninderra) (3.18): I am the chair of the Standing Committee on Planning, Transport, and City Services, but I am speaking in my capacity as an MLA. As pointed out by my colleague Minister Vassarotti, we are currently conducting an inquiry into the Territory Plan.

We have previously noted the committee is really grateful for the time, effort and interest shown by people who have a strong interest in Canberra's planning system. That is also evident from the submissions the committee received for its inquiry into the Planning Bill and the submissions on the Territory Plan. We will have public hearings. They are set down for 6 and 7 December, next week, and we will report back by 11 March. Because I am chairing that inquiry, I think it would be inappropriate for me to comment on Mr Cain's motion. That inquiry is underway at the moment and that inquiry is the best place to look at the issues that Mr Cain has raised today.

I would like to thank Minister Vassarotti for her comments on Mr Cain's motion. She has played an instrumental role in shaping the ACT Greens' position on planning, in responding to the climate change and environment needs that we are facing, and in responding to our need for affordable housing.

I am going to make a few comments on related matters. They are not directly related to the inquiry underway but are in the same area. At the last election, the ACT Greens committed to a planning system that could deliver housing that is well designed, housing that is affordable and housing that is sustainable. We also thought it was important that people should continue to have input into how their communities are developing.

These issues are even more important today than they were when we took them to the last election. We are now a couple of days into a new planning system designed to deliver better outcomes than the previous rules based system. It was really important that the tools were available to deliver a better living environment that improved the overall wellbeing of our community. It was really clear to us that the ongoing sprawl of Canberra needed to stop.

Endless sprawling is wrecking our environment. It is wrecking our environment through ongoing destruction of habitat. It is also giving bad outcomes for people. Endless sprawl means that people are condemned to long commutes to and from work. It limits their opportunities for active travel. It means that they will be paying ever-increasing prices for petrol and diesel, and these are rising all the time. The cost-of-living inquiry highlighted transport as one of the biggest cozzie-liv problems that people are having at the moment. The cost of building in our new suburbs is high. All of that adds up to really

high-cost sprawl, and the ACT has a lot of sprawl. Between 1991 and 2016, our urban land area grew by 57 per cent. We cannot keep doing that.

The ACT government have said they are committed to reducing sprawl. That is where our current 70-30 target comes from. That is the target that says 70 per cent of our housing should be within our existing urban footprint. The ACT government have been unable to provide clear figures showing how those current targets are being met. There are also no ramifications if those targets are not met. We found a lot of problems with these figures. We know that they are not being met. Knockdown rebuilds—replacing existing housing stock with another house—is being counted as more infill, for instance, and that is being used as a justification for more sprawl, but a knockdown rebuild does not add a new home within our existing footprint.

The target itself is also inadequate. It is based on dwelling numbers rather than land. For people who are not very good at conceptualising numbers, I will explain what that means. Under a 70-30 target, if you put a Geocon tower in the middle of Belconnen with 700 units, the 70-30 target means you can build 300 urban-sprawl houses on big blocks—detached housing. That is a lot of sprawl. It is not a particularly effective target to limit sprawl, because it is based on dwelling numbers; it is not based on how much land we are using. It is clear we really need to go further than 70-30.

It is really time that Canberra matures, like most other cities, and sets clear city limits. We need to set city limits so we know what is greenfield and what is infill. We need to set city limits so we stop sprawling. We Greens are really committed to a compact city policy. Our government has a compact city policy; we are just not seeing it being delivered. We know it is our only option. It is a much better option. It helps us deliver greater housing diversity; it helps people stay within their community; it helps make sure that, as their life circumstances change, they have somewhere good to move to; it provides adequate green spaces on and off the site; it encourages and supports active travel and public transport; and it helps deliver improved urban diversity outcomes.

I am looking forward to working with my colleagues Ms Suzanne Orr and Mr Mark Parton on the inquiry. I am sure we are looking forward to unpacking some of the issues that Mr Cain has raised today, but we do not see a need to launch into it today with a motion.

MRS KIKKERT (Ginninderra) (3.23): I thank Mr Cain for bringing this matter before the Assembly today.

Mr Parton: He is a good man.

MRS KIKKERT: He is a very good man, indeed. As a Liberal, I am strongly in favour of common sense policy. Therefore, I rise today to speak in support of this motion. The ACT government recently announced that the construction of second homes on very large RZ1 blocks would be allowed, but then, confusingly, placed an arbitrary limit on the size of the additional dwelling. Therefore, many residential blocks in the territory, and especially in older established suburbs, can reasonably and comfortably contain two dwellings, both of which would exceed the government's artificial limit of 120 square metres.

This motion calls on the Labor-Greens government to allow the owner of a large residential block to build a second dwelling that conforms to already established planning regulations. If those regulations are adequate to govern the building size of dual occupancies on other residential blocks, then they should be adequate in the case of RZ1 blocks as well. It is just common sense.

A person who owns, for example, a 1,200 square-metre block with a 200 square-metre existing house, should not be told that a second dwelling on that block must be the size of a granny flat. Clearly, there is plenty of room on such a block for more space if the owner chooses it. As long as all established planning regulations are met, landholders should have the right to make that choice for themselves. This Labor-Greens government cannot logically push an agenda of urban infill and then impose arbitrary restrictions that undercut the success of that agenda.

I call on those opposite to respect the ability of homeowners to make rational, informed decisions regarding dual occupancy that satisfy existing planning regulations. I commend this motion to the Assembly.

MR PARTON (Brindabella) (3.26): Of course, we should be agreeing to this motion, and we should be agreeing to it in its original form. In fact, I assumed there would be some sort of amendment, but there is not. We should be agreeing to it in its original form because of outcome. If, indeed, this dual occupancy policy remains, it is a dual occupancy policy which will not deliver many dual occupancies. That is a fact of life. It was even alluded to by Ms Vassarotti in her statements about it, where she indicated that, although it could unlock up to 50,000 dwellings across the city's current footprint, a relatively modest increase in density is likely from this policy, if any increase at all.

I note the presence of Howard Maclean, Convenor of Greater Canberra, in the gallery today. Greater Canberra have indicated a number of really cool things. I do not have his direct quote, but he basically said exactly what we have said: regarding the RZ1 policy, if you restrict the second dwelling to 120 squares, no-one is going to take it up. I do not understand why the Greens have a problem with someone living in a house of more than 120 square metres. I figure it is probably because, if you are living in a house of 150 square metres or 170 square metres, you are much more likely to think evil, capitalist thoughts. It is rubbish!

This gets down to pure mathematics and pure nuts and bolts. It is unlikely that you will get the financial benefit from developing a dual occy at 120 squares to justify doing it. It is all well and good to put in stamp duty incentives for buyers of these homes—that is great—but, unless the original owner of the home is incentivised to dual occy it for this purpose, no-one is going to buy a second dwelling, because they will not be built.

The thing that shines through for me on so many occasions is that Mr Gentleman knows that is the case. We have asked him on many occasions how many dwellings he thinks it is going to deliver. He is not interested in answering that. He knows that it will not deliver many dwellings at all, but he does not care. He just does not care. He is happy to just sit in his spot on the bus and keep heading in the same direction. He has his former chief of staff up for preselection for Brindabella. He has stayed on the ticket.

He can just keep on chugging along, doing what he is doing. He is not interested in challenging the directorate officials who came up with the 120 square metres.

To me, it goes to the very reason why, when we get to the polls in October next year, we have to change this government. We have to change this government. Mr Gentleman knows full well that this policy will not increase supply, but he does not care. He just does not care. This motion from Mr Cain is extremely sensible and it should be passed in its current form.

MR CAIN (Ginninderra) (3.30), in reply: I want to thank all those who have contributed to this debate—might I say, some more than others. It is good to engage, and I thank you for your input. I will touch on some of the responses from speakers. Mr Gentleman and Ms Clay mentioned there is a committee inquiry. We are looking into a new Territory Plan. It is open to when you will adopt this wonderful idea from the Canberra Liberals. It is open for when you adopt it. I hope the committee seriously considers this motion as a submission for improving the government's infill agenda.

As the minister has said, he is keen to have more housing, additional homes, but what about variety of housing, Minister? The policy of the Canberra Liberals will actually allow a greater variety of properties to be built under our infill agenda. The policy drivers that Mr Gentleman mentioned are policy drivers that inspire the Canberra Liberals as well. We want to maintain the character of our suburbs. We want to allow an owner to downsize and even downsize in their neighbourhood—to downsize and age in place.

Something that Mr Gentleman did not mention as an incentive for the owner is that it is not a bad equity injection to help with super and retirement plans, particularly by having a separate parcel of land with a home on it of a size that the planning regulations will allow for. I will get to some of those a bit later. I have heard a few times, from the Greens and the Labor speakers, how terrible urban sprawl is. So are you going to stop the Ginninderry development, Minister? Are you going to stop the bulldozers in Taylor? If urban sprawl is so costly, why are you doing it at all? It is a bit contradictory, really. As to the appropriate size, surely you should allow such a choice to be made by the owner under the existing planning regulations and rules, whatever those turn out to be after the committee inquiry on the Territory Plan.

Mr Gentleman cannot help but talk in praise of his directorate's and his own community consultation, but I must remind him again that, when the Planning Bill was debated in June this year, we had media released by Combined Community Councils saying that the government's consultation was a sham. Sure, there were a number of gatherings to meet with community councils, there were a number of responses to YourSay pages and there were a number of submissions, but the view of Combined Community Councils is that, despite all that, the government was not really interested in listening. That is the view of the community councils in this city.

As we were debating this afternoon, we are seeing an abandonment by some of the community councils of engaging with the government's funding arrangement, because they do not believe they are listened to. Sure, you can have meetings with them, but what is the point if you are not going to listen to them and respond to their concerns, whether you agree or not?

Mr Gentleman reckoned I said something on radio. That was really quite a mischaracterisation of the radio interview. Of course I have been talking to developers and planners and community councils. My goodness, how could you say I have not engaged on this policy or on planning in general? That is really an insult. Of course, in a very short radio interview you cannot go into every single detail of what you have been doing about anything in particular.

Ms Vassarotti mentioned the important things that we do want to preserve. These are things that are important to the Canberra Liberals. The tree canopy, the garden city character, the permeable services—all these are actually elements of planning and approval of the construction of a home that is in the government's hands. We are just saying, "Why put a size limit on it?" That is what we are saying. Why put a size limit on it when, as I mentioned earlier, we have 16,531 RZ1 parcels of 1,000 square metres or larger; we have 3,235 between 1,200 and 1,400 square metres; and we have 3,511 over 1,400 square metres. In fact, I read one of the comments in the *Canberra Times* this morning on an article on this motion. An owner mentioned a parcel of 2,200 square metres in an RZ1 footprint, and you are telling that owner, "You can unit title it and put a 120 square-metre home on it. That is a lost opportunity for that owner.

Ms Clay mentioned a bit earlier that there is an inquiry. Yes—I note you have an inquiry, and I hope the committee is open-minded and thinks carefully about the merits of this motion, what is at the heart of this motion and why we are bringing it forward.

I want to thank my colleagues Mrs Kikkert and Mr Parton. Isn't it funny for Liberals to be talking about giving people a choice? That sounds like a very liberal thing to do, doesn't? Why is it that we are not hearing that from the other political parties? How about we let the owner choose? What a radical thought.

This motion is deserving of support. It is clearly not going to get it. I must admit that I was a bit hopeful when Mr Gentleman opened his speech with: "Thank you, Mr Cain, for the Christmas wishes." I thought, "Wow! This could be good," but then he went the other way. I did not know he would thank me for the offer of a Christmas gift and then reject it in the next breath. That is very unusual.

This motion does some really important things: it provides the opportunity for greater variety of housing in our footprint; it respects the owner as to what they build on their own land; it gives them greater options for managing their land, to either unit title it or separately title it. To me, they are very uncontroversial. I call on the ACT government, and the Canberra Liberals call on the ACT government, to allow an owner of an eligible RZ1 block to exercise choice in the construction of a second dwelling by removing the 120-square-metre restriction and allow a resident to build to a size that conforms to established planning regulations and allow an owner the option of surrendering their lease to the issuing of two separate leases.

I commend this Canberra Liberal policy to the Assembly.

Question put:

That the motion be agreed to.

The Assembly voted—

Ayes 7

Noes 14

Peter Cain

Leanne Castley

Ed Cocks

Elizabeth Kikkert

Nicole Lawder

James Milligan

Mark Parton

Yvette Berry

Joy Burch

Tara Cheyne

Jo Clay

Emma Davidson

Mick Gentleman

Laura Nuttall

Suzanne Orr

Marisa Paterson

Michael Pettersson

Shane Rattenbury

Chris Steel

Rachel Stephen-Smith

Rebecca Vassarotti

Question resolved in the negative.

Housing ACT—energy efficiency

MR PARTON (Brindabella) (3.42): I move:

That this Assembly:

(1) notes:

- (a) the importance of public housing residents' reasonable entitlement to a dwelling that meets the minimum energy efficiency standards;
- (b) the Government's obligation to provide public housing dwellings that are energy efficient in particular ceiling insulation of a minimum R5 rating;
- (c) in November 2020, the Government's Parliamentary and Governing Agreement for the 10th Assembly lists minimum energy efficiency standards regulation for rental properties as a policy issue of particular priority for the government;
- (d) in 2021, consultations started to gather information on energy efficiency in ACT rentals, options for the energy standards and feedback on the roll out of the program;
- (e) in 2022, the ACT Government considered feedback for the roll out of ceiling insulation;
- (f) in November 2022, the ACT Government announced that from 1 April 2023 a minimum energy efficiency standard for rental properties will commence;
- (g) Housing ACT were questioned in November 2022 if they knew the number of properties requiring an update, which they did not; and
- (h) from then until November 2023, Housing ACT did not have the final number of properties requiring updates to meet the minimum ceiling insulation standard;

(2) further notes the:

- (a) Government has over 5,000 properties requiring updates to meet the minimum standards;
- (b) Government has accepted funding from the Commonwealth to assist with these upgrades worth \$7.2 million; and

- (c) ACT Government has expected these upgrades to take the full three years until the end of the phase-in period to be compliant; and
- (3) calls on the Government as a model landlord to:
 - (a) expediate the roll out of the program by completing the upgrades by the end of 2025;
 - (b) commit to on-going upgrades to ensure all properties remain compliant;
 - (c) provide a rental rebate for those in homes that do not meet the minimum standard;
 - (d) report back to this Assembly every three months to update on the progress of the upgrades; and
 - (e) report back to the Assembly, by the last sitting day of the 2023-24 financial year, with a full estimation of the total cost of the upgrades to minimum standards for the public housing stock.

Today I bring this motion to the Assembly to highlight, once again, the self-proclaimed “model landlord” for Canberra: Housing ACT, which is often not living up to that moniker. I bring it to the chamber because it is my job to do it. I am here as shadow minister for housing and it is my job to look very closely at what is going on in this space and make sure that what is being promised is being delivered.

In November 2020, the parliamentary agreement listed minimum energy efficiency standards regulation for rental properties as a policy issue of priority for the government. That was three years ago. Given what you would have thought would have been plenty of time for Housing ACT to assess their priorities to identify works needing to be completed, in November last year, at annual reports hearings, based on answers to questions from me as shadow minister for housing, it was clear that this assessment of properties had not been done.

It seems odd to me that, before all this information was even public knowledge, the government knew of the plans to have a 1 April 2023 commencement, yet they still did not know how many of their own properties would need upgrades. I understand that the legislation around minimum standards did not come from the minister or from the directorate, but, given the magnitude of the work that would be required by Housing ACT to comply with this new standard, I am just astounded that the minister had very little idea how many properties would be affected and how much these upgrades would cost taxpayers.

It has taken until now, November 2023—three years after it was a policy issue—to identify how many properties owned by Housing ACT would not comply with the minimum energy standards. I am perplexed by this, given all the talk in this chamber about how many amazing things Housing ACT is doing to ensure every tenant and potential tenant has access to a safe and suitable home, yet over 5,000 tenancies do not have a home that meets minimum energy standards and need major upgrades in order to meet those minimum standards.

To say to tenants, “But some of you will need to wait until the end of 2026 to have a home that meets standards” rubs salt in the wounds. Many tenants have issues with their energy bills due to the lack of insulation and inadequate heating and cooling in

their homes. Many will have to wait much longer than would have been anticipated. They will have to wait a further three years to have this fixed.

Minister Berry, in a media release, stated:

Public housing tenants deserve to live in homes that are comfortable and affordable to run all year round.

... all public housing homes will meet the minimum energy efficiency standards—

Those are the words of the minister—

and include additional electrification upgrades to improve the living standards for our tenants.

The Residential Tenancies Act provides recourse for tenants if minimum standards are not met to allow an application to ACAT for a rent reduction or compensation in this case. I would hope that Housing ACT tenants of the 5,000 homes that do not currently meet standards do not have to go through this process and will receive a rental decrease or compensation, just like private renters, while their homes do not meet the standard, if that is the case once the deadline passes. Knowing this government, this probably will not be the case, given their track record.

I am also concerned about the funding for this project. The government has announced \$28 million, with a capital injection of \$7.2 million from the commonwealth to complete these upgrades. When you go through it and do the maths for this, some of the average figures that you get do not really add up. The figure of concern is an estimation of around \$7,000 per property for these upgrades. Given the state of so many of the ACT public housing dwellings that are really in a state of disrepair, I cannot see how that average figure is going to stack up. I cannot see how you are actually going to be able to achieve what you say you are going to do: (a) in the time that is involved; and (b) for the money that is laid on the table.

I bring this motion to the chamber to highlight to the government that they should be the model landlord that they state they are. They should complete these upgrades and they should move forward quickly in doing it. This would ensure that, in two years, all social housing properties owned by the ACT government will be compliant and will meet minimum energy standards, providing a safe and suitable home to all tenants who reside there.

I would also urge the government to commit to ongoing upgrades to ensure that properties remain compliant over the course of ownership so that, in the future, we do not have another 5,000 or more. I understand that there are some massive problems in this area. Certainly in the annual reports hearings, we got a little insight into how great those problems are and a little insight into how they potentially might be fixed. They need to be fixed.

I ask the government to report back to the Assembly every three months to update the chamber on the progress of these upgrades, including how many have been completed, how many are scheduled to be completed in the following three months, the accruing

money spent on the upgrades, and the funding remaining. Finally, I seek that the government reports back to the Assembly with a full estimation of the total cost of these upgrades for the public housing stock.

I can see that this government has taken the motion seriously. I will talk briefly to the amendments. I would say that I am buoyed in some way by the amendments. It is good to see that the housing minister and the housing shadow minister are doing their jobs, at least in this chamber.

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) (3.48): For as long as Labor has been in government, we have worked hard to improve the quality of public housing, to increase the number of public housing properties and to ensure that public housing tenants have a home that meets their needs. We have done this through the Growing and Renewing Public Housing program 2019-2027 and its predecessor, the Public Housing Renewal Program. We have done this through consistently increasing investment in repairs, maintenance and upgrades. We have done this by standing up special programs, such as the \$28 million Vulnerable Household Energy Support Scheme.

Mr Parton's comments and the Canberra Liberal's comments on the work the government has done to date basically ignore the fact that there has been significant work done to date and that work is underway. The commitment of this government has been demonstrated day in and day out to improve public housing for our current and future tenants.

I move the following amendment:

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

- “(g) Housing ACT were questioned in November 2022 if they knew the number of properties requiring upgrades, which they did not at that time because a program of property assessments was forthcoming; and
 - (h) the property assessments program, which collected data about existing insulation levels, appliance types and general property condition, was completed in May 2023;
- (2) further notes the ACT Government:
- (a) has over 5,000 properties requiring updates to meet the minimum standards;
 - (b) has invested \$28 million in the 2023-24 Budget to bring these properties up to the minimum ceiling insulation standard and carry out replacement of gas appliances with energy efficient alternatives;
 - (c) has accepted funding from the Commonwealth to assist with these upgrades worth \$7.2 million, which will contribute to the gas replacement part of the project;
 - (d) has committed to these upgrades being complete by the November 2026 deadline for all landlords, but expects to complete most of the work by late 2025; and

- (e) will meet the requirements of the minimum energy efficiency standard as required of all landlords, with newly leased properties complying with the requirement within nine months of a lease being signed; and
- (3) call on the ACT Government as a model landlord to:
- (a) carry out the program expediently while ensuring upgrades are delivered safely, efficiently, at a high quality and with minimal inconvenience to tenants;
 - (b) commit to ensuring all properties remain compliant;
 - (c) report back to this Assembly every six months to update on the progress of the upgrades; and
 - (d) report back to the Assembly, by the last sitting day of 2023-24 financial year, with a full estimation of the total cost of the upgrades to minimum standards for the public housing stock.”.

I would like to make some key points. I talked earlier today about the replacement of gas appliances, and some of the comments that I made apply to the comments that I am providing to the motion today.

Insulation upgrades, as we all know, require expert installation. Doing it at the scale that this scheme will require needs careful project management. We do not want to rush a project like this at the expense of worker safety. We are also not going to railroad or force tenants to have tradies in their homes at a time when it does not suit them in their lives. Most importantly, we are not going to lose sight of our purpose, which is to improve the comfort and quality of public housing.

I am, however, happy to keep the Assembly updated through the progress of the scheme—I think that is important—and the community more broadly, although I recommend a six-monthly approach instead of three-monthly to minimise the administrative burden on public servants who are already working really hard to roll out this program. I am also happy to commit to sharing the total cost of the upgrades with the Assembly before the end of this financial year.

Public housing tenants are often experiencing vulnerabilities or disadvantage. They may not have the same opportunities, chances or, indeed, choices as others to afford energy-efficient appliances that provide sustainable long-term savings and benefits, and that is what this scheme is about. It is about changing the law to require all landlords, public or private, to require minimum insulation standards and ensure that they occur. That is what Labor has been working towards: ensuring that everyone gets a fair go. That is what my amendments to Mr Parton’s motion convey.

Again, I thank Mr Parton for bringing this motion and this important conversation to the Assembly. As I have remarked on previously, public housing and support for public housing growth and the tenants who live in them has not always been a conversation that occurred frequently in this building. I am pleased that it occurs and that Mr Parton’s passion, as the opposition’s spokesperson for housing, continues in the work that he brings to the chamber and the work that the government does in response to his motion.

Again, I want to reiterate my thanks to Mr Parton for the motion and for the regular conversations that we have about the work that the ACT government does to improve the lives of people in our community who do not have the same kinds of choices as the rest of us.

MR RATTENBURY (Kurrajong—Attorney-General, Minister for Consumer Affairs, Minister for Gaming and Minister for Water, Energy and Emissions Reduction) (3.53): I am pleased to have the opportunity to speak to this motion today as the Minister for Energy and Emissions Reduction, with which portfolio I have a lot of involvement in these programs, as well as having responsibility for rental laws, and also, with my Greens hat on, these are areas that I have an interest in in a number of ways.

The ACT government is committed to ensuring all public housing homes are brought to the minimum energy efficiency standard for rental homes by November 2026 or within nine months of a new leased being signed. This is the same standard that applies to any rental property across the city. Reflecting on Mr Parton's questions in question time earlier today, it is clear the government is seeking to meet the standards it expects everybody in this city to meet. The standards create improved wellbeing for tenants by ensuring ceiling insulation is at least R2 or above. Where insulation is determined to be below R2, you will be upgraded to a minimum of R5. This will help keep homes warmer in the winter and cooler in the summer, and of course, as a result of that, it will also cut energy bills for residents.

Phase 1 of the public housing upgrades started in 2023 as part of the Vulnerable Household Energy Support Scheme, which is known publicly as the Home Energy Support Program. It provides a range of supports to social and low-income housing properties, including Housing ACT properties. These upgrades are in addition to the responsive repairs and ongoing maintenance program delivered by Housing ACT. Phase 1 of the public housing upgrades commenced in April this year and has delivered over \$1 million in upgrades. The program provides ceiling insulation upgrades and electrification of gas appliances in public housing properties. These upgrades improve the energy efficiency of public housing, making homes more comfortable and reducing energy bills.

The electrical appliances installed are more efficient than gas equivalents. Where all gas appliances are replaced and the household no longer uses gas, the program funds and arranges gas disconnection. Tenants can then save around \$300 per year on gas connection fees in addition to the savings on their energy bills. These are genuine cost-of-living impacts that are being facilitated by this program, as well as, obviously, the thermal comfort improvements that are going on in these properties.

Low-income households spend a relatively high proportion of their income on energy, and they feel it the most when there are energy price rises. The improved energy efficiency of homes from this program will directly and immediately assist with cost-of-living pressures for these tenants. This program has already successfully upgraded ceiling insulation in over 300 houses. Further, over 110 electric appliance upgrades have been completed to date. The upgrades of electric appliances further contribute to the transition away from fossil fuel gas and take us closer to an all-electric Canberra. Phase 1 will continue to roll out delivery into early 2024, with a further \$2 million available until the commencement of phase 2.

Phase 2 of the Home Energy Support: Public Housing Program will commence in early 2024 and will include further gas to electric appliance upgrades, thanks to the commonwealth funding contribution of \$7.2 million to the program. This partnership will result in an additional 900 community and public housing properties receiving electrification upgrades. Procurement for phase 2 is in the final stages and work is underway to engage a panel of skilled installers to undertake the ceiling insulation and appliance installations as part of phase 2 to ensure high-quality installations that meet safety and energy efficiency standards. The panel arrangement will mean that the rate of installations will accelerate in phase 2.

Housing ACT are conducting property condition checks to determine which properties require ceiling insulation upgrades to meet the minimum standards. Over 7,000 properties have had checks completed to date. These checks will also help to inform prioritisation of gas to electric appliance replacements. Most upgrades for ceiling insulation will occur in homes built prior to 1997, before building codes requiring insulation standards came into effect. Properties built subsequently tend to have those standards. Newer homes are less likely, therefore, to require upgrades but will be included in the program where insulation levels are found to be below the minimum requirement.

Up to 5,000 Housing ACT homes are expected to benefit from the program. Most ceiling insulation upgrades are expected to be completed by the end of 2025, as is noted in Minister Berry's amendment. All public housing properties will be required to meet the minimum energy efficiency standards before November 2026. As such, there are no plans or considerations being given to offering a rental rebate, as Mr Parton suggested in his original motion, because we do not expect that there will be homes that do not meet the standard.

The program has been designed to deliver upgrades safely, efficiently and at a high quality. I want to acknowledge the time and effort of tenants who are providing access to their homes for the various contractors and installers to complete the works in their homes. This cooperation is vital for the delivery of these upgrades. I really hope that they appreciate the improved performance, both of their home and of the appliances that are in it.

As I said, there is a real focus on improving thermal comfort, reducing costs and, overall, improving quality of life. These are really important outcomes. The housing tenants I have spoken to who have had these upgrades have been delighted with them, and I am sure that, as people see these roll out, they will continue to have that experience, because these upgrades do improve people's lives. I am pleased with the successful delivery of phase 1 of the program and I am looking forward to seeing the results of phase 2 of the program in 2024.

Minister Berry has moved an amendment. I was pleased to hear there was a degree of support around that amendment. It obviously picks up a lot of Mr Parton's points, and the Greens will be supporting that amendment.

I will finish my remarks with a brief historical reflection. I do not think anybody in the chamber was here at the time, but Mr Barr, Ms Burch and Mr Hanson would have been. I noted Mr Parton's observation that he would like to see housing tenants

benefit from insulation sooner—that people living in rental properties should have the benefit of insulation in their homes sooner rather than later. I completely agree with him, and I have done for some time.

In 2010, I introduced a bill into this place to provide minimum energy performance standards for rental properties. Unfortunately, it was only the Greens that voted for that bill at that time. It took another 10 years to win a majority in this place on votes to bring in minimum energy performance standards. Mr Parton, I agree with you. It is a shame your colleagues circa 2010 did not, but I am glad that you now see the benefit of tenants receiving insulation in their properties and living in properties that perform at a decent standard.

Debate interrupted.

Visitors

MR ASSISTANT SPEAKER (Mr Pettersson): Members, today we have the great honour of a parliamentary delegation from Nepal visiting us here in the Legislative Assembly, led by the Right Honourable Chairperson of the National Assembly of Nepal. Members, please make them feel welcome.

Housing ACT—energy efficiency

Debate resumed.

MS VASSAROTTI (Kurrajong—Minister for the Environment, Minister for Heritage, Minister for Homelessness and Housing Services and Minister for Sustainable Building and Construction) (4.01): I rise to speak briefly in support of the motion and the amendment that has been moved by Minister Berry. As Minister for Homelessness and Housing Services, I care deeply about, and have responsibilities around, responding to the needs and wellbeing of tenants in public housing.

Over 20,000 Canberrans live in public housing, and they stand to benefit greatly from the efficiency and insulation upgrades. Public housing tenants have the same rights as private renters under the Residential Tenancies Act 1997. The ACT government's introduction earlier this year of minimum energy efficiency standards for rental homes will improve not only the comfort of tenants but also the climate readiness of housing in the ACT overall.

It is important that this transition to more efficient homes is inclusive of all residents in the ACT. This is an opportunity that is being taken up by the ACT government to demonstrate best practice as a model landlord. Energy-efficient, well insulated homes are better for people, and they are better for the climate. We can look forward to better health outcomes for tenants who are not having to use excessive heating in colder months or cooling in summer. We can look forward to tenants spending less on bills, and we can look forward to climate benefits of less energy demand from households.

I fully support the amendment and the motion that have been put forward today.

MRS KIKKERT (Ginninderra) (4.03): Mr Assistant Speaker, to our friends from Nepal, I say namaste—welcome.

I thank Mr Parton for bringing this matter before the Assembly today. This motion calls on the ACT government to be a model landlord. This is a reasonable request that should be supported by ACT Labor and the Greens if they believe their own rhetoric. For example, Mr Pettersson—Mr Assistant Speaker—moved a motion in this Assembly last year in which he asked us all to note that “there is currently a power imbalance between landlords and tenants, resulting in many tenants feeling forced to accept substandard or poor living conditions”.

Mr Pettersson illustrated his point by sharing absurd situations, including landlords refusing to do maintenance that was required. During the debate Ms Cheyne spoke in support of this motion and stated that “the rights of landlords are placed well ahead of the rights and need of renters”. One way to address this purported imbalance, she said, was to raise “minimum standards for rental homes”. Hear, hear.

Of course, both Mr Pettersson and Ms Cheyne belong to the Canberra Labor-Greens government—the same government that not only creates and enforces the laws that all other landlords must follow, but is itself the territory’s largest landlord! For multiple reasons, it should also be the territory’s best landlord. In reality, and as the evidence shows, it is not.

Four weeks ago, I received a distressed cry for help from one of this government’s tenants, who lives in a public housing property in my electorate of Ginninderra. She has been raising maintenance issues for the past four years, she explained. Mr Pettersson might want to add this woman’s experiences to his list of tenants suffering under absurd landlords.

One of my staff visited this woman in her home and can therefore verify her complaints. These include that the house leaks in multiple places; it does so for several days, even after the rain has stopped. Imagine how bad it must be on a day like today, when the rain is heavy, or last night. As a result, the eaves of the house are covered in mould, leaks in the bathroom have caused the shower wall to buckle and water runs through the linen cupboard out onto the hallway carpet. The laundry floor has also buckled, making it difficult to use the washing machine without throwing it off balance. A patch of ceiling has collapsed and has been inadequately patched with a wooden panel just screwed over the hole.

Perhaps because of this extensive water damage, this tenant of the ACT government is also experiencing electrical issues, with frequent overloads having caused several appliances to fail, including a refrigerator full of food that then had to be binned. The tenant reports that her lights do crazy things. Last quarter’s electricity bill was astronomically high. “No-one listens,” she told me. “No-one cares; my house is unfit for an animal, let alone humans,” she said.

Within days of speaking with this public housing tenant, another Canberra resident contacted me—a single mother of four young boys. Her government-owned home

likewise has water issues, resulting in walls full of peeling paint. The tiles on her kitchen floor are progressively coming loose, and the floor underneath is now rotting. She said that wooden floorboards in other rooms are now dislodging each time she sweeps. Issues with her electrical cooker have left her since June with only one working hotplate and an oven that can no longer reach 150 degrees. Using the cooker often causes an overload. Electric heaters elsewhere in the house have stopped working, resulting in a home that is persistently cold through the cooler months. Her requests for maintenance, she reports, have been acknowledged but deemed “not urgent”.

During question time today, Ms Berry said that they want everyone to live in a safe and comfortable place. I believe, from the stories that we have heard from ACT tenants, that the minister needs to stop talking and start acting on what she believes and what she has been saying in public places.

Mr Parton’s motion today focuses specifically on asking this government to prioritise meeting the same minimum energy efficiency standards it has placed on private landlords.

I have shared these tenants’ experiences to highlight why my Liberal colleagues and I have real concerns about how Labor and the Greens may approach this matter as one that lacks urgency. They have spoken about the need for private landlords to lift their game. They should look in their own backyard, their own government, and lift their own game before lecturing others.

I join Mr Parton in calling on this Assembly to urge the ACT government to be a model landlord. I therefore commend this motion to the Assembly.

MR PARTON (Brindabella) (4.09): There are days when we come down here to fight, and there are days when we come down here to collaborate. I probably came down here to fight on this one, but it turns out that we are going to collaborate.

I want to commend the minister for her generosity in the amendment. Obviously, there are a couple of things that have been removed from the motion that we thought were pretty important but, by and large, the gist of the motion remains in its amended form. Obviously, there were some things that the minister felt needed to be corrected. As the minister, she has access to more information about exactly what is going on than I do, so we accept that those things should have been changed.

We would much rather have the provision remain for a rental rebate for those in homes that do not meet the minimum standard past that certain deadline, but I note that the suggestion from those in government is that you are intending to complete these upgrades in time, so that will not come into play. I would argue that if, indeed, you are so confident that you are going to complete those upgrades in the required time, there would be no harm in leaving that provision in there. But we are not going to argue about that.

We are pretty pleased that, again, we have a situation here where a shadow minister and a minister are seemingly effectively doing their job, at least in this chamber. Once this motion has been amended, it is a genuine joint effort, and it is good to be involved

in that sort of collaboration. It goes without saying, and the minister will be well aware, that we will be watching very closely how this is rolled out. If it does not come up the way that it is supposed to come up, we will be aware of it and we will shine a light on it. Let us hope that that is not the case; let us hope that we are all happy families when we get to the end of this deadline. It is close to Christmas, Madam Speaker, and there is a little bit of goodwill in the air here right now. We will be supporting the amendment.

Amendment agreed to.

Original question, as amended, resolved in the affirmative.

Visitors

MADAM SPEAKER: Before we move to 90-second statements, I say thank you to the delegation from Nepal. I know you were acknowledged before, but thank you for coming along. Members, I did indicate that you were all well behaved; thank you for not letting me down. You were all well behaved. We will move to 90-second statements.

Statements by members Chartered Accountants ANZ—awards

MR CAIN (Ginninderra) (4.12): I do want to take a small part of my allotment to, again, welcome and acknowledge the delegation from Nepal. Namaste to you all, and especially his Excellency the Ambassador from Nepal in Australia, Mr Kailash Raj Pokharel; welcome and thank you.

I do want to speak about an awards night I attended last week, the Chartered Accountants Australia and New Zealand Leadership in Government Awards. I want to thank this organisation, this grouping of member accountants, for inviting me. It was a particular pleasure to meet Mr Shane Fitzsimmons who, as many would know, was the New South Wales Rural Fire Service commissioner during the challenging 2019-20 bushfire season.

There were two awards given that evening: Mr Peter Gibson won the Outstanding Contribution to the Public Sector Award; and Mr Mayooran Sinnathurai was the Achievement Award winner. I do want to thank Chartered Accountants ANZ for the invitation and especially acknowledge the contact arrangements made by Mr Ben Damiano.

I certainly encourage other members to be part of these celebratory events with our very worthy members' organisations. Thank you, Madam Speaker.

Motor vehicles—anniversary of first Australian car

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) (4.13): I rise to acknowledge and celebrate the anniversary of the first Australian car, launched by the great Labor Prime Minister Ben Chifley on this day 75 years ago.

As Treasurer in 1944, Chifley challenged the automotive industry to produce the first all-Australian manufactured car. Just a few years later, the Holden 48-215, known to many as the FX, was officially launched in Melbourne, and the Holden transformed suburban Australia, boosted national pride and quickly became a national icon.

What many do not know is that the Holden name was nearly swapped out for another. Several were considered, including the Melba, the Emu and the Canberra. The Holden sold for £733, two years average annual wage at the time, but nevertheless the Holden family vehicle boomed. By 1958, the Holden had captured more than 40 per cent of the total car sales in Australia, and by 1962 one million cars had been sold.

Labor governments have consistently led our nation in times of struggle, and they knew then, as we know now, that the key to sustainable and reliable social and economic prosperity comes through secure, well-paid jobs. As many in this place will know, I am the proud owner of a Holden 48-215, a truly Canberran vehicle, which served as a daily driver for the chief fire commissioner in 1950.

Today we acknowledge the anniversary of its launch and take some time to consider the immense legacy of a Labor great. As my colleagues— (*Time expired.*)

Valedictory

MR MILLIGAN (Yerrabi) (4.15): I just want to take this opportunity to summarise this year briefly. It certainly has been a busy, interesting year, to say the least. I am certainly proud about the work I have done in the electorate in representing the issues that have come across my desk and championing those, but also in the shadow portfolios and the work that we have done in those areas.

I would also like to thank everyone here: obviously, all the hardworking people at the Assembly. We have the attendants, of course, who have done a fantastic job throughout the year. We have our committee teams. We have the OLA, the library, HR, the finance crew, and, of course, Hansard and broadcasting. The work and commitment that you provide us here in the Assembly is certainly appreciated.

I would also like to just briefly thank my amazing team in my office who have done a fantastic job helping me, once again, with electorate matters but also with shadow portfolios and committees throughout this year.

I would like to give particular thanks to Ewan Brown. Ewan Brown has been in my office since 2016. He is retiring in a few weeks, so I certainly want to wish him all the best going forward. I am sure he is going to enjoy his fly-fishing trips that he will do throughout Australia and also New Zealand. Thank you very much.

National Multicultural Festival—awards recipient

MS CHEYNE (Ginninderra—Assistant Minister for Economic Development, Minister for the Arts, Minister for Business and Better Regulation, Minister for Human Rights and Minister for Multicultural Affairs) (4.16): I rise briefly to

congratulate the National Multicultural Festival team for winning the Major Festivals and Events Award at the Canberra Region Tourism Awards last Friday night.

This, of course, follows them winning the best community event in Australia just a few months ago. Obviously, the festival was much anticipated, having not been able to be held for several years, and it being the 25th anniversary, and it was absolutely a delight. It did break all records. We did have more than 2,500 performers, and we were just so grateful to have so many people in the community attend and stay longer and be there over multiple days as well.

This is well-deserved recognition, and we cannot wait to see them representing the ACT at the national awards in Darwin, I believe, early next year, and of course the festival will be back next year as well. I thank the community panel reference group which has been fantastic in guiding us over these last few years.

I would also like to acknowledge that Craft + Design Canberra, also in that category of major festivals and events, was awarded a commendation award. I think that is also extremely well-deserved.

Calvary Hospital—acquisition

MS STEPHEN-SMITH (Kurrajong—Minister for Aboriginal and Torres Strait Islander Affairs, Minister for Families and Community Services and Minister for Health) (4.18): I want to speak briefly in relation to Ms Castley’s very bizarre adjournment speech yesterday in which she seemed to be implying that Calvary Health Care did not understand its own agreement with the ACT government and was incapable of negotiating with a solid understanding of that agreement.

I am encouraging Ms Castley to think about the implications of what she is saying for the Calvary Health Care CEO, Martin Bowles, who is a former secretary of the commonwealth Department of Health, and for Calvary’s Regional CEO Ross Hawkins, who is a former deputy director-general in the ACT Education Directorate, and, indeed, their legal counsel. I want to put on record here, Madam Speaker, what Ms Cross and Ms Lopa said in the hearings in relation to these matters. Ms Cross said:

All the conversations were predicated on everyone understanding that the lease of the land and the network agreement were completely linked. That even goes to before the negotiations. It would have been when we were discussing the contract, the Cavalry Network Agreement, and the management of that contract. It was a known fact, and I do not think there was ever any suggestion from anyone at Calvary that they did not understand that link.

Ms Lopa went on to point out:

... I might also add that the negotiating team from Calvary had their internal counsel, who worked for Calvary and has since left. He had worked for Calvary for some time, including on negotiating the Calvary Network Agreement ... He had the most knowledge out of anyone in the room about how that Calvary Network Agreement functioned.

Events—Spilt Milk

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) (4.19): Over the weekend, Canberrans will have noticed that the average age of our city dropped by over 20 years! It was due to the influx of young people, and some of our own, who came to celebrate and enjoy the Spilt Milk festival. As a more mature festival goer—and let's face it, music brings people together no matter what their age—I went along, having paused my attendance at music festivals. It was really exciting to get out again and enjoy the festival experience.

I note that the world has not imploded as a result of ACT Labor and the ACT government's decriminalisation of drugs. Pill testing went ahead. It was totally cool. I really cannot describe the festival goers as anything other than truly delightful to be amongst. I thoroughly enjoyed myself, as I know everyone else did. My pause has absolutely been cut, and I will be going again next year.

Discussion concluded.

Adjournment

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

That the Assembly do now adjourn.

Valedictory

MR BARR (Kurrajong—Chief Minister, Treasurer, Minister for Climate Action, Minister for Economic Development and Minister for Tourism) (4.20): As this will be my last full sitting day of the year, I will take the opportunity to say a few thankyou's and reflect upon the end of the last full year of this Tenth Assembly.

I am very proud of the work that the government has undertaken over the past three years. I thank each of my colleagues in the cabinet and in the broader Labor and Greens parties for their support of my role as Chief Minister and for the work that they are doing individually and collectively to deliver good government for the people of the ACT and to deliver on the commitments that we took to the people of Canberra in 2020. It has been challenging, the last few years, and this year in particular, but we have continued to deliver our progressive policy agenda and continued to invest in the infrastructure that our growing city needs.

Our work as elected members would not be possible without the significant support that we receive across the public service and in our own personal offices. I would like to take this opportunity to acknowledge the continued efforts of the ACT public service throughout the year, and particularly thank the Chief Minister, Treasury and Economic Development Directorate, with which I work most closely. In particular, I mention Kathy Leigh, Stuart Hocking and Kareena Arthy, who head those three key areas. I thank them and their teams for their excellent advice and hard work over the year.

I acknowledge that many public servants and members of our community will be working throughout the festive season, providing essential and emergency services to Canberrans, and I thank them very much for their service.

I thank all of my government colleagues for their continued dedication, passion and drive over the last 12 months. I acknowledge my colleagues across the chamber. We do not agree on much, but I am sure we can all agree to wish each other a safe and happy festive season.

I particularly also thank the staff in the Chief Minister's office, those who have worked to support me and to support each other in this very significant and important role. There are a number of staff who have been in the office throughout the year and a few that have worked with us through most of the year but have moved on to other things. To Michael, Matt, Faheem, Yersheena, Mark, Karen, Britt, Max, Mark S, Freya, Rhyse and Emma: thank you for the support that you provide me. I have observed in the past that members are only as good as the team that supports them. I think I am lucky to have one of the best teams, if not the best staffing team in the Assembly, if I do say so myself.

I thank the directorate liaison officers and directorate staff who have made very significant and integral contributions to make our office function. To those who have been with us throughout the year and those who have been seconded temporarily—Jess, Louise, Kylie, Kelly, Ray, Isabelle and Robin—thank you so much.

I thank the Office of the Legislative Assembly staff for ensuring that this place continues to run so effectively. We can be a little rowdy in this place, Mr Hanson in particular. We have really missed him this week. Thank you, Jeremy. I will say a nice thing about you in my final speech, in your absence at the end of the year.

In all seriousness, this is the best little democracy in our nation and it is because of the passion and commitment that so many people put in to ensure that our democracy functions well. As we move into 2024, it will be a festival of democracy, an election year that looms large for everyone as we count down to that third Saturday in October. Ahead of that, I hope everyone in this place finds some time to relax over the festive season, to be prepared for, undoubtedly, what will be the busiest of the four years in this term that lies ahead. Madam Speaker, I wish you a safe and happy holiday period. To everyone, happy festive season. Thank you.

Sports and recreation—fossil fuel company advertising

MS CLAY (Ginninderra) (4.25): I want to say a few words about how we can get fossil fuels off the field today. I seek leave to table a short discussion paper.

Leave granted.

MS CLAY: I table the following paper:

Proposed ACT Legislation to get fossil fuels off the field—Discussion paper—
ACT Greens, undated.

Woodside, BHP, Santos. What do these companies have in common? They are all fossil fuel companies and they all sponsor the sports that are currently under threat from climate change.

Remember 2020? Canberra had record-smashing 44-degree days and hail and floods and fires and smoke. The fires and smoke that year killed almost 500 Australians, as well as destroying homes and wildlife. But they also destroyed a way of life. When I was a kid, summer meant sport. My dad would watch the tennis and the cricket. In his last year alive, there were not many things left for him, but he could still watch TV. That year he could not watch the Australian Open. The matches were cancelled when a player collapsed in the heat. Extreme heat now regularly interrupts the tennis.

I prefer doing outdoor activities to watching sport. I have really enjoyed some of the big community events, like the Sydney to the Gong and the Rotary Five Peaks rides and the Broulee Breakers swims. But floods, storms, heat and fire have threatened or cancelled each of those events in recent years. Climate change has affected all of our major events. In 2018, heat jeopardised the Santos Tour Down Under—yes, that is right—it is the Santos Tour Down Under! In 2019, the Big Bash League had to cancel a Canberra match mid-play due to bushfire smoke. Cancelling because of climate-related extreme weather is now common.

Many of those sports and events are sponsored by the same companies that are making climate change worse. We cannot keep letting fossil fuel companies get away with it. It is time to call time. Fossil fuel sports sponsorship is not just ironic; it is dangerous. Australia reveres our sports stars. We want to be them. We tell our kids to be like them. What message are we sending when we cover their sportsgrounds and their bodies with climate-wrecking corporate logos?

A growing movement is calling for change. The Climate Council has launched the Fossil Fuel Free Sponsorship Code as part of a national campaign to get fossil fuel sponsorship out of our events. Fifteen Australian councils have signed up to a national call for a fossil fuel ad ban. Climate activists all over the country are speaking out. Fans are asking for change. Athletes in cricket, AFL and netball have made headlines protesting their team's fossil fuel sponsorship.

The ACT is part of this movement, but we could do even more. We could be the first jurisdiction to ban fossil fuel ads from our professional sports and venues. Imagine the AFLW and AFL players running out with the BHP and Woodside logos blacked out on their jerseys. Imagine the conversations that would spark. This is not new ground. We have made regulations like this before. Our venues and sports teams do not run cigarette ads. That would be outrageous. We banned it decades ago. So let's recognise this latest danger. Just like the tobacco lobby, fossil fuel corporations are buying social licence for lethal products. We do not have to let them.

The ACT is the perfect place to begin setting a new standard. We are climate leaders already. We have 100 per cent renewable electricity. We are phasing out fossil fuel gas and phasing in EVs. We have changed our building standards and our planning laws to deal with increasing heat. We have committed to Australia's first ever right to a healthy environment. We can take the next step.

I am working on draft legislation to take fossil fuel ads out of key ACT sporting venues. It covers iconic places like the AIS, the Canberra Tennis Centre, GIO Stadium, Manuka Oval and MIT Narrabundah Ballpark. I am working with the Climate Council, FrontRunners and the climate movement. I really want to work with our local sports groups and community to get the details right. Next year I plan to introduce the bill and help the ACT to ban fossil fuel ads from our sports.

Our regulation, all regulation, is part of a conversation. There are so many people that this affects and so many people with great ideas, so please get involved. Get in touch with me; get in touch with my office. I would really love to hear from you. I am really hoping that we can work together to make a sporting future that is fossil fuel free.

Youth—work experience and internship programs Valedictory

MR CAIN (Ginninderra) (4.30): I want to give a bit of a shout out to the various people who have come through my office, particularly from the schools of the ACT and from our universities, and close with a note of thanks to the staff who work so hard for me and help me be as credible and responsible a local member and shadow portfolio holder as I am able to be. Without them, I would be much less of a credible representative than I am.

Having been a schoolteacher for the first 20 years of my professional career—this is my second professional career after that, having worked in the ACT public service—I would often get asked, “Do you miss teaching?” because I never left teaching because I disliked it; I just had opportunities come my way. I said, “Well, I do not miss teaching, because I still do it, just in different ways and in different environments.” Maybe that is why I just love having interns in the office: those who are on a real learning journey in their life who are gaining a benefit for either academic credit for their course or work experience in a professional office. It has been a real pleasure for me to see quite a number of interns and years 10, 11 and 12 students come through my office.

I certainly want to give them a special acknowledgement and acknowledge the things that they have worked on, some of which I will be able to mention. Most of these were either from the ANU’s internship program or the Commerce and Business School of the ANU and from the schools of our electorate. I want to thank Claire Stanton, who worked on Labor-Greens policy commitments under the PAGA; Emma Lindin Sorvik, from Scandinavia, who did a beautiful paper on coercive control; Isabella Janic, for social media support and research; Mijica Lus, who is working with me at the moment on multicultural issues; Oscar Little and Sage Radford, who did some research on EV charging in the territory; Samuel Reeve, who worked on housing affordability for me; and Sam, who is now one of my contracted advisers; and Sarah Lu and Yuelin Ye, who worked on a variety of things, including policy costings.

I also want to acknowledge interns from out of the ACT who, through a relationship and in one case a family connection, were able from their studies elsewhere to get some recognition for working in my office: Josiah Kappert, in particular, and Tim Stevenson, who I do not mind saying is one of my sons-in-law—although he got

treated just like everyone else. I also want to thank the students who spent some time in my office—sometimes it was just a couple of days and sometimes it was a few weeks: Minnie Yunrong Zhao, Sofia Carton, Amelia Condon-Cernovs and Harry Moore, who was with me just last week.

As I mentioned earlier, I am not quite sure what sort of MLA I would be without the support of my very dedicated and talented staff. This year, Unity Paterson, who held the role of my second senior advisor, take a position as an advisor to a federal parliamentarian. Many of you would have seen Unity around. She took up a wonderful opportunity in the federal parliamentary setting. My then adviser, John Hooke, became senior adviser. He is just a natural leader and is dynamic. He keeps me on my toes with ideas and is just a wonderful person to work with. I mentioned Sam Reeve. It is so good to have Sam in the office and so much a part of the team—or the Cain train as I occasionally call it. Jess Townsend, recently joined—perhaps two months ago now—and is doing a lot of my constituent contact work.

I want to give a particular shout out to my very first senior adviser, Ms Amy Vickers, who started with me and really helped me get into shape. She then went on to our leader Ms Lee's office to drive our policy program. I wish Amy and her wife Claire all the very best as they leave the country for Claire's placement in another part of the world under military supervision.

Valedictory

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) (4.35): I just wanted to give a thanks to everybody who has worked with me over the last year to implement some really progressive policy across the ACT in all of my portfolios. I want to start with Team Berry in my office and thank Bec, Bern, Abbie, Amy, Amber, Jason, Flynn, Harini and Brooke. Without them, none of the work across my portfolios could have been achieved.

I also want to acknowledge the department liaison officers, who are situated in my office but also across the building, that we work with to ensure that our work gets done and that correspondence is channelled appropriately through and back MLA office and to constituents and other stakeholders to ensure that they are informed about what the government has done. Obviously, DLOs change often throughout the years. So I want to acknowledge others who have been in my office as replacements or as relief staff as well for your patience with us all sometimes for not getting those briefs signed immediately or as quickly as you would prefer. Thank you again for all of your patience.

In this building, I want to thank the Office of the Legislative Assembly committee secretaries and staff and all the members. I want to acknowledge particularly the Labor team: Andrew, Mick, Rachel, Chris, Tara, Michael, Marisa, Suzanne and Joy. I think we have had a very busy year but we have achieved a lot together, and it has been a pleasure working with everybody to be able to do that.

I acknowledge all the other MLAs through the Canberra Liberals and the Greens political party. I also want to particularly acknowledge the attendants and, most importantly, the cleaners that keep our officers and this building clean and tidy and safe for us all. Thank you all. I hope you get a really great break at Christmas.

To everyone who has worked with me across the public service and my office, within my own portfolios but also within other MLA portfolios where my work crosses over: it has been a pleasure, though sometimes incredibly challenging. It is quite incredible when you look back at the year to see what we have achieved together and what we have been able to do. I want to acknowledge and thank you for all of your hard work.

I want to also thank Unions ACT, all of the affiliated unions, ACT Labor and all of my Labor colleagues, both here and federally. Of course, most importantly, I need to thank my family, including my fur and feather friends, for keeping me grounded and sane. I would like to finally thank my neighbours, friends and constituents in West Belconnen and more broadly in the electorate of Ginninderra. Thank you for the thousands of conversations. I know that all of you, like me, love and are passionate about our community and want to make sure that it stays the beautiful, green, leafy suburb that we all enjoy and also to ensure that other people who live in our communities are welcomed and share the passion that we have as well. I hope you all get a safe and happy festive season. I look forward to celebrating with you over the December period, and I look forward to working with you all again in 2024.

Valedictory

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) (4.38): It has been a heck of a year. We have fought some battles in here, and at times I may have been on the losing side, but I am still not convinced it was the wrong one, and the reason for that is who I was working alongside. The team I work with in the Davo office every day are creative, committed and caring people. Thank you, Taylor, Toni, Emily, Loi, Jillian, Mat, and Jon. You have achieved amazing things this year and you make coming to work every day with this team one of the nice parts of working in this place. I look forward to next year with you, and to welcoming back Julia.

I have also very much appreciated the professionalism and support of the Assembly staff this year. Despite having been here for three years, I am still learning lots from OLA staff about how this place works. A big thank you to Jasmine, who looks after the plants in the Davo office. This job requires way too much time inside an office building, but having a bit of greenery makes it so much nicer. Jasmine has been coming for the whole time I have been here and saw us through COVID restrictions, roof repairs and lots of other changes.

We get some great advice and support from the Community Services Directorate, Canberra Health Services, the Office for Mental Health and Wellbeing, and ACT Health. I want to say thank you to everyone who has worked so hard to get questions answered and to get new services up and running or expanded this year.

And thank you to the community that I work with—the people that are the reason that I nevertheless persist in this work. To the advocates; academics; community sector organisations; advisory councils and reference groups; people with lived experience of mental illness, disability, the justice system, defence service and care work; older people and volunteers, it has been a privilege to have had another year of working together to make the change that we all need in this world.

Hope is like the sun: if you only believe it when you see it, you will never make it through the night. It is getting late and I am tired, so I am going home. Thank you.

Valedictory

MRS KIKKERT (Ginninderra) (4.40): My heart is brimming with gratitude and appreciation for the incredible team that has been the backbone of my office. I want to thank Brett, Sylvia, Joe and Benson, who recently joined my team. I am profoundly thankful for their dedication and the talent each of them has brought to our collective endeavours. To my remarkable staff: thank you for the countless hours of hard work, creativity and unwavering commitment that you have poured into our shared goals. The friendships forged, the laughter shared, the food loves we share and the collective sense of purpose have created a work culture that is not just about getting the job done but also about supporting and uplifting one another. I truly felt that over the year.

I want to thank my committee secretary, Sophie, for the incredible job that she does. I am truly grateful for her quickness to my text messages, her professionalism and making sure our committee runs greatly and awesomely. Thank you to the ACT government staff and officials for answering my questions during estimates and annual reports hearings, and also answering many questions taken on notice.

I want to express my sincere gratitude to the Auditor-General and his dedicated staff who work tirelessly to uphold the principles of transparency and accountability in our government. Our Standing Committee on Public Accounts meets regularly with our Auditor-General and his team, and they have provided support for our PAC committee members. I am truly grateful for that.

Lastly, I want to thank my family, my children, Cormac and Utopia, Virtue, Manti and Laneah for always making sure that I put family first and choose what matters the most. There are no words to convey the depth of the unwavering support they have provided me throughout the year. Their love, encouragement and sacrifices have been rock solid and I appreciate that so much. The late nights, missing family gatherings and the countless acts of support have not gone unnoticed, and I am profoundly grateful for their love and support. Lastly, I want to thank my son for graduating university this year.

Valedictory

DR PATERSON (Murrumbidgee) (4.43): I want to start my adjournment speech this evening to mark the end of the last full year in the Assembly for this term of parliament. Firstly, to the people of Murrumbidgee, it has been a great privilege to serve as your local member and I look forward to working with the community over the next year. It has been a great way to end the year with the No Rights Without

Remedy human rights bill, which passed yesterday, and the first tranche of legislation to regulate assisted reproductive technology, which includes the establishment of a donor register, which I feel particularly passionate about. It was so great to see both of those projects come to fruition over the last two years.

August saw the first sexual assault trials start in the ACT using the new affirmative consent legislation. I look forward to following closely the progress of that reform. From August this year, I have been incredibly privileged to work alongside a broad range of community sector advocates to see the progression of a specialist sexual offences court in the ACT, and my motion tomorrow will see a continuation of that work. I affirm through this speech that, during the 16 days of activism against gender based violence, I am firmly committed to ending violence against women and children.

The past year has also seen the focus of my work on addressing dangerous driving in our community. I was proud to introduce the reforms to the bail laws to see no presumption of bail applied to the worst of our dangerous driving offences. I will continue to advocate for reform to see that innocent people are not harmed on our roads.

Addressing gambling harm is always a priority for me. I have conducted extensive consultations with Molonglo Valley residents and introduced a bill to see that there is never a poker machine in Molonglo Valley or any future development areas of the ACT, which I will bring forward for debate next year. I will continue to advocate for Canberra's wombats and snakes and the protection of our natural environment and biodiversity.

I would like to thank all my colleagues in the Assembly and the staff of the Office of the Legislative Assembly, in particular committee support, for all the work that they do throughout the year. I would also very much like to thank the Labor caucus. It has been a true privilege to work with you all over the past year to progress some very significant reform for our community. I would also like to thank the staff of the Labor offices that our office has a lot to do with. Your constant support, engagement and time is so greatly appreciated.

Finally, I want to thank my staff: Adele Chynoweth, Kashish Kumar and Braith Sneddon. I would also like to thank Kathy Allen, who left my office a few months ago. I am incredibly grateful for all the work you do to support me and the people of Murrumbidgee. Lastly, I thank my partner, Darren, and my three kids, Bill, Estelle and Josie. I give great thanks for their support. I would not be able to do this job without them. I hope that everyone has a safe and Merry Christmas. Bring on 2024!

Youth—political engagement

MS ORR (Yerrabi) (4.46): The following speech that I am about to read was written by Noah who has spent the day volunteering in my office, learning about how the ACT Legislative Assembly works and the work that my team does on a sitting day. These are Noah's words:

Today I joined (Ms Orr, one of my local members) office, with very little idea of what to expect. I have been engaged in politics for what feels like a long time, for a young person like me, and I was pleased I would get to do something

substantive on the subject, today was a milestone for me. During my primary schooling I had visited the Federal Parliament, the NSW Parliament, the Victorian Parliament, but never here, our Territory Legislative Assembly. This place is not something I thought about until today, I admit I did not place much importance on this body until very recently and knew little about it despite my intense political interest.

This brings me to civic education. I have had very little. What I have learned to appreciate only today is the efforts that parties and members make to reach out to the public, to speak to their issues and advocate for shared values, but I feel that it cannot reach the people of my generation in any substantive, official ways. Because this Assembly, as a body itself, perhaps the body with the most daily affect over my life, I know nothing about. Today, during my first Question time and my first visit yet to this place ... I am unique among my peers, my friends and those I go to school with.

My peers are, contrary to my general point here, political. They are aware of the issues they are passionate about. They are willing to engage to attempt to make a difference. They are excited to vote and know who they want to vote for. But do they know what happens after that? Do they have access to what the Assembly, what the government is doing, or only what their organisation tells them?

When I was in primary school we had a civics class, which remains my latest general education in elections, in Parliament, and in the Executive. All of this for the Federal government, none on the Assembly. There are two issues here, one of course is that my last education on the subject was 5 years ago, and I was 11. I wonder why, especially in a compulsory-voting nation and Territory, where we value democracy, I do not know truly how to engage with it. In Canberra our federal voice is stifled, and our territory and local governance consolidated, and so it is important that we, as young people who make up a significant bloc in this city, are not stifled or limited because our education on this Assembly did not match the already limited education I received on the Federal government.

This subject is one of the most important for us to learn about because it affects our ability to make change on all other subjects, and having a limited education on the governance and civics is politically debilitating and puts us at greater risk of exploitative politics, potentially even related to this Assembly. The education on the subject must be reformed to address issues which range widely, because of the unique role of this Assembly, from assisted dying to the length of grass in public spaces. Today I learnt more about this body than I ever have at school, and that cannot continue.

Civic education is a widely researched and its expansion broadly supported, and issues relating to poor civic education in Australia have been reported on for years, and it must improve in Canberra. Older students should be reminded of this body particularly and how its unique elections work, along with its unique responsibilities.

I think it is fair to say we have made Noah very enthusiastic about spreading the word on what the Assembly does.

In the time left, I would also like to give thanks to my staff. Last year, they wrote me a lovely speech that went for five minutes and I did not actually get to thank them, so, instead of summarising everything we have done this year, I would like to thank Jayden and Kira for all the hard work that they do. I am very grateful and appreciative

of everything they get stuck into and help me to achieve, and I wish them a good break before we come back in 2024 to do even more together.

Valedictory

MS STEPHEN-SMITH (Kurrajong—Minister for Aboriginal and Torres Strait Islander Affairs, Minister for Families and Community Services and Minister for Health) (4.50): On the last day of the last sitting last year, I took a moment to reflect on the incredible challenge that COVID-19 was and had been for our health workforce, and the process of transition to managing it as an endemic disease. That was 1 December 2022: we had just gone live with the digital health record, and it was just days before a fire at the then Calvary Public Hospital Bruce would take out 35 per cent of our public hospital theatres, with the last of them only coming back online in October this year. The work to get them back up and running was challenging, and the effort to deliver so many elective surgeries in spite of this loss is a credit to our territory-wide surgical services.

This year has been another big year with very substantive decisions taken and reforms made that will ultimately deliver enormous benefit for our community now and into the future. I, and many others in the Labor movement, including the former Attorney General Gordon Ramsey, have worked diligently to make raising the age of criminal responsibility to 14 a reality, not just a talking point. The passage of the act will deliver better outcomes for Canberra's most vulnerable young people, directing more appropriate therapeutic supports. This is just one element of a suite of substantial reforms across the families and community services portfolio, including reforming the Children and Young People Act, commissioning youth services and engaging closely with non-government providers.

I would like to recognise the dedicated work of all those at CSD for their commitment to delivering on these extremely complex reforms. As always, I thank the frontline workers across child and youth protection services, child and family centres and all the other ACT government services that support children, young people and their families, and our non-government partners who share the risk and reward of supporting these children, young people and families.

The Aboriginal and Torres Strait Islander affairs portfolio saw a national setback in the referendum result, but I am proud to represent an electorate that overwhelmingly voted yes, as did the territory as a whole. We still have a long journey to walk in reconciliation and to meet our own goals about closing the gap, but our local community, the Elected Body and our CSD team have continued to make great progress this year with energy, enthusiasm and good will.

I would like to recognise the Major Projects Canberra team. For anyone who has been on the Canberra Hospital campus recently, the new Critical Services Building is truly a sight to behold. It is an incredibly exciting project for our workforce and community, and I look forward to opening it next year.

This year has been a huge year across the health portfolio: the roll out of the digital health record and delivering better health outcomes. To all those on the frontline of our health services, thank you. I hope you get to spend some time with family and

friends over the holiday season, but we know that many of you will be working and you have our gratitude.

Implementation of the nation-leading decriminalisation of small amounts of some drugs, delivering on our enduring commitment to reducing the harm caused by illicit substances and treating addiction as a health issue, was also an enormous piece of work. With a willing federal government interested in health care, we are delivering even better walk-in centres and engaging in primary care reform.

I would particularly like to take a moment to recognise the monumental contributions of the teams across ACT government that delivered the successful transition of Calvary Public Hospital Bruce and Clare Holland House to Canberra Health Services. This would not have been achievable without the leadership, dedication and insight of Liz Lopa and Cathie O'Neill and their teams. The transition has gone incredibly smoothly thanks to the commitment of the North Canberra Hospital and Clare Holland House staff, who continued to care for Canberrans and support one another through a challenging period of uncertainty. Also thanks, it must be said, to Kevin, transition ambassador extraordinaire. This mammoth effort would also not have been possible without our industrial partners who went above and beyond to support their members.

As always, I thank our union partners. In particular the CPSU, CFMEU, UWU, ANMF and ASMOF for their support, guidance, wisdom and frank and fearless feedback. To Ash van Dijk and the ACT Labor Party office, another excellent year of support that allows me and my colleagues to deliver on our objectives and our obligations to the Canberra community.

Speaking of my Labor colleagues, I thank them all for their collegiality, commitment and support. We are a great team and I feel privileged to work with each and every one of you. To my Greens colleagues and other Assembly members, thank you for your—well, that would be the Canberra Liberals—thank you for your service to the people of Canberra, I hope you get a fantastic break as well.

To my electorate of Kurrajong, it is a privilege to represent this electorate each and every day; my home in the heart of Canberra. To the Office of the Legislative Assembly team, to the cleaners, to the support staff, to the people who keep this building ticking over every day: thank you so much.

To my staff, I would particularly like to thank them. They really do an incredible job. I want to thank: Billie, Martin, Jonny, Caitlin, Lily, Jed, Meg, Kahlia and Ben. To the DLOs and support staff that have supported my office throughout the year, I have been supported by Tom, Sarit, Jess, Ryan, Ella, Tara, Rachel, Kara, Christy and Kate, and if I have left anyone out, thank you to you as well. Thank you everyone, merry Christmas, have a great break.

Legislative Assembly—conduct Israel-Gaza—crisis

MS CHEYNE (Ginninderra—Assistant Minister for Economic Development, Minister for the Arts, Minister for Business and Better Regulation, Minister for

Human Rights and Minister for Multicultural Affairs) (4.55): I rise about two issues.

The first is, if I could suggest, Madam Speaker, you might be able to review the Hansard of Mr Cain's speech before. I believe he said that he had his son-in-law working in some capacity in his office. Given we just reaffirmed our commitment to the code of conduct today, and I appreciate there is a definition of family member in the Legislative Assembly (Members' Staff) Act 1989, but I would request that you have a look at that, Madam Speaker. Also, if it does not capture a son-in-law, perhaps we need to review that further. given generally a relative, I think, would likely be considered a family member and so I think son-in-law should be captured there.

But to the more pressing issue, I would like to share a few words about the Israel Gaza crisis, which is causing such awful distress in our community. A community that is concerned for, and mourning, friends and relatives, who are injured, displaced or who have died, and a broader community which is deeply affected by and despairing at the tragic and avoidable scale of suffering and death.

I have been so troubled about the lack of value placed on human life with the Hamas attacks of 7 October and then the crisis since. The actions are horrific in and of themselves, and also in the way they evoke the atrocities of the past for multiple communities. The ongoing lack of protection and resulting civilian deaths is inconsistent with international law, and humanitarian and human rights laws have not been respected. Every civilian has the same rights to live, and in peace and freedom.

The ACT is a welcoming city. Yet, I know the crisis has caused fear in our own community. I am dismayed and concerned at the instances in our community of vandalism, graffiti and slurs, which are just antisemitism or islamophobia. While these appear to be few, and they may be considered by some to be minor, anything of this nature is disturbing and it cannot be tolerated. I am alarmed that businesses have been targeted. Every person has a right to feel safe. There is no place for prejudice or hatred of any kind. We are not a community that tolerates or condones vilification of someone's race or religious beliefs. Vilification of someone's race or religious beliefs is unlawful. There is no place for antisemitism. There is no place for islamophobia. Anyone who experiences racism or vilification should contact the ACT Human Rights Commission on 02 6205 2222, or go to the complaints portal on the website at hrc.act.gov.au.

It is my strong hope that this pause currently underway is the first step and it will give way to a permanent and humanitarian cease fire with the release of all hostages, to end the pain and suffering that so many are enduring, including here in our community—the impacts of which we know already are going to span generations.

To draw from what United Nations Human Rights Chief Volker Türk said last week, Palestinians have the right to self-determination and to their own state. Israel has a right to exist and to defend itself, and how it does so matters. Recognising each other's humanity has never been more pressing.

Question resolved in the affirmative.

The Assembly adjourned at 5 pm.

Schedule of amendments

Schedule 1

Building and Construction Legislation Amendment Bill 2023

Amendments moved by the Minister for Sustainable Building and Construction

1

Clause 2 (1), second dot point

Page 2, line 9—

omit second dot point, substitute

- section 17
- section 19

2

Clause 2 (2), first dot point

Page 2, line 25—

omit first dot point, substitute

- part 4 (other than section 23)

3

Proposed new clause 2 (2A)

Page 3, line 2—

insert

(2A) Section 18 commences on 15 January 2024.

4

Clause 27

Page 16, line 1—

omit clause 27, substitute

27 Due date for payment Section 13 (1)

substitute

- (1) A progress payment under a construction contract is payable on the earlier of the following:
- (a) 15 business days after a payment claim is given under part 4 in relation to the payment;
 - (b) the day when the payment becomes payable under the contract.

5

Clause 32

Page 17, line 16—

[oppose the clause]

6

Clause 33

Page 17, line 20—

[oppose the clause]

7

Clause 44

Proposed new section 31D (4)

Page 23, line 2—

omit

notifiable

substitute

disallowable
