



**DEBATES**  
OF THE  
LEGISLATIVE ASSEMBLY  
FOR THE  
AUSTRALIAN CAPITAL TERRITORY

**DAILY HANSARD**

Edited proof transcript

20 September 2023

This is an **EDITED PROOF TRANSCRIPT** of proceedings that is subject to further checking. Members' suggested corrections for the official *Weekly Hansard* should be lodged in writing with the Hansard office no later than **Wednesday, 4 October 2023**.

## Wednesday, 20 September 2023

Leave of absence .....	3001
Aboriginal and Torres Strait Islander Agreement 2019-2028—annual impact statement (Ministerial statement) .....	3001
Children and young people—ACT Children and Young People’s Commitment 2015-2025 (Ministerial statement) .....	3004
Revenue Legislation Amendment Bill 2023 .....	3012
Births, Deaths and Marriages Registration Amendment Bill 2023 .....	3013
Human Rights (Complaints) Legislation Amendment Bill 2023 .....	3016
Federal government—territory rights .....	3019
Questions without notice:	
Sport and recreation—international events .....	3037
Sport and recreation—international events .....	3038
Housing—short-term rentals .....	3039
Kippax—parking .....	3041
Molonglo River—bridge .....	3042
Roads—maintenance .....	3043
Budget—Aboriginals and Torres Strait Islanders .....	3044
Sport and recreation—Kambah playing fields .....	3046
Legislation—involuntary assisted dying .....	3047
Yerrabi Pond—parking .....	3049
Municipal services—Fix My Street .....	3050
Community organisations—venue hire .....	3052
Municipal services—footpaths .....	3053
Tourism—Floriade .....	3054
Light rail—stage 2 .....	3055
Multicultural affairs—community facilities .....	3067
Federal government—territory rights .....	3080
Courts Legislation Amendment Bill 2023 .....	3087
Correction to the record .....	3091
Adjournment:	
Mr Robert Eakin—tribute .....	3091
Multicultural events—African Australian Council ACT .....	3093
West Belconnen Junior Rugby League FC—50th anniversary .....	3094
Dementia—Dementia Action Week .....	3095

**Wednesday, 20 September 2023**

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

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

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

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

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

### **Leave of absence**

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

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

### **Aboriginal and Torres Strait Islander Agreement 2019-2028— annual impact statement Ministerial statement**

**MS STEPHEN-SMITH** (Kurrajong—Minister for Aboriginal and Torres Strait Islander Affairs, Minister for Families and Community Services and Minister for Health) (10.02): I rise to present the ACT's 2023 annual report on the National Agreement on Closing the Gap 2020, the national agreement; and the 2023 impact statement on progress under the ACT Aboriginal and Torres Strait Islander Agreement 2019-2028, the ACT agreement.

The annual report on the national agreement provides an indication of the territory's progress in relation to priority reform areas, sector strengthening plans and our Closing the Gap jurisdictional implementation plan. The impact statement provides an update on the Closing the Gap targets. It has been developed to monitor progress against the 10-year ACT agreement.

The annual report forms a critical component of the ACT's reporting requirements under the national agreement and the ACT implementation plan and delivers on commitments made by the ACT government as a signatory to the national agreement. The annual report also provides an update against how the ACT is tracking in implementing the sector-strengthening plans for the education and health sectors.

The ACT government is committed to self-determination for Aboriginal and Torres Strait Islander people. This is an underpinning principle of both agreements,

demonstrated through their development and implementation in partnership with Aboriginal and Torres Strait Islander people.

Work under these agreements reflects our commitment to working in partnership, achieved through partnership arrangements with the Aboriginal and Torres Strait Islander Elected Body, the United Ngunnawal Elders Council, the Our Booris, Our Way Implementation Oversight Committee and the Dhawura Ngunnawal Caring for Country Committee. I want to acknowledge these groups and recognise the important work they do to provide support and advice to the ACT government and the broader community.

Over the past year the ACT government has committed to significant infrastructure investment and service expansion for existing Aboriginal and Torres Strait Islander community-controlled organisations. We are also supporting the establishment of new organisations in sectors where there is not currently an ACCO delivering services, which is a significant achievement under priority reform 2 of the national agreement.

The Community Services Directorate has created a new Aboriginal services development branch to support the development and enhancement of established and new ACCOs across the ACT region to deliver human services. Two specific areas of focus are the creation of a community-controlled housing organisation and a community-controlled service providing support for children, young people and families.

I would like to share some highlights from the ACT's annual report on Closing the Gap. We are continuing to invest funding to directly support actions under the Closing the Gap agreement, including partnering with Winnunga Nimmityjah Aboriginal Health and Community Services to construct a new Aboriginal and Torres Strait Islander alcohol and other drug residential rehabilitation facility, as part of the \$49 million redevelopment of the Watson health precinct. I was pleased to be out at Watson earlier this week with Julie Tongs, the CEO of Winnunga, to announce the release of the development application for the plans for this project.

We have also been providing \$19 million towards the construction of a new purpose-built facility in for Gugan Gulwan Youth Aboriginal Corporation. The government is providing support and advice to Yerrabi Yurwang Child and Family Aboriginal Corporation to deliver holistic services for Aboriginal children and families in the ACT, as well as facilitating office space in the Yarramundi Cultural Centre.

Funding has been provided to the Winanggaay Ngunnawal Language Group to support the revitalisation of the Ngunnawal language and culture, and the development of a business case to develop an Indigenous language centre for the ACT.

Continued support is provided to facilitate the hiring of the Yarramundi Cultural Centre event space for Aboriginal and Torres Strait Islander organisations and community. The government has been upgrading the Boomanulla Oval and facilities to accommodate more sporting matches, including the upgrading of lights to support more night games. We have provided more than \$1.3 million in grants to Sisters in Spirit, Yerrabi Yurwang and Clybucca Dreaming to deliver advocacy and support services, delivering against recommendation 4 of the *We Don't Shoot our Wounded* report.

In March 2022 Housing ACT delivered the third housing complex for Aboriginal and Torres Strait Islander older people, named Ningulangu, meaning “Belonging to: home, place”. This is just some of the important work underway across the ACT government, driven directly by our partnerships with Aboriginal and Torres Strait Islander people through the two agreements.

In July of this year the Productivity Commission released its annual data compilation under Closing the Gap. Overall, the Productivity Commission data indicates that the ACT still has significant progress to make in closing the gap between Aboriginal and Torres Strait Islander and non-Indigenous residents. Unfortunately, this continues to be the case across Australia. Along with other jurisdictions, the ACT government recognises that transformational change is required if we are to meet all the socio-economic targets under the national agreement. While it is heartening to see seven indicators improving in the ACT compared to four nationally, I recognise that we have a long way to go.

The annual impact statement I am tabling today aims to measure the ACT’s progress against both the Closing the Gap and the ACT Aboriginal and Torres Strait Islander Agreement. Many of the investments and reforms underway today may not be reflected meaningfully in the data for many years. That is why the priority reforms and ongoing partnership with the coalition of peak Aboriginal and Torres Strait Islander organisations are so important, to hold all governments to account, no matter the minister or political party at the table.

Nevertheless, there are some positive signs that we are moving in the right direction. The ACT annual impact statement shows that the ACT continues to increase the level of enrolments of Aboriginal and Torres Strait Islander children in preschool programs, the year before full-time school. A greater number of Aboriginal and Torres Strait Islander students are attaining year 12 or equivalent qualification. This increase has significantly contributed to narrowing the gap in this area.

The proportion of Aboriginal and Torres Strait Islander people pursuing further education pathways, leading to the attainment of tertiary qualifications, has increased since the baseline year of 2016. A greater number of young Aboriginal and Torres Strait Islander people have been fully engaged in employment, education or training in the ACT since 2016. Similarly, the proportion of adults employed has increased since 2016. In addition, we are seeing progress towards reducing the over-representation of Aboriginal and Torres Strait Islander adults in the justice system. While over-representation remains at unacceptable levels and we are increasing our efforts in this area, the justice reinvestment approach is having an impact.

As we marked the 2023 National Aboriginal and Torres Strait Islander Children’s Day on 4 August 2023, I reflected on some of the actions of the government over the past year that go directly towards addressing the over-representation of Aboriginal and Torres Strait Islander children, young people and families in the child and youth protection system, particularly through our partnership with the Our Booris, Our Way Implementation Oversight Committee.

This includes the creation of a First Nations family support team in Child and Youth Protection Services, bringing together experienced and dedicated practitioners to work

with families to keep children safe and connected to culture and community; the work of the newly established Aboriginal services development branch I spoke about earlier to support ACT Aboriginal community-controlled organisations to engage in child and family services; strengthening support to kinship carers through the appointment of a First Nations kinship liaison officer; and the establishment of a care and protection legal advocacy service within the Aboriginal Legal Service to provide culturally appropriate legal and advocacy services for Aboriginal and Torres Strait Islander families coming into contact with the child protection system.

I would also like to acknowledge the Our Booris, Our Way Implementation Oversight Committee, who have consistently monitored the work underway, despite how slowly change often seems to be happening. It was good to see the committee chair, Ms Natalie Brown recently say, “Progress this year is promising. Our voices are starting to be heard.” Again, we know that more needs to be done, but I think we can now say that the committee and the Community Services Directorate are on the same page about what that looks like.

The ACT government is committed to transforming government organisations through meaningful change that will empower Aboriginal and Torres Strait Islander people and bring about stronger life outcomes and opportunities for the Aboriginal and Torres Strait Islander community. The annual impact statement forms a large part of the ACT’s reporting requirements for the national agreement and is attached to the annual report to showcase the comprehensive and transparent data that the ACT has against the 17 Closing the Gap targets.

We are committed to continuing to work closely with our agreement partners to strengthen outcomes in the future and to embed the principles of transparency and accountability to improve the way we measure and report on progress against the national agreement and strive towards self-determination for Aboriginal and Torres Strait Islander people.

I present the following papers:

National Agreement on Closing the Gap—Annual Report 2023, dated September 2023, including ACT Annual Impact Statement 2023.

ACT Aboriginal and Torres Strait Islander Agreement 2019-2028 and National Agreement on Closing the Gap 2020—Annual Report and Impact Statement 2023—Ministerial statement, 20 September 2023.

I move:

That the Assembly take note of the ministerial statement.

Question resolved in the affirmative.

## **Children and young people—ACT Children and Young People’s Commitment 2015-2025 Ministerial statement**

**MS STEPHEN-SMITH** (Kurrajong—Minister for Aboriginal and Torres Strait Islander Affairs, Minister for Families and Community Services and Minister for

Health) (10.11): I rise for the second time today to share with the Assembly a progress update on the implementation of the ACT Children and Young People's Commitment 2015-2025, otherwise known as the commitment.

The commitment has six priority areas to guide how we best support Canberra's children and young people. These are: provide access to quality health care, learning and employment opportunities; implement policy that enables the conditions for children and young people to thrive; keep children and young people safe and protect them from harm; advocate for the importance of the rights of children and young people; include children and young people in decision-making, especially in areas that affect them, ensuring that they are informed and have a voice; and build strong families and communities that are inclusive and support and nurture children and young people.

The commitment aligns with the ACT Wellbeing Framework and the promotion of wellbeing for all children and young people in the ACT, from conception to 25 years. This year I am making the ministerial statement at the same time as providing an update on the Children and Young People Lens, the CYP lens. The CYP lens brings together local and national data regarding Canberra's children and young people. It was first released in September 2022.

The lens aligns with the commitment and the ACT Wellbeing Framework and provides a data picture of the territory's children and young people. The lens has replaced the previous publication, *A Picture of Children and Young People in the ACT*, and is available via the Community Services Directorate website and the ACT Wellbeing Framework webpage. I encourage members to take the time to look at it.

Having access to information and data helps guide evidence-based decision-making. We know many children in the ACT are progressing well, but the data also tells us that too many Canberra children are falling behind. Evidence also tells us that the early years set the foundation for life. The most recent Australian Early Development Census data unfortunately indicates that we have seen an increase in the proportion of Canberra children starting school who are developmentally vulnerable.

Between 2018 and 2021 there was an increase in developmental vulnerability across four out of the five AEDC domains: physical health and wellbeing; emotional maturity; language and cognitive skills; and communication and general knowledge. The Best Start for Canberra's Children: The First 1000 Days Strategy, launched in November 2022, is part of our response to these challenges.

Best Start is a 10-year strategy that is informed by evidence and the lived experiences of Canberra children and families. An early action under Best Start was a commitment of more than \$7 million to expand the Child Development Service over four years. This funding is providing critical speech therapy, occupational therapy and physiotherapy, or a combination of these, to children aged 24 to 36 months.

CDS continues to provide assessments, referrals and information services to families and children from birth to six years of age, in addition to the new early intervention services. The expanded CDS continues to provide a service which is trauma informed and culturally inclusive. CDS therapists provide services from a range of places,

including Holder and at the child and family centres in Gungahlin, west Belconnen and Tuggeranong. Our child and family centres themselves continue to provide free, evidence-based, universal and targeted services and supports.

Each child and family centre responds to the needs and cultures of their local community. This includes an open-door intake and referral service; prioritising the Growing Healthy Families program and our First Nations communities, including offering culturally safe and inclusive practice; acknowledging and celebrating Reconciliation Week, NAIDOC Week, and Aboriginal and Torres Strait Islander Children's Day; therapeutic programs such as Cool Kids and Cool Little Kids, for children under 10 with anxiety, Tuning Into Kids, Parents as Teachers and Circle of Security to promote positive parenting and attachment; the Mindful Motherhood program, a maternal and baby wellbeing and attachment program; and targeted playgroups.

Child and family centres are currently piloting an in-reach to schools program to provide additional support to children and families in their local community. The incredible child and family centre workers continue to work closely with our non-government partners, including Aboriginal community-controlled organisations, or ACCOs, to ensure that all aspects of their service response are coordinated and connected, as well as being culturally safe.

In addition, the government recognises the need to continue to strengthen the integration of early supports for families. A child and family network working group has been established, with government and community sector representation, to focus on designing an improved service system network for children, young people and their families. This work is complemented by the government's strategy to support the foundations of learning for all children through Set up for Success: An Early Childhood Strategy for the ACT. A key part of Set up for Success is our commitment to free preschool. By 2024 Canberra families will be able to access one day per week of free preschool for three-year-olds. This will benefit more than 5,000 children across the ACT.

Best Start and Set up for Success are also closely aligned with Next Steps for Our Kids 2022-2030. Next Steps is our strategy for strengthening families and keeping children and young people safe and takes an early intervention approach across the life span. Over the past 12 months, some key milestones have been reached in the implementation of Next Steps. As part of our ongoing commitment to implement the recommendations of the Royal Commission into Institutional Responses to Child Sexual Abuse, and in line with a priority initiative under Next Steps, the 2023-24 budget delivers new funding of \$3.3 million over four years to establish a child-safe standards scheme for the ACT. Funding will enable the Human Rights Commission to support organisations working with children and young people to develop holistic and child-friendly approaches to safety and wellbeing.

The Aboriginal services branch was established in the Community Services Directorate in January 2023 to support and facilitate the development of Aboriginal and Torres Strait Islander community-controlled organisations. The branch's work supports the implementation of Our Booris, Our Way, a key domain under Next Steps, as well as the government's response to the *We Don't Shoot Our Wounded* report and the ACT Housing Strategy.



Another milestone in the implementation of Our Booris, Our Way will be the appointment of an Aboriginal and Torres Strait Islander children and young people commissioner. The interim Aboriginal and Torres Strait Islander Children and Young People Advocate has been operating while the process to appoint the inaugural commissioner is underway. This interim role undertakes advocacy on behalf of children, young people and families in the ACT. The advocate also represents the ACT at a national level to promote the rights of Aboriginal and Torres Strait Islander children. I take this opportunity to thank Barb Causon for her commitment to the role of Aboriginal and Torres Strait Islander Children and Young People Advocate.

The ACT government has also provided funding certainty to Aboriginal Legal Service NSW/ACT by allocating \$743,000 to establish a dedicated care and protection legal advocacy service.

The CREATE Foundation represents the voices of children and young people with an out of home care experience. The Community Services Directorate has worked with CREATE to support the engagement of children and young people with lived experience in the new Child and Family Reform Ministerial Advisory Council, which will provide advice on the ongoing implementation of Next Steps. This will bring the voices of young people to the centre of our reform program.

In addition, the Institute of Child Protection Studies recently undertook research, speaking with 17 young people to hear their lived experience of post-order support. As part of this work, I met with three young people to hear their experiences. The insights they bravely shared are directly influencing the post-order support structures being developed as part of Next Steps.

Under Next Steps we are also creating stronger integration and connection across the continuing support delivered by government and non-government services. This work is already underway with the commissioning of the Child, Youth and Family Services Program and child protection, out of home care and support services.

Work is also underway to modernise the Children and Young People Act 2008. The Children and Young People Amendment Bill 2023, introduced in August, represents the first stage of a two-stage legislative reform process. The bill will enable the ACT's child protection system to provide better and earlier support to families at risk. It also starts the process of fully embedding the Aboriginal and Torres Strait Islander child placement principle into legislation, implementing a key recommendation of the Our Booris, Our Way review. There will be a further tranche of legislative reform in early 2024 that will consolidate this set of amendments and expand on them to deliver a fully modernised Children and Young People Act.

On 9 May 2023 the Justice (Age of Criminal Responsibility) Legislation Amendment Bill 2023 was introduced into the Legislative Assembly. This bill will raise the minimum age of criminal responsibility to 12 on commencement and to 14 from 1 July 2025. The 2023-24 budget included \$10.4 million over four years to support this reform. This includes new funding for an ongoing Functional Family Therapy—Youth Justice program, the establishment of a therapeutic support panel, and intensive case management and support services, including accommodation. This builds on funding in the 2022-23 budget review for an immediate service response to support children and young people who come into contact with police.

From August 2023 the Justice and Community Safety Directorate's First Nations Justice Branch, together with the Environment, Planning and Sustainable Development Directorate, will also commence delivering Yurwan Ghuda, which means "strong child or children" in Ngunawal language. This on-country program aims to address the over-representation of Aboriginal and Torres Strait Islander children in the youth justice system by offering 10 to 14-year-olds who come, or are at risk of coming, into contact with the criminal justice system the opportunity to participate in on-country activities.

We know that domestic and family violence is one of the key risks to some of our most vulnerable children and young people. The Domestic, Family and Sexual Violence Office funds a range of services to children, young people and families, including the family violence response pilot, targeted at children aged five to 12 years, and their mothers, with a focus on healing and repairing the mother-child relationship.

The Solid Ground pilot program, delivered in partnership with Canberra PCYC, is targeted at young people aged 11 to 18 years, with the objective of reducing the prevalence of violence by focusing on supporting young people who have experienced or are using violence. In addition, youth workers are receiving training in how to better support young people experiencing domestic and family violence.

As a social determinant of health, we know that having access to appropriate, secure and affordable housing is important. Housing ACT provides targeted tenancy support for young people aged 16 to 25 years. This forms part of the government's commitment to improving longer term housing options for young people, especially those who have experienced homelessness or who are transitioning from statutory systems. In 2022-23 the ACT government also allocated \$6.6 million to eight programs in the specialist homelessness sector which specifically support young people who are homeless or are at risk of homelessness.

The ACT Preventive Health Plan includes a priority focus on supporting children and families, particularly to enable active living and increase healthy eating behaviours. This is important because the Chief Health Officer's 2023 *Healthy Weight* report shows that nearly one in three children aged five to 17 years in the ACT are overweight or obese. Preventing and reducing overweight and obesity in children has great potential to improve their health now and into their future. Canberra Health Services continues to provide the community nutrition service, including free nutrition assessment, counselling and advice for children, young people, pregnant women and women up to two years after giving birth. The ACT Health Directorate also continues to invest in specialist primary health services for young people by partnering with the Junction Youth Health Centre to provide primary health care and support services to young people aged 12 to 25 years, along with their dependent children.

From May to July 2023 the Health Directorate consulted with Canberrans on the second ACT Preventive Health Action Plan. This consultation is giving a voice to young people and people who represent children, young people and their families by seeking their input into what preventive health actions they want to see for the ACT. Formative research was done with young people aged 14 to 24 years, exploring young people's knowledge of e-cigarettes, vaping and associated harms and to understand what messages help dissuade young people from vaping. Further research and

co-design processes were undertaken with some year 7 and 8 high school students which will be used to develop a vaping, youth and health education package.

We know that mental health is a substantial concern for young people. In 2022, the ACT government released *Towards our Vision: Taking a Strategic Approach to Mental Health in the ACT*. This strategic approach sets out whole-of-government and whole-of-community focus areas and priorities to guide and direct actions to promote mental health, prevent mental illness and improve the lives of Canberrans. Under the National Mental Health and Suicide Prevention Agreement and bilateral agreement, \$38 million has been committed over four years to improve mental health support and services which are focused on children, young people and their families in the ACT.

In its 2021-22 budget the Australian government committed to working in partnership with state and territory governments to create a national network of 15 Head to Health Kids hubs—mental health and wellbeing centres for children aged zero to 12 years. The intent is that Head to Health Kids will deliver a community-based, multidisciplinary mental health service for children aged zero to 12 years experiencing mild to moderate and emerging mental health concerns.

The Office for Mental Health and Wellbeing has also established a mental health youth reference group to ensure that the voices of lived experience are contributing to various policies and projects to support the mental health and wellbeing of children and young people. The youth reference group meets monthly to provide key advice to ensure better outcomes for children and young people in the ACT.

Through the 2023-24 budget the government has provided a one-year funding extension for WOKE, a program delivered by clinical psychology students at the University of Canberra that uses dialectical behavioural therapy to treat young people with a range of mental health concerns.

I am pleased to say that, commencing on 1 December 2022, Orygen has been contracted to deliver a trial of the Moderated Online Social Therapy, or MOST, service in the ACT, in line with ACT Labor's election commitment. MOST is an evidence-based, moderated online tool that will enhance face-to-face clinical care for young people aged 12 to 25 years, delivered by government and non-government adolescent mental health services. The MOST service is being made available to identified clients accessing or waiting to access local adolescent and youth mental health services. It offers access to self-directed therapeutic content and practical strategies to manage anxiety, depression and psychological distress.

We know that when we properly consult with and listen to children and young people they tell us what will help promote their wellbeing. In 2022 the ACT's Children and Young People Commissioner undertook direct consultation with children and young people to hear their perspectives about wellbeing. The commissioner heard that young Canberrans want to have their own identity, be included and accepted and have opportunities for socialising and friendship. Having true community connections, safety and the opportunity to have a say about their lives now and into the future is an important step in validating our younger citizens.

The Children and Young People Commissioner has also spoken directly with children and young people about their experiences of racism in the ACT and released the

report *It Really Stabs Me*. Many young people have articulated their desire for more truth-telling to take place on Australian history and for Indigenous knowledge to be present across more subject areas. Many young people articulated wanting specific teaching on racism and a desire for explicit conversations to be had. This report, while difficult at times to read, upholds a commitment to listening to the voices of children and young people in the ACT and their true lived experience.

Transport Canberra and City Services also ensures that children and young people have a voice on issues which affect them by offering regular consultation. The establishment of the Accessibility Reference Group, with representation from stakeholders, including children and young people, is one way that this is achieved. Consultation has been undertaken on the ACT Play Space Strategy; an online kids' corner to submit short stories or drawings; better play spaces in Aranda, Chisholm, Gordon and Ngunnawal; the inner north destination playground; and Casey community recreation park.

It is of course important to listen to young people across all areas of government responsibility. That is why the ACT government is proud to have the Youth Advisory Council. The council comprises young people aged between 12 and 25 years and gives voice to key issues, direct to government. The council also hosts the Youth Assembly every two years, most recently on 23 June this year. The Youth Assembly focused on three topics: cost of living, gender equality and social inclusion. The Deputy Chief Minister provided an update on this work in a ministerial statement on 19 September.

The Deputy Chief Minister, in her role as Minister for Education and Youth Affairs, also hears from the Minister's Student Congress on issues of importance to them. On 21 October 2022 the congress brought together more than 130 students to discuss the theme of hearing student voices. In June this year two ACT public school students also joined counterparts, as part of the new national student voice council, to discuss issues impacting students and to set priorities.

The government's commitment to equity in education is supported through the equity fund, which is available for eligible students from preschool to year 12 to help cover the cost of expenses such as uniforms, excursions, sports activities and music lessons. As at mid-2023, 3,629 students from more than 1,700 families had been supported by the equity fund.

All ACT public schools aim to provide safe and inclusive environments for students, which is supported by the Safe and Supportive Schools policy and the Positive Behaviour for Learning framework. The ACT government also continues to fund the Safe and Inclusive Schools Initiative, which has a goal of ensuring that all schools and educational programs in the ACT are safe, inclusive environments for all students, regardless of their gender presentation, identity, intersex status or sexual orientation.

ACT public schools offer respectful relationships education to prevent domestic and family violence by creating a culture of gender equality in schools. A gender equality team has been established to support whole-of-school approaches to respectful relationships education through professional learning, resources, support and advice. In 2023 recruitment for additional social workers and youth workers commenced,

with the aim of offering increased support to students, particularly those with complex needs. The ACT government is also committed to developing an inclusive education strategy to strengthen inclusive practice to ensure that students with disability can access and participate in education on the same basis as their peers.

The ACT Education Directorate also continues to work closely with CIT, Skills Canberra, the ACT Board of Senior Secondary Studies, the Young Workers Centre and local industry organisations to ensure positive transitions for students. During 2022-23, the innovative Head Start pilot program achieved strong outcomes for students and their employers. Up to 50 Head Start students are expected to complete their Australian school-based apprenticeship and to progress to full-time employment by the end of 2024.

Skills Canberra has worked closely with government and community organisations to remove financial barriers through the provision of fee-free training products, particularly supporting young people who are 17 years of age and not enrolled at school or in another program, leading to the completion of a year 12 certificate. Young people are also considered a priority cohort to qualify for various programs as part of the JobTrainer Employment Jumpstart program, which includes wraparound support services, such as case management, travel assistance, tutoring, counselling, resume and interview skills.

The government is also committed to supporting the development and growth of the ACT's key industry sectors, including a focus on ensuring that future workforce needs are understood and that clear career pathways and opportunities for young people are made available. Excitingly, the ACT government sponsored the inaugural ACT Space Industry Work Exploration Program in June. This week-long program supports the development of partnerships with space industry and academic institutions, to connect year 10 to 12 students with STEM mentors and real-world learning opportunities focused on the ACT space industry.

As this lengthy statement demonstrates, all areas of ACT government are deeply engaged in listening to children and young people and partnering with them to address the challenges and opportunities they face. This is just a snapshot. I could easily have spoken for twice as long. I thank all of the directorates for their engagement in this annual update. Children and young people are vital to the future of our community. We know that early investment to support their healthy development, education and participation represents the best outcome for our community. It has once again been a privilege to provide an update on the progress we have made on the ACT Children and Young People's Commitment 2015-2025. I present the following paper:

ACT Children and Young People's Commitment 2015-2025—Progress update—  
Ministerial statement, 20 September 2023.

I move:

That the Assembly take note of the paper.

Question resolved in the affirmative.

## Revenue Legislation Amendment Bill 2023

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

Title read by Clerk.

**MR BARR** (Kurrajong—Chief Minister, Treasurer, Minister for Climate Action, Minister for Economic Development and Minister for Tourism) (10.33): I move:

That this bill be agreed to in principle.

The Revenue Legislation Amendment Bill includes amendments to complete the modernisation of the territory’s landholder duty provisions under the Duties Act 1999 that commenced with the 2022 Revenue Legislation Amendment Bill, and now the Revenue Legislation Amendment Bill 2023.

With this bill, the ACT will have a contemporary landholder duty regime with provisions aligning to those in other jurisdictions. The landholder duty provisions support the integrity of the Duties Act by addressing circumstances where parties may acquire indirect interests in land.

The 2022 bill addressed the operation of the regime by clarifying the application and assessment of landholder duty and related terms. Proposed amendments in this bill complement that early work by simplifying and strengthening landholder duty exemptions, consolidating them under chapter 3 of the Duties Act, and basing them on actual acquisitions rather than applying a hypothetical test. Application requirements and objection rights relating to the exemptions will be made certain.

While the majority of the exemptions will otherwise be unchanged, there are some specific amendments. The bill amends an exemption for transactions to secure finance to focus the operation and bring it into line with similar exemptions in other jurisdictions. Exemptions relating to beneficiaries of trusts and declarations of trusts are removed as either duplicative or unnecessary.

The bill will also revise the aggregation provisions to chapter 3 transactions to align with chapter 2, and capture instances where multiple transactions are used to change effective ownership of land. There are a number of amendments involving definitions that will act to clarify the operation of the landholder duty provisions, including for land, and the meaning of when a party acquires an interest in a landholder under an agreement to provide greater certainty.

Apart from landholder duty amendments, the bill also amends the Duties Act to insert new duty exemptions to remove the potential for double taxation of transactions involving alternative finance schemes or arrangements, which are intended to exclude interest; that is, the time value of money. Such arrangements may be required for cultural or religious reasons, such as those meeting the requirements of Islamic law. The amendments align with provisions enacted in Victoria.

Other minor and technical amendments are included in the bill. The bill amends the Rates Act 2004 to rename the “fire and emergency services levy” as the “police, fire

and emergency services levy” as announced in the most recent territory budget. Other amendments relate to mixed use rates under division 5.2 and clarify the determination of the average unimproved value of a parcel of land under a crown lease in the event of renewal. Proposed amendments also clarify the inter-operation of debt recovery provisions under the Taxation Administration Act 1999.

Exciting bills such as this support the fundamental operations of government by updating and maintaining the operation and intent of the law. I commend this exhilarating piece of legislation to the Assembly.

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

## **Births, Deaths and Marriages Registration Amendment Bill 2023**

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

Title read by Clerk.

**MS CHEYNE** (Ginninderra-Assistant Minister for Economic Development, Minister for the Arts, Minister for Business and Better Regulation, Minister for Human Rights and Minister for Multicultural Affairs) (10.38): I move:

That this bill be agreed to in principle.

I am pleased to present the Births, Deaths and Marriages Registration Amendment Bill 2023 to the Assembly. The bill amends the Births, Deaths and Marriages Registration Act 1997—we know it as the BDMR Act—to remove administrative barriers for transgender and gender-diverse people seeking to change their registered sex or name, and to reduce barriers for parents with sole parental responsibility to change the registered name or sex of their child.

The ACT has been at the forefront of reforms to protect the human rights of transgender and gender-diverse people. Following the Capital of Equality strategy first action plan, the second action plan was released in March 2022, building on the achievements of the ACT in eliminating disadvantage, discrimination and marginalisation for LGBTIQ+ Canberrans, and outlining key government actions to support this community.

One of the flagship actions of the second action plan is to enhance ACT legislation to further embed inclusion and equality for trans, gender-diverse, queer and intersex people, including by improving the process for registering a change of sex. We have received a number of suggestions in recent years about how the BDMR Act can be further improved to remove barriers for people seeking to change their or their children’s registered name and/or sex. These suggestions have come from community services, members of the community, solicitors and advocacy groups, and they represent good ideas about how application processes can be more streamlined and identity documents can strike a better balance between privacy and proof of identity.

In 2021, reforms commenced in the ACT to create pathways for transgender, intersex and gender diverse young people to change their sex and given name where they do not have the support of both parents. The changes allowed young people aged between 16 and 18 years old to apply directly to the registrar-general to change their sex and/or given name. These reforms acknowledged both the serious risks to young people who are not supported or accepted in their gender identities, such as high levels of mental health issues and greater risks of self-harm and suicide, and the significant mental health benefits for young people who are supported to affirm their gender identities. When award-winning actor Elliot Page came out as transgender, he said:

And the more I hold myself close and fully embrace who I am, the more I dream,  
the more my heart grows and the more I thrive.

Not only do we want our children and young people to thrive, but we want to ensure that there are as few barriers as possible to them doing so. This bill expands the age at which young people can directly apply to the registrar-general to change their sex and/or given name to 14 years and older. This reflects more contemporary understanding of developmental processes for young people and the increasing independence that young people have around that age. It also better aligns with other existing provisions in the BDMR Act, including that 14 is the age at which a young person's consent must be sought when a parent is seeking to change their name.

Children and young people below the age of 14 years will be able to access the existing pathway, generally with the support of a parent, to apply to the ACT Civil and Administrative Tribunal to assess their ability to understand the decision and authorise them to make the application to the registrar-general. Another suggestion from the community was to help address an inconsistency that can happen when a parent changes their registered name and/or sex.

Although the ACT has a very flexible approach when registering a child's birth, allowing a parent to refer to themselves as "birth parent", "parent", "other parent", "mother" or "father", if they change their registered details after the birth of the child, it is not possible to also update the child's birth certificate to reflect the parent's identity. This can result in difficulties in situations where the parent has to prove their child's identity and their own identity, and there is a discrepancy between the two identity documents.

The bill will allow a parent to apply to the registrar-general to update their name and parental designation on their child's birth certificate, with the consent of the other parent and, if the young person is aged 14 years or over, the young person. This is consistent with the approach in the BDMR Act relating to other changes to a child's birth certificate, which generally require the consent of both parents. However, the bill will allow a parent to change their parental descriptor to "parent" without requiring the consent of the other parties. This is because it does not involve changing the record of a historical fact, and simply provides a gender-neutral alternative to "mother" or "father".

As changes will need to be made to systems to implement this change and ensure that it does not affect security verification of documents, this particular amendment will



have a delayed commencement of up to 12 months. We will be continuing to work through a mechanism where there may be a dispute.

Similarly, section 27(3) of the BDMR Act currently provides that where a person changes their registered sex “a birth certificate mentioned in this section must not include any word or statement to the effect that the person to whom the certificate relates has changed sex”. This was an important provision when it was included in the original Births, Deaths and Marriages Registration Bill 1997, and was designed to align with the Discrimination Act 1991, which makes it unlawful to discriminate on the grounds of a record of a person’s sex having been altered under the BDMR Act.

It was an important privacy safeguard, particularly if someone did not feel safe disclosing that they are transgender. However, this has resulted in some issues where people are applying for updated identity documents, such as a passport, because their current birth certificate does not demonstrate a connection between their prior and current registered sex.

The flexibility that is available for someone who changes their name to have the change reflected on the reverse side of their birth certificate, or, where the birth was registered elsewhere, to have their former name or sex on a recognised details certificate, is not currently available for someone who changes their sex. The bill will allow an applicant to request a birth certificate that indicates their prior and current sex, while still preserving the default position not to include prior sex unless they expressly request otherwise. This will allow the applicant to make their own decision about how to balance their right to privacy and right to non-discrimination.

The final amendment in the bill relates to parents who have been granted sole parental responsibility for their child. Currently, the BDMR Act allows a sole parent to make an application to change a child’s name where: they are the sole registered parent; there is no other surviving parent; there are specific orders or findings that the child’s name should be changed; or pursuant to court orders following an application to the ACT Supreme Court.

However, it is not clear that the BDMR Act allows a sole parent to make an application where the Federal Circuit and Family Court of Australia has made parenting orders that deal with long-term parental responsibility, even though it is understood that this would also include parental responsibility for changing a child’s name. This means that even if a parent has attended the Federal Circuit and Family Court of Australia and obtained final orders granting exclusive long-term parental responsibility for all matters relating to their child, unless the orders specifically deal with a change of name, that parent would have to then commence fresh proceedings in the ACT Supreme Court to change their child’s name. We have heard that this can be complex, duplicative, costly and stressful.

The bill adopts the approach recently introduced in Queensland’s new Births, Deaths and Marriages Registration Act 2023, which allows a person with an order that grants sole parental responsibility for all long-term issues for a child to apply directly to the registrar-general to register a change of name and/or sex for the child without further court approval. The bill ensures that the registrar-general will not be required to adjudicate disputes between parents, and will only need to consider whether an order

meeting the requisite criteria has been provided. This will ensure consistency with the Family Law Act 1975, and help avoid relitigating questions of best interests that have already been finalised by the Federal Circuit and Family Law Court of Australia.

The amendments in this bill are changes to update the BDMR Act to remove barriers. They are the result of advice from the community, and they support the right to recognition and equality before the law, the right to protection of the family and children and the right to privacy and reputation. The amendments maintain existing safeguards in the BDMR Act while providing individuals with more agency around their gender identity and reducing unnecessary interaction with the court system. I commend this bill to the Assembly.

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

## **Human Rights (Complaints) Legislation Amendment Bill 2023**

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

Title read by Clerk.

**MS CHEYNE** (Ginninderra-Assistant Minister for Economic Development, Minister for the Arts, Minister for Business and Better Regulation, Minister for Human Rights and Minister for Multicultural Affairs) (10.49): I move:

That this bill be agreed to in principle.

Today I am pleased to present the Human Rights (Complaints) Legislation Amendment Bill 2023. This represents the first stage of the government's response to the Standing Committee on Justice and Community Safety report on its inquiry into petition 32-21 on No Rights Without Remedy. The No Rights Without Remedy petition, signed by 518 people—including many who are here today—and tabled in the Assembly on 23 November 2021, raised concerns about a lack of an accessible mechanism for ACT residents to enforce their rights under the Human Rights Act.

The bill will establish a new pathway for community members to make complaints about alleged breaches of human rights obligations by public authorities to the Human Rights Commission. Section 40B is a critical element of the ACT Human Rights Act. It requires that public authorities act consistently with human rights and give proper consideration to relevant human rights when making a decision. This is also known as a positive duty, and it applies to all public authorities, including ACT government agencies, ministers, public employees, and organisations carrying out functions of the territory.

The Human Rights Act was the first, and remains the only, human rights statute in Australia to include a stand-alone cause of action for a breach of human rights obligations by a public authority. Section 40C of the act allows these matters to be brought to the Supreme Court without needing any other cause of action. However, while the Supreme Court is an important jurisdiction for the determination of human rights claims, I acknowledge that this pathway is not easily accessible to many Canberrans, due to the potential costs and the formality of this jurisdiction.

The bill I am presenting today will expand the avenues available for seeking redress for a breach of human rights by enabling community members who believe a public authority has acted in contravention of their section 40B obligations to make a complaint to the Human Rights Commission. The commission plays an important role in promoting and upholding human rights in the ACT through community education, advice to government, and their significant complaints-handling jurisdiction. The commission is well placed to take on this new human rights complaints jurisdiction. In recent years, new areas have been added to the commission's complaints jurisdiction, which has strengthened the capacity of the commission to resolve concerns, to improve services and to support vulnerable people in our community.

The bill will generally require complainants to attempt to work through their complaint with the relevant public authority before escalating to the Human Rights Commission. If the person does not receive a response to the complaint within 45 calendar days, or receives a response that they consider to be inadequate, they can then make a complaint to the Human Rights Commission. In exceptional circumstances, or where the person makes a concurrent complaint under the Human Rights Commission Act in relation to the same act, circumstances or subject matter, the commission will be able to waive this requirement.

As it does for other types of complaints, the commission will be able to offer confidential conciliation to attempt to resolve the complaint. The types of remedies that result from conciliations at the commission can include staff training, apologies, and changes in policies and procedures.

The existing complaints-handling powers in the Human Rights Commission Act will apply to human rights complaints such as the power to compel information that will assist in the consideration of a complaint. If a complaint cannot be successfully conciliated, the commission will issue a final report to close the complaint. The report may recommend any action the commission considers the public authority complained about should take to ensure their acts and decisions are compatible with human rights. This means that rather than determining whether a breach of human rights has occurred, the commission's recommendations will focus on assisting agencies to improve human rights compliance in future, and may make recommendations to that end.

Recommendations made by the commission must state the reasonable time within which the recommended action should be taken. Section 85 of the Human Rights Commission Act requires entities to tell the commission in writing about the action that has been taken in relation to a recommendation. In this way, entities are accountable for considering recommendations made by the commission and taking that action.

Community members who make a human rights complaint to the commission will not be fundamentally precluded from initiating a proceeding in the Supreme Court if resolution cannot be reached through conciliation.

The bill also amends section 40C to make it clear that the Supreme Court's discretion to permit the commencement of proceedings after the current one-year limitation period has expired includes circumstances where a person has made a complaint to the

Human Rights Commission about the act, and it is unreasonable in the circumstances for the time limit to apply to the proceeding. The amendment is intended to address circumstances where a person has sought, in good faith, to resolve their concerns by first making a complaint to the commission, and the limitation period for commencing Supreme Court proceedings has expired due to their good faith participation in the process.

The No Rights Without Remedy petition also recommended an ACAT pathway for human rights complaints that cannot be successfully conciliated. In response to the Standing Committee on Justice and Community Safety inquiry report, the government agreed in principle to this proposal. We acknowledge that there will likely be further benefits to introducing a pathway to ACAT; however, there are a range of complexities with doing so, which require further consideration—such as: the interaction with the Supreme Court jurisdiction for human rights matters; the scope of remedies that would be available to litigants; overlap with the tribunal’s review jurisdictions; and the potential resourcing implications for the tribunal, directorates and the commission.

In response to the call from the community to immediately expand the dispute resolution options available to the community for human rights complaints, the focus of government in this bill is the introduction of the pathway through the accessible pathway that is the Human Rights Commission. Should the Assembly pass this bill, government will look forward to seeing how the new process is working, the benefits we see for the community, and the positive impacts it has on the operations of the government. These matters will be important to supporting the government to consider the next stage of proposed reforms to establishment of a pathway to the ACT Civil and Administrative Tribunal for breaches of human rights.

In addition to establishing the new human rights complaints mechanism, this bill also makes amendments to the Human Rights Act to expand the role of the Legislative Assembly scrutiny committee; to specify the proper respondent to human rights proceedings in the Supreme Court; to require notice to be given to the Human Rights Commission in all Supreme Court matters involving application of the act; and to remove gendered language, in line with modern legislative drafting practice. These are positive, practical amendments to the act.

I would particularly like to single out some people to thank for how we have got here today, and for their very collaborative engagement with us. Thank you to Dr Paterson, who sponsored the petition that I have referenced, which led to the inquiry, which led to the report, which led to the government response that committed us to bringing the legislation here today. We are grateful to Dr Paterson, for her leadership; to Civil Liberties Australia; and particularly to Chris Stamford for his leadership and lobbying, and also doing an extraordinary amount of research.

I also want to pay tribute to Sophie Trevitt, who was the ACT convenor for Australian Lawyers for Human Rights, and a principal petitioner on the No Rights Without Remedy petition, too. We were all shocked and saddened to hear of Sophie’s passing in July this year. Sophie was a passionate and committed advocate for social justice and the human rights of all Canberrans. She made a difference to so many lives, and through her leadership of the petition she leaves yet another important legacy in ensuring an accessible remedy for breaches of human rights in the ACT.

I thank all those who are present today, whether you are here for the bill or not. It is great to have such a wonderful audience for a very big step for us as leaders in human rights in this nation. I am very proud to be Minister for Human Rights in leading this important bill. I am pleased to present it. It does reflect, of course, the government's ongoing commitment to strengthening our culture of human rights in the ACT, and I have no doubt that it will make a positive impact on our community. I commend the bill to the Assembly.

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

## **Federal government—territory rights**

**MR BARR** (Kurrajong—Chief Minister, Treasurer, Minister for Climate Action, Minister for Economic Development and Minister for Tourism) (10.59): I move:

That this Assembly:

- (1) notes that:
  - (a) the *Australian Capital Territory (Self-Government) Act 1988* functions as the ACT's constitution as it sets out many of the arrangements that determine how its system of government operates;
  - (b) the Federal Liberal and National parties have a history of seeking to unilaterally intervene in the democratically elected ACT Legislative Assembly's decision making processes;
  - (c) this Assembly passed a remonstrance motion on 13 September 2018 regarding the Commonwealth Parliament's failure to restore Territory rights;
  - (d) the *Restoring Territory Rights Act 2022* (Cth) restored the rights of the peoples of the Northern Territory and ACT to make laws regarding voluntary assisted dying through their democratically elected representatives, overturning the Howard Liberal Government stripping rights from Canberrans in 1997;
  - (e) the Queensland Liberal-National Senator, the Hon Matthew Canavan, introduced the Australian Capital Territory (Self-Government) Amendment Bill 2023, publicly supported by the Acting Leader of the Canberra Liberals, which was described by the relevant Senate Committee as an "unwelcome interference on the part of the Commonwealth Parliament in the proper functioning of the Australian Capital Territory Legislative Assembly". Senator Canavan's bill was defeated on 13 September 2023; and
  - (f) the Western Australian Liberal Senator, the Hon Michaelia Cash, introduced with the public support of the Leader of the Liberal Party, the Hon Peter Dutton MP, the Australian Capital Territory Dangerous Drugs Bill 2023 on 14 September 2023 to again seek to undermine the proper functioning of the ACT Legislative Assembly;
- (2) calls on all Members of the ACT Legislative Assembly to sign a letter, addressed to the President of the Senate of the Australian Parliament and the Speaker of the House of Representatives, reaffirming all Members of the ACT Legislative Assembly's support for Territory rights and concern about the repeated attempts to undermine the proper functioning of the ACT's

Legislative Assembly, before the Assembly rises today, a copy of which will be tabled; and

- (3) requests that the Speaker transmit the letter as soon as practicable following adjournment today.

This motion seeks to outline the constitutional realities for the Australian Capital Territory and our self-governance. Largely, it sees the Australian Capital Territory (Self-Government) Act 1988 function as the territory's constitution. It sets out the arrangements that determine the system of governance in which we operate. It also notes that there has been a history from at least one side of federal politics in seeking to unilaterally intervene in the decision-making process of this Assembly.

Once again, we are staring down an attack on our right to self-determination from, in this instance, a Liberal-National senator from Queensland and a West Australian Liberal senator—yet another attempt to intervene in the decisions of this democratically elected legislature and seeking to intervene in this place's capacity to make policy decisions that are within, and clearly within, the Assembly's remit and jurisdiction.

It is telling that we must once again make clear our position on self-government and the ability of the ACT Legislative Assembly to legislate on behalf of the ACT and that we must once again register opposition and discuss this latest attempt to trample on our democratic rights.

It is unsurprising to me that, on each occasion, conservative commonwealth parliamentarians have seen fit to attempt to intervene in the affairs of the ACT. It has been to stymie progressive policy that has then gone on to be the Australian standard or to prosecute personal ideological crusades, whether that is against euthanasia, marriage equality, civil partnerships, civil unions even, public ownership of public hospitals and drug law reform. They have all been areas where commonwealth parliamentarians from other jurisdictions have felt the need to seek to intervene.

We know what is going on. It is simply a case, as the conservatives like to put it, of throwing some red meat to their base. That is how the *Australian* laps it up. That is what they love. It is exactly this sort of crass political circus that we see.

This year, it has been an intervention by a Queensland senator, Senator Canavan, which was, I must say with a degree of surprise, supported and encouraged by the then acting Leader of the Canberra Liberals. This was of course a failure. The senator's bill was comprehensively voted down.

So, having moved on from that, we see a West Australian senator who suddenly has an interest in matters in the ACT. Senator Cash has now introduced a private members bill which would provide that the Drugs of Dependence (Personal Use) Amendment Act here in the territory would have no force or effect as law of the Australian Capital Territory.

This is a coordinated and consistent attack on territory rights, the rights of ACT residents to determine their own laws. This one from Senator Cash would seem to be the biggest assault on territory rights since Kevin Andrews, a Victorian, sought to intervene and was successful in intervening with a private members bill in relation to end-of-life issues in the 1990s.

Senator Cash's bill seeks to invalidate another act of this Assembly, which has of course been extensively debated, subject to inquiries and hearings by Assembly committees, passed by an overwhelming majority of Assembly members and due to commence in a matter of weeks. It is another unwarranted intervention from a political party that I note has no federal representation in the ACT.

I think it would be fair to observe that the more they continue with this approach of getting senators from Queensland or Western Australia to seek to intervene in ACT affairs, the less likely it will be that they will ever have federal representation in the ACT again.

Today's motion calls on the Assembly to write to the President of the Senate and the Speaker of the House of Representatives re-affirming members' support for the fundamental principle of self-determination of territory rights and expressing significant concern about these repeated attempts to undermine the proper functioning of the territory's Legislative Assembly.

In very simple terms, we should have enough respect for our own citizens and our own democracy to be able to reject this constant political interference from senators representing other states.

I had hoped that the passing of the Restoring Territory Rights Bill 2022 would mark an end to this three decades-long meddling in ACT matters by federal politicians from other states. Regrettably, this is not the case, and we must once again make clear our opposition to yet another unwelcome federal intervention.

I do note a small correction to the motion. The remonstrance motion that the Assembly passed was not, in fact, done on 13 September. That was the date it was presented to the commonwealth parliament. So, with that minor adjustment to the motion, I commend it.

I regret that it is necessary, but this is now the second private members bill this year seeking to interfere in legitimate matters resolved in this parliament. I think it is incumbent for all of us to stand up for this legislature, for our self-determination and for self-government and to reject these constant interventions from federal senators.

**MS LEE** (Kurrajong—Leader of the Opposition) (11.06): The Canberra Liberals strongly support territory rights. We did so at the beginning of this term and we do so now. Our position is clear. Mr Barr knows it. The Labor and the Greens members know it. So let us call this motion out for what it actually is: a political stunt aimed at deflecting from the real issues here, and that is the deplorable way this Labor-Greens government treats Canberrans with disrespect and with contempt.

The only reason that we have this motion from Mr Barr is because it is a pathetic attempt to deflect attention away from the fact that his health minister was caught out boasting to the Labor Party faithful about how she manipulated and bypassed Assembly and government processes to bring forward and pass the laws to decriminalise hard drugs by stealth. In her own words:

We took it to the election quietly. But we could point to our platform and say, "Oh, it's in there," so that after the election we were able to work on it quickly. It

was done through a private members bill, which means it could be done much more quickly. If the government had tried to do it, I tell you, it would have taken two years to develop the legislation and we would have had to deal with all this risk aversion and complexity.

Even the leader of the coalition partner, Mr Rattenbury, was taken aback by the way Ms Stephen-Smith utilised an underhanded and sneaky way to foist these laws onto the Canberra community by stealth. He said, and I quote:

I paid pretty close attention during the last election campaign, and I did not hear that matter talked about. If you intend to bring something to this parliament, you should have the courage to go to the election and talk about it. You should be proud of what you want to do when you come into this place. If Labor intended to bring this forward they should have had the courage to take it to the 2020 territory election.

We now also know that Ms Stephen-Smith and the whole Labor-Greens cabinet did not go into the negotiations with Calvary in good faith. Freedom of Information documents reveal the real story that this government has been so desperately trying to hide: that it was always their intention to deploy a hostile takeover and ram it through with no consultation, with no due process and with no transparency, accountability or ministerial responsibility.

Mr Barr and his Labor-Greens colleagues know that Canberrans are seeing the true colours of this arrogant, tired government that has stopped governing in the best interests of Canberrans. Mr Barr and his Labor-Greens colleagues know that Canberrans are seeing the true colours of this arrogant, tired government that is treating the Canberra community with disrespect and contempt.

Mr Barr and his Labor-Greens colleagues know that there is a tripartite agreement on strong support for territory rights, which is why this motion has no basis, no relevance and no substance, and it must be called out for what it is.

Whilst families, seniors and our most vulnerable are struggling with a cost-of-living crisis, whilst our health system is in absolute disarray, whilst our schools and teachers are under intense pressure, whilst many Canberra families have been priced out of the housing market, whilst our suburbs are being neglected, whilst our community safety is of significant concern because of the lack of resourcing for our police, whilst Mr Barr's skyrocketing debt is going to put even more pressure on already stretched household budgets and whilst we see literally hundreds of millions of taxpayer monies wasted on mismanaged and dodgy procurements and projects, this Labor-Greens government would rather use the Assembly to score cheap political points rather than focusing and taking action on the issues that are seriously impacting Canberrans, especially when it comes to the cost-of-living crisis.

We saw today an article written by former Minister for Health, Michael Moore, in the *City News*, and I quote:

The loss of the triple A credit rating is not to be taken lightly. There is now an increased understanding that the priorities of the Labor-Greens government are set to deliver less services or greater taxation or both.



Let me repeat that: “There is now an increased understanding that the priorities of the Labor-Greens government are set to deliver less services or greater taxation or both.” Mark those words.

At a time when thousands of Canberrans are facing a cost-of-living crisis, the utter incompetence and ineptitude of Mr Barr’s handling of the territory’s finances over the past decade will cause even more hurt to Canberrans who are struggling the most. Where is he and his Labor-Greens colleagues on addressing these significant issues that are facing Canberrans? They are issues that are within the ACT government’s responsibility. Instead, they are focused on scoring cheap political points like this.

On that basis, I move the amendment standing in my name that has been circulated, which reflects the true position of what this entire Assembly should be and are understood to be, the issue of territory rights.

I move:

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

- “(b) that all Members of the ACT Legislative Assembly support the right of the ACT Legislative Assembly to make and pass its own laws; and
- (c) the tri-partisan support in the ACT Legislative Assembly for Territory rights.”.

Madam Speaker, you will note that, unlike Mr Barr’s motion, my amendment is clear about all the parties’ support for territory rights and does not make, or does not attempt to make, this important issue a political football.

I call on Mr Barr to take seriously the Assembly’s support for territory rights that is well established; I call on Mr Barr to take seriously the importance of this issue for all Canberrans; and I call on Mr Barr and every member from Labor and the Greens to support my amendment.

It is a sensible amendment that reflects the position of all parties represented in this chamber, and it will, once and for all, put to bed the support for territory rights, insofar as this place is concerned. I commend my amendment to the Assembly.

**MR RATTENBURY** (Kurrajong) (11.13): I am pleased to rise today to speak in support of this motion. It is deeply frustrating for this Assembly that we continue to see this level of interference. For a long time, since 1996, Canberrans have been deeply frustrated by what was commonly known as the Andrew’s bill, which curtailed our ability to consider the issue of voluntary assisted dying here in the territory and to make rules about that for ourselves through our elected parliament.

There was a great sense of relief in the community last year when that blockage was finally overturned. I think that was pretty universally shared. I think people felt that was perhaps a moment of maturity, where the fact that the ACT had been granted self-government by the federal parliament with a broad swathe of responsibilities was finally being truly recognised.

So, to see this range of incidents this year, where we have had a number of efforts to intervene in decisions that are well within the remit and the powers conferred on this Assembly by the federal parliament, has been incredibly disappointing.

I think Canberrans are rightly disappointed and somewhat bemused. Certainly the level of media coverage it has generated reflects the fact that this is something that our community does not appreciate. So it is right for this Assembly to convey those views to the federal parliament. If you want us to self-govern, then let us do it.

Clearly, in 1989, that responsibility was transferred to the territory. We have an elected Assembly. No matter whether members in this place agree or disagree, this is the place in which these matters should be resolved. It is important that, as an Assembly, we convey that to the federal parliament and to be very clear.

What we are seeing is people with a particular view on a particular issue taking advantage of the special provisions in the Constitution that relate to the territories, to intervene in a way they could not in other jurisdictions.

As I said in comments I made in question time last week, it simply positions territory residents, and in this case the Northern Territory as well—although, obviously we are focused on the ACT—as citizens with a lesser status in the Federation, and that is not appropriate.

I urge federal parliamentarians to reflect on that and on how most Australians would consider democracy should work. People are free to have their opinions, but to use the special powers over the territories to intervene this way is really very inappropriate. If they want to make these laws, make them for the whole of Australia. That is what the federal parliament does. Do not use your special powers to just simply have a crack at the territories.

I do not disagree with the sentiment in Ms Lee's amendment, but what is very interesting—and this is the important detail—is that Ms Lee's amendment says that all members of the ACT Assembly support the right of the ACT Assembly to make and pass its own laws and there is tripartisan support in the ACT Assembly. If that were the case, then I think all the members of this Assembly would be comfortable to sign off on a letter, as the Chief Minister has proposed. I do not think Ms Lee's amendment is actually an accurate reflection of all of the members of this Assembly.

*Opposition members interjecting—*

**MR RATTENBURY:** I absolutely support territory rights. I can confirm to this Assembly that I and my five colleagues from the Greens absolutely support territory rights and support the letter that the Chief Minister has put together, and we will individually sign it to convey to the federal parliament our view that these sorts of interventions are not appropriate.

But it is interesting to reflect on the recent history. Ms Lee of course brought up the two examples and made her views on those very clear: that she disagrees with the policy positions. But it is interesting that they are the two things that the federal Liberal Party have chosen to pick up and seek to intervene on in the ACT.

I particularly reflect on the recent timing where, in this Assembly, Mr Hanson brought a motion forward seeking to defer the commencement date of the new provisions of the Drugs of Dependence Act, which this Assembly has thoroughly considered. It has gone through a committee process. We have thought about it. There has been community consultation. After all of that process, we have passed those laws.

Then Mr Hanson came in here in the last sitting week and moved a motion calling for the deferral of that legislation. His motion did not pass. Yet, the very next day a senator from Western Australia, Senator Cash, brought in a bill in the federal parliament effectively seeking the same thing. Coincidence? I do not think so.

Ms Lee has said publicly she did not know that was happening. Perhaps she should have a chat to Mr Hanson. I reckon—

**Ms Lee:** “I reckon”; so that’s how you bring accusations like that into this place—“I reckon”.

**Ms Stephen-Smith:** I reckon most Canberrans reckon.

**MR RATTENBURY:** I do not think Senator Cash—

*Opposition members interjecting—*

**MADAM SPEAKER:** Members! I am asking all members to be silent please. Mr Rattenbury is on his feet. He has the call.

**MR RATTENBURY:** I do not think that Senator Cash just thought to do this of her own accord. I am particularly disappointed that Senator Cash has done this because, as a former Attorney-General, I think she has a good appreciation of the responsibilities of the various jurisdictions in this country. So I was particularly surprised to see her bring this bill forward. Nonetheless, it is not a bill that should have been brought forward in the federal parliament.

I urge all the members of this place to actually sign this letter, to show that unity of purpose. If we are not prepared to do that, then there are question marks about the genuine nature of the amendment that Ms Lee has brought to this chamber today. I see this as an attempt to paper over the cracks, and it needs to be seen for what it is.

What we have seen since 1996 is a pattern of paternalism by the Liberal Party directed at the territories of Australia. We have seen a constant interference. Whether it was on euthanasia and whether it is on the examples we have seen this year, it is time for this to end. On behalf of my Greens colleagues, I am very pleased to indicate our support for Mr Barr’s motion today.

**MR BARR** (Kurrajong—Chief Minister, Treasurer, Minister for Climate Action, Minister for Economic Development and Minister for Tourism) (11.20): I have circulated an amendment to Ms Lee’s amendment. What the circulated amendment seeks to do is incorporate, as new points in the resolution, Ms Lee’s (1)(b) and (1)(c), noting that all members of the Assembly support the right of the Assembly to make and pass its own laws, and noting the tripartisan support of the Assembly for territory

rights. We would then renumber the other items in the original motion accordingly and would not delete all after (1)(a).

In essence, what it seeks to do is incorporate the two insertions that Ms Lee seeks to add to the motion which are agreeable to the government, but the government does not agree to the deletion of all other elements of the motion, because to do so would mean that there would then be no demonstration to the commonwealth by the House of Representatives and the Senate of the outcomes of this particular debate. I would hope that, by seeking to incorporate Ms Lee's amendments into the original motion, this could achieve the unanimous support of the Assembly.

I move the following amendments to Ms Lee's amendment:

1. Delete "Omit all text after paragraph (1)(a)."
2. Insert new paragraph after paragraph (1)(a):
  - "(b) that all Members of the ACT Legislative Assembly support the right of the ACT Legislative Assembly to make and pass its own laws; and
  - (c) the tri-partisan support in the ACT Legislative Assembly for Territory rights."
3. Renumber accordingly.

**MR DAVIS** (Brindabella) (11.22): A few obvious points ought to be made. The ACT received self-government in 1989. I was born in 1991. I am this Assembly's youngest member of government. I would hope that anyone listening who still questions the reservation—

*Government members interjecting—*

**MR DAVIS:** On their good days!

I am pleased to be part of the most united team in this Assembly, as it would appear today. So that is a lot of fun! The reason why I illustrate those points—self-government in 1989, that I was born in 1991 and that I am now a member of the Assembly and a member of the government—is to make it absolutely clear to anyone who still tries to prosecute the case of territory rights, the right for the ACT to self-govern and for this Legislative Assembly to exist and to execute the governance of this territory, you have well and truly lost.

I am not surprised, though, to see people like Senator Matt Canavan and Senator Michaelia Cash getting their policy inspiration from decades before I was born. They clearly are not future focused in their policy analysis and they clearly are looking back to things that have failed in the past. I want to touch on, in particular, Senator Michaelia Cash's bill because, of all the attacks on self-government and the people of this territory that we have seen from the federal Liberal Party and the National Party lately, while they are all not good, I find this one particularly egregious for the same arguments I made against Mr Hanson's motion on Tuesday last week. It seeks to repeal a bill designed to fix a problem without any proposed alternative from the conservative side of politics on how to fix that problem.

Principally, I think most people who watch parliament and pay attention to policy debate find just saying no egregious. It is kind of ironic that those on the conservative side of the drug debate continue to be inspired by Nancy Reagan's infamous words, "Just say no," and it appears that seems to be where the federal Liberal Party get their policy inspiration from in this policy space—"Just say no." It is absolute head-in-the-sand delay and denial—a seemingly perverse acceptance of the terrible outcomes happening in the status quo under our currently antiquated prohibitionist drug law regime across the country. I thought it was very disappointing, as much as it was an attack on territory rights, that Senator Michaelia Cash and the federal Liberal Party and the National Party could not take an opportunity to articulate their parties' alternative position on this policy challenge.

The timing, however, has to leave everybody aghast. It was not just Tuesday last week; it was Tuesday afternoon that we were debating a motion from Mr Hanson that said, "Defer the implementation of the Drugs of Dependence (Personal Use) Amendment Bill until 2025." That was the motion on Tuesday afternoon. I do not know how quickly the parliamentary drafter's office of federal parliament works, but that motion failed in this Assembly by an absolute majority on Tuesday afternoon, around 4 pm.

Senior Michaelia Cash was pretty prepared first thing Thursday morning to make it into the paper and speak on morning radio on a bill that was drafted in record time to try and quash the territory's Drugs of Dependence (Personal Use) Amendment Bill. I refuse to accept that Senator Michaelia Cash was working by herself, unless the senator from the great state of Western Australia has fixed everything in Western Australia and finds herself with an inordinate amount of free time. I can only conclude a bit of conspiring. I can only conclude that there were members of the Canberra Liberals—perhaps even some of the members who have chosen to not make themselves available for a debate on territory rights and do not join us in the chamber right now—who may have had some suspicion that Senator Michaelia Cash's bill was on its way. After all, it sought to prosecute exactly the same argument that Mr Hanson failed to prosecute and succeed on that Tuesday afternoon.

Does the Canberra Liberal opposition, the united Elizabeth Lee team, think that Canberrans believe that, after a failed motion on Tuesday afternoon from Mr Hanson, Senator Michaelia Cash woke up on Wednesday morning, read page 4 of the *Canberra Times*, saw that Mr Hanson's motion failed, and, with her heart cracked in two, she rushed to the parliament drafter's office to get a brand new bill on Wednesday and was ready to table it first thing on Thursday morning to do what her colleague the Deputy Leader of the Opposition could not do on Tuesday afternoon? Do you think any Canberran believes that time frame? No, because Canberrans are very smart people. Canberrans pay attention to how parliaments work. Canberrans know the rate and pace at which the public service can do these things, and Canberrans know full well that there were people in this building who were, with no doubt, in cahoots with Senator Michaelia Cash.

Ms Lee's amendment is interesting. I am pleased to see we are speaking to Mr Barr's amendment to Ms Lee's amendment, which fortunately incorporates all those points, so I would imagine there is no reason that we cannot all agree to the motion as amended, unless there are members of the Canberra Liberal opposition who cannot

find themselves signing a letter in support of territory rights. I think it is very telling that if on an issue as pertinent to Canberrans as whether this Assembly dares to exist, whether it can actually do its job and whether it can fulfil its electoral mandate and achieve outcomes for the people of Canberra, then if the Canberra Liberals feel so strongly about territory rights, I would have thought their whole team would have been here to participate in this debate. I would have thought their united Elizabeth Lee team would have all been here backing up the leader, supporting the amendment and speaking to the virtue of territory rights. I am making the point that I would have thought this particular motion—

**Ms Lee:** Madam Speaker, on a point of order: Mr Davis has made some accusations that go to reflecting or commenting on whether certain members are in the chamber during certain points. We know that there is a measure in this place that you do not make personal reflections about why someone may not be in the chamber.

**Mr Rattenbury:** Madam Speaker, on the point of order: on repeated occasions that I can recall in this place, people like Mr Cain have reflected on the absence of members from this chamber. I think it is an accepted point of political commentary.

**MADAM SPEAKER:** We will let it stand, Ms Lee, but—and the message from me is almost on auto repeat—can we please have debates with respect and with regard to the standing orders and just good manners. Mr Davis, you have the floor.

**MR DAVIS:** Through you, Madam Speaker. I will take Ms Lee's point. I am not in the chamber all the time. All 25 members are not in the chamber all the time. I make the point that, on this particular motion, at its foundation, is whether this Assembly dares to exist—that these 25 members dare to be elected and this government dares to govern. And, given the united commitment that we are led to believe exists amongst the Canberra Liberals' parliamentary team, I would have thought that, on a motion of such significance, on a debate so important—and when there are a lot of raised eyebrows and question marks in the community about whether the Canberra Liberals actually are united on this question—members would have prioritised their time in the Assembly. I make that point particularly because, as I raised before, there is the timing between Mr Hanson failing to secure support for his motion to defer enactment of a bill and, less than 48 hours later, his federal conservative parliamentary colleague coming in, running roughshod over the parliament and tabling a bill, in wicked good time, in the federal Senate to seek to overturn that bill. It is incredibly suspicious. It raises an awful lot of questions.

If Mr Hanson is listening—perhaps he is in his office—he might like to join us for the debate and proffer some wisdom that I cannot see as to how that timing could be. It all seems terribly convenient to me. I think that this debate has clarified a few things. It has clarified the absolute—

**Mr Parton:** You could insist with Jeremy. A bit of a family.

**MR DAVIS:** I do not think Mr Hanson lives rent-free in my head as much as I live rent-free in his.

I will make this point to conclude. I think it is fortunate that the overwhelming majority of this Assembly supports territory rights. I think it is good that the overwhelming

majority of this Assembly wants to sign a letter to that point. I think it is pleasing that Mr Barr, the consensus seeker, if ever there were one, has found a way to incorporate Ms Lee's amendments into his motion, and I see no reason why the Canberra Liberals cannot support that, unless, of course, Elizabeth Lee's united Canberra Liberals team is not as united as they would have us believe.

**MS STEPHEN-SMITH** (Kurrajong) (11.32): I rise to speak in support of the Chief Minister's motion and his amendment to Ms Lee's amendment, and of course in support of the ACT's right to govern itself.

This motion follows a concerted campaign by federal Liberal and National parliamentarians to intervene in this Assembly in a way that they do not seek to do in other jurisdictions, and unfortunately, time and again, we also see Canberra Liberals agitating with their colleagues at Parliament House to interfere with the democratic rights of ACT citizens. We know that former Senator Seselja's approach for many years was to put his personal views about voluntary assisted dying ahead of the rights of Canberrans to make their own decisions on state and territory issues, leaving aside the disconnect between his views and those of the Canberra community on the issue itself. And now, with the Canberra Liberals having no representation in the federal parliament, we have seen coalition senators from jurisdictions far from here seeking to interfere in our business—twice this year alone.

While the opposition leader said last week that she supports territory rights and tries to claim that this was a united position, which is something she has done again today, it is clear that others in her party, both federally and here in the Assembly, do not share her views. We were all aware of Mr Hanson, as acting leader of the Canberra Liberals, backing in Senator Canavan's bill regarding the acquisition of Calvary Public Hospital to build a \$1 billion new hospital for Canberra's north side. Predictably, Senator Canavan's bill was defeated in the Senate after wasting everyone's time, while delivering zero new information for the ACT public.

Mr Cain has posted content that very much appeared to support commentary in the *Australian* newspaper, calling for an end to self-government for Canberrans. One can only assume that he has realised how out of touch the Canberra Liberals are with the values of Canberrans and has determined that we would all be better off if they did not have any representation at any level of government.

Most recently, just last week we heard Liberal politicians from both houses of the commonwealth parliament, including the Liberal leader, Peter Dutton, speak in support of overriding the ACT's Simple Drug Offence Notice laws. As Senator David Pocock has said, if these federal parliamentarians from Western Australia and Queensland are so interested in what is happening in Canberra, perhaps they should run for election in the ACT Legislative Assembly next year—although, if Mr Cain has his way, there will not be one!

Unfortunately, we know this pattern of behaviour continues a long tradition of the federal Liberal and National parties seeking to overturn ACT laws, whether it be on civil unions, hospital ownership, cannabis decriminalisation, other drug law reforms or voluntary assisting dying. At the end of the day, this is about democracy. It is about whether the people who live in the nation's capital have equal democratic rights to

other citizens and that motions in this place come to tripartisan agreement on the policies that we all think should be pursued post the referendum that is coming up in less than two months. We have that opportunity here in the Legislative Assembly. We have an opportunity to bring forward bills, debate bills, have committee inquiries, bring forward amendments and pass legislation.

I believe that we should also have this opportunity for Canberra people—that the legislation that has been thoroughly debated and passed by this place actually comes into effect. As I have said before, what the Canberra Liberals really fear from this legislation coming into effect is that the sky will not fall in and that they will lose a political debating point. That is Mr Hanson’s real concern. It is clear that the Liberals and the Nationals think that Canberrans cannot be trusted to make decisions for themselves. In fact, as we have seen time and again, it is the Liberals who cannot be trusted with territory rights.

I commend this motion to the Assembly, and I very much look forward to a contribution to this debate by the shadow opposition leader, Mr Hanson.

**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) (11.36): I have lost count of the number of times I have spoken in this place about territory rights, but I sincerely hope tonight is the last. There was the quote from me 13 months ago, when I was speaking in support of finally seeing a bill introduced in the federal parliament to restore territory rights and to finally put an end to the unconscionable interference in our territory rights.

It is with regret that I rise today. It is with regret and disappointment that we continue to see the ACT’s ability to self-govern used as a punching bag in 2023. It has been used cynically by an opposition that is more interested in interference than in outcomes, first by Senator Canavan and now by Senator Cash—senators who were there when the Restoring Territory Rights Bill passed the Senate on 1 December last year; senators that, you would think, would have respected that this issue was settled once and for all. Instead, they seem to have been inspired to behave deplorably, inspired to undermine the rights of citizens they do not represent and inspired to focus on issues that have no benefit or even effect on their own electors. It is nothing short of repugnant.

It is worth reflecting that it is just 2½ years since three parties stood here united about territory rights. This followed the Northern Territory and ACT governments writing to the federal government and outlining our serious concerns with the persistence of the legislation which interferes with our territory rights, not least democratic participation.

Mr Parton might say, “Stop bringing motions like this to this place. This is a federal issue. Stop banging on about territory rights.” This is about democracy and perhaps he needs to explain that to his party members, including Mr Cain, who seems to need a lesson on it. It took the Liberal Attorney-General more than seven months to respond, Mr Assistant Speaker Davis, as you might recall. The Liberal Attorney-General, low and behold, was Senator Cash. In her response, she advised that the commonwealth government did not have any plans to introduce legislation to repeal the euthanasia



laws of 1997. The response also failed to respond to the issue of territory rights, instead advising that there was a diversity of views on voluntary assisted dying—where have we heard that before—and failed to respond to the very serious human rights implications we had raised.

If there were any question about whether Senator Cash was obfuscating in 2021 as the first law officer in the Liberal government, as she was then, it has been well and truly answered, given that she is the architect of a bill this year that seeks to interfere with our rights. It is hardly becoming of a former first law officer. Shame on her! It again exposes the rift between the Canberra Liberal leadership that Ms Lee was kept in the dark about Senator Cash's behaviour, just like she was about Senator Cash's response in 2021. I refer members to the debate in October 2021 when Ms Lee had no idea that Senator Cash had written to us in that way.

The effect of Senator Cash's bill is that it enlivens the very concerns that we have with the persistence of the operation of the laws which restrict our ability to debate a voluntary assisted dying law. It is an assault on territory citizens' democratic rights and it is an assault on human rights. It might be worth reminding the senator and others who seek to act in this way that Australia has international human rights obligations. The International Covenant on Civil and Political Rights, to which Australia is a party, guarantees citizens the right to take part in the conduct of public affairs directly or through freely chosen representatives. Members of the federal opposition seem to be determined that ACT residents should instead be discriminated against and that there is a paternalistic role for the federal opposition to limit the ability of territory citizens to participate in democracy, simply by virtue of us being territory residents, but that is just what is happening in the federal parliament.

Closer to home, we have the shadow assistant Attorney-General, Peter Cain, calling for the government to be sacked and suggesting he would prefer to do away with self-rule. It is one of the reasons why signing the letter referenced in the motion today is so important. It is one thing to have the federal opposition undermining territory rights, and we are used to that, but it is another when it is members opposite.

Uniting on this issue as a parliament and presenting that to the federal parliament presents a strong message. That is exactly why I think the opposition leader's amendment—and it has only just been circulated—does not achieve what we need. On its own, it is not palatable. It is not enough to say that all members of the ACT Legislative Assembly support the right for the ACT Legislative Assembly to make and pass its own laws and to note the tripartisan support. We need this in writing from everyone.

I do not need to remind members that the last time we signed a letter about territory rights every member in this place signed that letter, except the Canberra Liberals. In their case, Elizabeth Lee signed the letter on behalf of the Canberra Liberals. I have checked, and every member of this place was in the chamber that day, so it was not as though they were not available to sign the letter. It was not lost on anyone here that something was going on. Something was not right, but, in case a reminder is needed, I will table the letter and seek to have it circulated.

This time, as we have seen, the opposition leader is seeking to water down the motion and not have a letter from everyone here, presumably so that each in her party room is

not required to sign the letter and they can hide behind something. What did they have to hide then, when they were not able to sign for themselves? It is not like they were not available. What do they have to hide now, with the Canberra Liberals not themselves signing a basic letter and instead watering down the motion. I can predict now that the Canberra Liberals are going to say that they do not require everyone to sign the letter and, on the other hand, they are going to say they all support territory rights.

I know that this is an opposition, and particularly an opposition leader, that tolerates internal inconsistency in their party, but it is not lost on anyone else. It should not be so hard to put pen to paper and sign a letter. Clearly, something is going on. They are either disingenuous or they are hiding something. Mr Hanson's absence, I think we all know, is a pretty clear indication.

Our territory rights are so important. This is not about dictating anything. It is about a truly united show of support that Ms Lee was not able to command from within her own party last time. We encourage her to do it this time. What do they have to hide? Clearly, plenty.

I strongly endorse the motion as amended by the Chief Minister, and I present the following paper:

Territory Rights—Voluntary assisted dying in the ACT—Copy of letter to all Members and Senators of the Parliament of Australia from Tara Cheyne MLA, Shane Rattenbury MLA and Elizabeth Lee MLA, dated 30 March 2021.

**MR PETTERSSON (Yerrabi) (11.44):** Support for territory rights means that you support the democratically elected ACT Legislative Assembly's power to make decisions for the residents of the ACT. It does not mean that you support every decision that this body makes. It simply means that you support this body's right to make those decisions. Territory rights are also synonymous with respect for the democratic rights of ACT residents. Support for territory rights means that you believe Canberrans deserve the same democratic rights as Australians who live in one of the states. In this country, where you live should not determine how much democracy or self-determination you get.

Too often this chamber has been accused of being an immature parliament. Some conservative politicians like to refer to it as nothing more than a glorified council—how disrespectful! For me, it takes a mature parliament to bestow decision-making upon another entity and then to respect the decisions made. It has been members of the federal parliament that have displayed immaturity, not this Assembly.

Of course, the reason we are having this debate today is because on 14 September Senator Cash introduced the Australian Capital Territory Dangerous Drugs Bill 2023 to, again, seek to undermine the ACT's democratic rights. I would like to pick up on some of the contributions made earlier about an alleged conspiracy between the Canberra Liberals in this chamber and Senator Cash. I find the logic that the Canberra Liberals bring forward quite humorous. Is it the view of the Canberra Liberals that there was no coordination between the two? The funny thing for me is that that is even more embarrassing—that the federal Liberal Party has such little respect for the

Canberra Liberals they do not even pick up the phone. If I were the leader of a political party in this place and my federal counterparts would not even call me, I would be deeply ashamed.

One of my proudest achievements in this place was the passage of the Drugs of Dependence (Personal Cannabis Use) Amendment Bill. It was quite the thing last term. No-one wants to talk about it this term; that is all right. Everyone has moved on, and I am happy about that. Introduced in 2018, voted on in 2019, and brought into effect in 2020. As much as it was described as “contentious” at the time, it was not. Cannabis legalisation in the ACT is wildly popular. Some polling at the time put it at 54 per cent support, with only 27 per cent opposed. That is probably why we are not talking about it anymore, because those figures are four years old, and no doubt cannabis law reform is more popular now than it was back then.

When those laws passed, it was a very strange time in my life. I will freely admit this. I woke up each day to piles of emails and requests to return phone calls from journalists, because there was a steady stream of commentary from conservative federal politicians. For members’ benefit, I have brought down a selection of some of my most favourite contributions during that period of time. I direct members to the *Guardian* article on Thursday 26 September entitled “Peter Dutton: government may override ‘dangerous’ ACT decision to legalise cannabis”. Mr Dutton says:

‘I think it might be trendy for the ACT government to go down this path, and they’ll say they’re enlightened and progressive and all the rest ... I think it’s dangerous ... Christian Porter is having a look at it at the moment.’

... Dutton described the new laws as unconscionable, comments interpreted as urging the attorney general to challenge or overturn the ACT law, passed on Wednesday.

Porter—

then Attorney-General—

played down – but did not rule out – the possibility of the commonwealth directly overriding the laws.

Mr Frydenberg, the then Treasurer, thought it was fun to chime in as well. He said that the Morrison government did not support the laws and described drug use as “criminal behaviour”. He said that the federal government would “review the laws to understand the true impact” of them.

What about the then Attorney-General Christian Porter himself in his own words? When pressed on *Insiders*, the then Attorney-General would not answer questions about the government’s intentions to intervene in the ACT’s laws. I think it should be straightforward for any politician, but apparently on that day for Mr Porter it was too hard. He went even further in that interview with, I think, some disturbing scaremongering. He said that day:

I would expect that ACT Policing will continue to enforce ACT and Commonwealth drug laws in accordance with their processes and procedures for investigating suspected breaches of criminal laws.

The insinuation, of course, was that the AFP were going to be knocking on people's doors and arresting them for cannabis possession. Outrageous!

One of my favourite contributions of the time was that of then federal health minister Greg Hunt. Greg Hunt was very concerned at the time. My favourite contribution from Mr Hunt was when he insinuated that he was going to sic the United Nations onto the ACT for breaching international laws—just outrageous! Here we are today talking about the federal government intervening in the affairs of the ACT government. Now we have got federal Liberal politicians insinuating that we are going to have the United Nations interfering in the ACT's ability to make laws about ourselves.

Another funny contribution from the time was from a couple of days after the laws passed, and credit to the former Deputy Prime Minister Mr McCormack for this one. This is actually the funniest contribution from the time. He said:

Here's the ACT Government, probably spending too much time smoking hooch (sic) themselves, then wanting to legalise the stuff.

Credit to him; that is actually funny.

But I think the most sensible contribution at the time, from all people, came from then Prime Minister Scott Morrison. Scott Morrison addressed the National Press Club, and he said, when asked about these laws:

I have always been a federalist and states will make their own decisions according to their own priorities in complexion of their own government and that is up to them.

Of all the madness, somehow Scott Morrison was the only one who had the conviction to say that he was a small government conservative and did not want a big federal government.

All of those comments were mainly from the right wing, because they were in government. They had the ability to introduce legislation, and they probably had the support to get some type of law up if they were really determined to do so. But there is a reason they did not do it. There is one simple reason that these conservative politicians, who disagreed with this law, did not intervene, and it was not out of respect for territory rights. It was simply because intervening in the ACT is wildly unpopular, right across the country. There was polling done by Roy Morgan in October of 2019 that showed right across the country that only 27 per cent of Australians wanted the ACT cannabis laws overturned. Sixty-two per cent of the country thought the laws should stand. Australians get territory rights; it is a shame the Liberal Party, broadly, does not.

As mentioned, the reason we are having this debate today is because Senator Cash has introduced a bill in the Senate. This is political in nature. Almost by definition this is about politics. This is not a genuine attempt to try to change the laws of the ACT. This is right wing scaremongering. This is a stunt.

It is hard to take these conservative politicians seriously, both in the commonwealth parliament and here in the Assembly, when they have such a long track record of

getting it wrong. When we changed our cannabis laws here in the ACT, the Liberal Party, in the commonwealth parliament and in this chamber, said that the sky would fall in! That is not true. There were a lot of threats—there was a lot of sabre-rattling about intervention—and they ultimately did not follow through with them. And here we are, four years later, in nearly identical circumstances. The ACT Assembly has considered, thoughtfully, changes to our drug laws and progressed them in a very considered manner, and now we have got the federal Liberals, once again, sabre-rattling. This is just disingenuous politics. It is frustrating. It is almost like *deja vu*. We have been here before. We know how this ends!

What has been surprising to me, however, is the approach the Canberra Liberals have taken today. Seemingly, under Mr Coe there was a more thoughtful and considered approach to these matters. Today what we are seeing are stunts: amendments on amendments on amendments. Mister Assistant Speaker, I tell you what: I am looking forward to signing that letter, and I hope all members in this place do the same.

**DR PATERSON** (Murrumbidgee) (11.54): I stand here today to passionately support the motion before us that calls for the protection of the ACT's self-governing rights. The Australian Capital Territory (Self-Government) Act 1988 is the bedrock of our democracy, outlining the fundamental arrangements that govern our ACT system of government. It was a major moment last year when the federal parliament passed the Restoring Territory Rights Act 2022 to allow us to make laws regarding voluntary assisted dying through our democratically elected representatives here in this chamber.

The recent introduction of the Australian Capital Territory (Self-Government) Amendment Bill 2023 by Nationals Senator Matthew Canavan, with the public support of the acting leader of the Canberra Liberals, Mr Jeremy Hanson, is a timely reminder that the fight for our rights as a territory is far from over and that the Canberran Liberals will continue to run to the federal Liberals to work to undermine our democracy, because they cannot get their way politically.

To add insult to the injury, the Australian Capital Territory Dangerous Drugs Bill, introduced by Senator Cash, with the public support of the leader of the Liberal Party, threatens to undermine our autonomy once again. We cannot stand idle as such attempts are made to weaken the very essence of our self-government. As other members have stated, it is laughable to say that Mr Hanson did not have anything to do with—

**Ms Lee:** On a point of order, Mr Assistant Speaker.

**MR ASSISTANT SPEAKER:** Just a minute, Dr Paterson. Ms Lee?

**MS LEE:** I just heard Dr Patterson talk about something that Senator Cash has done with the support of the Liberal leader. That is a reflection and is totally inaccurate. I ask her to withdraw that.

**DR PATERSON:** I withdraw that.

**Ms Lee:** You might want to confirm and clarify.

**DR PATERSON:** I will clarify: the federal leader of the Liberal Party.

**MR ASSISTANT SPEAKER:** Thank you, Dr Paterson; that clears that up. You may continue.

**DR PATERSON:** Just to repeat what other members have stated: I do think it is laughable to say that Mr Hanson did not have anything to do with Senator Cash's bill. Mr Hanson and his recent fundraiser with Mr Dutton and Mr Seselja—to the lay person in Murrumbidgee this may be mistaken for an increasing interest he has in federal parliament, and where he is finding solace for his extreme right-wing views.

I think what we are seeing play out here is a serious split between the Canberra Liberal leader and deputy leader, and a very silent party room behind them. There are seven Canberra Liberals that rarely express any views on matters of importance to the constituency. Why do they hide their views? They followed Mr Hanson, when he was acting leader, in his advancement of federal intervention; and now, behind their leader, who is against intervention, we have silence on where they all stand—the quiet ones.

The Canberra Liberals have a standard practice of quoting *Canberra Times* articles in this Assembly, so I thought I would take the opportunity and quote two articles that I think are a great summation of the current situation. Crispin Hull, former editor of the *Canberra Times*, stated in his opinion piece:

It is just show and grandstanding using the ACT as a whipping boy for Coalition politicians to prove their conservative credentials to their conservative electorates.

The people of the ACT should be left to govern themselves, unless there is some clear policy which the Commonwealth would also apply to the states. Just because it has got the power to lord it over the self-governing territories with respect the whole legislative gamut does not mean that it should exercise that power.

*Mr Parton interjecting—*

**MR ASSISTANT SPEAKER:** Mr Parton, I have given members on my left a good run.

**DR PATERSON:** Another opinion piece worth noting is Jasper Lindell's opinion piece, entitled "Of all the stupid ideas conservatives have had, this could be the worst". I would like to quote out of this:

In the conservative firmament, frustration at being out of power for two decades in the ACT has been simmering away into a new strategy: get rid of self government completely. Can't lose an election if there's no election to lose ... The party—

he's referring to the Canberra Liberals—

might say it backs in self-rule, but its conservative fellow travellers are certainly intrigued by the idea of abolishing it. How bereft of imagination they must be if this is what they would resort to ...

I see this as the river of conservatism running very deep: from the federal Liberal Party sitting up on the hill, down Commonwealth Avenue and into this chamber to the Canberra Liberals. I look forward to signing this letter with 25 other members of this chamber. I also look forward to the views of Mr Hanson and Mr Cocks, fellow Murrumbidgee members, on this debate.

Debate (on motion by **Ms Orr**) adjourned to a later hour.

**Sitting suspended from 12 to 2 pm.**

## **Questions without notice**

### **Sport and recreation—international events**

**MS LEE:** Madam Speaker, my question is to the Chief Minister.

Chief Minister, yesterday in question time your deputy, Ms Berry, revealed that the government has not been corresponding for some time with Rugby Australia regarding our bid to host four Rugby World Cup matches in 2027. Media reporting today says that this is due to a low offer for matches by the government and that the parties are hundreds of thousands of dollars apart.

Chief Minister, what was Rugby Australia's asking price and what amount has the government bid for these four matches?

**MR BARR:** Those matters are, of course, commercial-in-confidence at this point. I would observe that the communication with Rugby Australia in recent times has focused on the Super Rugby competition and the ARU's desire to centralise the administration of all of the Australian Super Rugby franchises. Protecting the Brumbies and the ACT's interests has been the major focus in relation to engaging with Rugby Australia in recent times. That is far more important, frankly, than tournaments that are many years away.

**MS LEE:** Chief Minister, when did your government last correspond with Rugby Australia regarding the Rugby World Cup bid?

**MR BARR:** There are two Rugby World Cups, men's and women's, in 2027 and 2029. The engagement with Rugby Australia has been ongoing over a period of time but is principally focused at the moment on securing the Brumbies in the ACT. My great concern is that rugby is not in a good financial position, that the Brumbies are not in a good financial position and, frankly, rescuing them and ensuring that they have a long-term future in the ACT is far more important than tournaments that are several years away. Let's resolve the Brumbies' issues first; then we will get to further discussions with Rugby Australia about tournaments in 2027 and 2029.

**MR MILLIGAN:** Chief Minister, after 14 years of talk and no action, will a new Canberra stadium be ready to host Rugby World Cup games in 2027?

**MR BARR:** No.

**Sport and recreation—international events**

**MS LEE:** Chief Minister, Ms Berry yesterday deferred responsibility for the ACT's notable absence from the recent men's cricket and women's football world cups hosted in Australia in the last two years to you. I think we all agree that not committing to host any games of these tournaments, particularly the FIFA Women's World Cup game, was a huge mistake. Chief Minister, will you commit to ensuring that Canberra hosts matches in the 2027 Rugby World Cup and 2029 Women's Rugby World Cup?

**MR BARR:** No, not at any price, Madam Speaker. We will have a negotiation with the tournament organisers, but I am not revealing the ACT government's negotiating position, and nor am I going to say that at any cost we will participate, because we will not; but what I have indicated in my answer to the previous question is we have more pertinent issues and local issues that we need to address in relation to the Brumbies' viability. The Brumbies' viability is frankly more important than games in several years' time between qualifying nations. To be clear, Madam Speaker, there are no Wallabies games on offer as part of either of these world cups.

**Mr Parton:** They might not even make the finals!

**MR BARR:** Well, regardless of their on-field performance, there are no Wallabies games. We have a very clear approach to investment in sport, and that is to look after local first: ACT teams that participate in national and international competitions. We then strive to have our national teams play in our city, and then we will look at international tournaments. I could not look rugby supporters in the eye and say, "I let the Brumbies fail, but by the way, we have got North Korea versus Russia in the Rugby World Cup in 2029." It is important, Madam Speaker, for those of us who have actual responsibility for the ongoing viability of Canberra's national league teams to focus on that first and foremost.

**MS LEE:** I think I have forgotten what was the original question!

Chief Minister, if not at any cost, what is the cost?

**MR BARR:** I cannot reveal commercial in confidence negotiations, and you should understand that, Ms Lee. I am not using question time to negotiate with Rugby Australia through you. Are you on the ACT's side here, or are you trying to extract the most money from ACT taxpayers towards an international sporting—

**Ms Lee:** I could not extract more than you already have!

**MR BARR:** I think that might just be the point. I am looking to secure the best possible deal for the ACT. You are looking to secure more money for someone else—more taxpayers' money for someone else, so get your priorities right, Ms Lee.

**MR MILLIGAN:** Chief Minister, do you remember the benefits to Canberra of the 2003 Rugby World Cup games that were held here? If you do, why are you not committed to repeating that success?



**MR BARR:** Obviously rugby is in a very different position now than it was then, both in terms of participation, spectator involvement, broadcasting rights, et cetera. The cost of participation in 2003 compared to what could be the potential cost of participation in 2027 or 2029 is considerably higher now than it was then, so a value for money assessment needs to be conducted. We are not seeking just to write a blank cheque for the sake of saying, “We had one game in a world cup.” That is not a good investment in rugby union, let alone investment in any international sporting event.

But, as a general observation, the return on investment from ACT government event investment is much, much stronger in cultural and arts endeavours than it is in sport, and that is just a fact.

### **Housing—short-term rentals**

**MR DAVIS:** My question is to the Chief Minister. Chief Minister, last Friday, Victorian Labor Premier Dan Andrews announced that the Victorian government would introduce a levy of up to 7.5 per cent on short-term rental accommodation and flagged that the up to \$42 million revenue raised could be put towards building social and affordable housing. Yesterday, media reported that Prime Minister Anthony Albanese backed the move. He said:

In my electorate that’s an issue because you have problems of accessing rentals for people because of a lack of accessibility.

So, it's not surprising that governments are having a look at this. And I know that that is something that has been considered by anyone who actually looks at the housing issue with regard to housing supply.

Given this is now the position of the ACT Greens and Prime Minister Anthony Albanese, when will this government regulate short-term rentals?

**MR BARR:** Thank you, Mr Davis. I am sure that you missed me over the last couple of days! Thank you for the question.

You are asking me to announce government policy in question time, which of course I cannot do. You are aware that the matter is under investigation in relation to what, if any, regulation there would be on short-term rentals.

*Mr Parton interjecting—*

**MR BARR:** I could not possibly comment, Mr Parton. All I will say is that Mr Davis is aware that the matter is under consideration. Any regulation in this space would need to achieve the outcomes that I think we both share in terms of increasing long-term rental supply. It cannot be done in isolation of a range of other reforms

*Mr Parton interjecting—*

**MADAM SPEAKER:** Mr Parton!

**MR BARR:** Mr Parton! I, like you, sigh, Madam Speaker. It is like a little echo. Every time someone gets up to speak, we have to have a little say, just a few little words, and then the other partner in crime—

**Mr Hanson:** I was with you today!

**MR BARR:** Oh, you were on my side, were you, Mr Hanson?

**MADAM SPEAKER:** I think Mr Cain has a point of order.

**Mr Cain:** I am not quite sure how this contributes to answering the question.

**MADAM SPEAKER:** I would take that to your party room, Mr Cain.

**MR BARR:** If I could complete an answer without being interjected on or having points of order taken upon me by those opposite—

I want to be very clear that the government is considering a range of policy options. You cannot simply put a tax on in isolation of, for example, seeking to increase supply. We will consider the matter and look at what Victoria has done. We may need to evaluate whether it actually works. They could give us an example, perhaps, if it does.

**MR DAVIS:** Chief Minister, do you maintain that the now more than 1,000 properties in Canberra's short-term rental market if returned to the long-term rental market would not contribute to our rental crisis?

**MR BARR:** They would represent 1/55<sup>th</sup> of the total rental market. I would not be in the business of overstating the impact, Mr Davis, which I think is territory you are potentially moving into.

Could it have some impact? Yes, it could, but let us not overstate that given that there are more than 55,000 rental properties in the ACT and thousands more coming through large-scale build to rent.

One large-scale build-to-rent project is bigger than the total impact of what you are asking for here on the assumption that everyone who is currently in short-term rental would shift across into long-term, which I do not think is a realistic assumption.

I am, to be frank, more focused on outcomes that will deliver a bigger result in terms of increased supply. But the issue has been raised and we are looking at it.

**DR PATERSON:** Chief Minister, does short-term rental accommodation play a role for thousands of commonwealth parliamentarians and their staff who come to the ACT?

**MR BARR:** Clearly, it does in an accommodation sector like the ACT. There are people who are here for 26 weeks a year or 18 weeks a year for whom it is a viable option.

The thought that it would be a direct substitution away from, for example, holidaymakers and those who are here for leisure tourism, directly into long-term rental is, again, I think a big assumption to make.

There could be some impact—I am not discounting that—but I think we also need to be cognisant of the nature of the accommodation market in the ACT. We also obviously have a lot of either short- or long-term serviced apartment accommodation here that can also be used for short-stay leisure. But it is often taken up by people who are here either five days a week, 26 weeks a year or otherwise.

This is complex. It is not straightforward. It does not lend itself to simplistic solutions. It requires a little bit of due diligence in thinking about how we might best tailor a regulatory response.

### **Kippax—parking**

**MR CAIN:** My question is to the Minister for Transport and City Services. Minister, I have been contacted by a number of my constituents of Ginninderra that cannot access medical care at the Kippax group centre as there is a lack of disability parking to visit the medical imaging facility. Minister, will you provide more disability and general parking at the Kippax group centre to allow residents to access essential medical services?

**MR STEEL:** I thank the member for his question. Certainly, the government understands the importance of parking for people with a disability around major shopping hubs. We know that is important for them to go about their daily lives, and I am happy to investigate the current number of disability parks that we have at Kippax. Of course, the ACT government is responsible for most of the parking around Kippax but certainly not all. We are happy to investigate the number that is there currently, whether there is an adequate number and whether it needs to increase in the future.

Of course, the ACT government has quite significant plans for the Kippax group centre, both in terms of the upgrades that I am responsible for and in terms of further upgrades that are planned to expand Kippax Fair in the future. There will be a need to look at parking more generally and, of course, if new parking is built as part of those arrangements, then there would be a need to make sure that there is an adequate number of disability parks. I will take Mr Cain's question as a comment, and I am happy to go away and provide an assessment of current access to disability parking at the centre.

**MR CAIN:** Minister, why have you continued to cut parking spaces at Kippax despite continued pleas from the community to increase parking in line with increased use of the centre?

**MR STEEL:** I do not accept the premise of Mr Cain's question. There is a master plan for Kippax and there will, of course, be changes to the group centre over time. We will need to constantly assess the parking provision as part of any development that occurs and make sure that there continues to be disability parking.

**MRS KIKKERT:** Minister, will you accept the request from the community to hold a parking consultation session with shoppers and business owners at the Kippax group centre?

**MR STEEL:** I thank the member for her question. As part of any development that is proposed, there will, of course, be consideration of parking arrangements through the

statutory process, under the Planning and Development Act. That will certainly occur in relation to any development. That is not necessarily just from government development but from private development as well. But I am certainly happy to assess the number of disability parks that are currently there and whether it is meeting the needs of the disability community.

### **Molonglo River—bridge**

**MR COCKS:** My question is to the Minister for Transport and City Services. Minister, people in the Molonglo Valley deal with road congestion on John Gorton Drive every day, forcing them to spend longer in their cars waiting in traffic and less time doing the things that matter to them, because there is, effectively, one road connecting the Molonglo Valley to the rest of Canberra at both the north and south ends.

After years of delays and regular closings of Coppins Crossing due to flooding, the government has removed the reference to the December 2025 completion date for the Molonglo River bridge from the City Services website. Minister, when can the people of Molonglo Valley expect this important bridge to open?

**MR STEEL:** I thank the member for his question. The project to connect the Molonglo Valley through the extension of John Gorton Drive and the building of the new bridge over the Molonglo River is on track and is still expected by the end of 2025. We have signed a major contract with a tier 1 construction company, BMD. In fact, they are starting to undertake some of the early preparation work near Coppins Crossing to enable them to begin the project next year—once they complete the detailed design of the project—leading into, hopefully, the project being completed as expected as contracted by the end of 2025. We are looking forward to that connection being provided for the people of the Molonglo Valley so that they do not have to use the existing connection on Coppins Crossing, which enables them to get through to William Hovell Drive.

Of course, that is not the only road connection planned for the Molonglo Valley. As part of Molonglo 3, the government is working with the Suburban Land Agency to plan further road connections, including a connection through to Bindubi Street on William Hovell Drive. We, of course, have started early planning work on an east-west arterial connection, which will, in the future, connect the heart of Molonglo on John Gorton Drive and the suburb of Molonglo, which will be the commercial centre through to the Tuggeranong Parkway.

The government is consistently working to provide better and broader public transport connections through improved road connections to move people living in Molonglo today and to move people living in Molonglo in the future.

**MR COCKS:** Minister, what works are currently underway for the design and construction of the east-west bridge, which will be necessary to create the third road connection out of the Molonglo Valley, and when will it be completed?

**MR STEEL:** I thank the member for his question. Of course, those works have been funded in previous budgets, so I refer him to the earlier budget papers where we have

had that early design work funded. That work has been progressing, as we continue the work with the Suburban Land Agency to look at the development of the planning around the Molonglo commercial centre. The east-west arterial road has been a crucial part of that process, and that has been outlined most recently through the technical changes to the Territory Plan associated with Molonglo. We are expecting the Suburban Land Agency, around the end of the year, to be going out with further details about the estate development plan for Molonglo, which would include that east-west arterial road that will run at the southern edge of the new commercial precinct and eventually connect into the Tuggeranong Parkway.

Further work will be required in the future to progress the design of that road. We are looking forward to getting on with that work. In previous years, the work that has been done has indicated that that road and the connection to the Tuggeranong Parkway will be required in the 2030s. We are looking at the population growth of this area as well and whether there is a need to bring that forward in the future.

**DR PATERSON:** Minister can you please detail some of the design features of the new Molonglo bridge?

**MR STEEL:** I thank Dr Paterson for her question and her advocacy on behalf of the people of Molonglo in relation to transport connections. There are a range of different features associated with the new bridge. Some of those innovative designs have been incorporated into the detailed design that is underway by BMD. That includes making sure that it is light rail ready—for any future connection—as part of our vision for a citywide light rail network. It includes pedestrian connections across the Molonglo River, and it will make sure that there are two lanes of traffic in each direction to provide greater movement for both people and freight in and out of the area and to connect the north of Molonglo with the south.

As part of the extension of John Gorton Drive, we are also working very closely with the SLA to make sure there are good connections in and out of the new Molonglo commercial centre and Denman Prospect. That will include new signalised intersections, which will provide pedestrian access across John Gorton Drive for those who want to move into that commercial precinct to shop and access a new bus interchange. We are looking at bus priority options with some of those intersections as well, so this is about trying to make sure there is better access for people in Molonglo and better transport connections, whatever mode of transport they choose.

### **Roads—maintenance**

**MS LAWDER:** My question is to the Minister for Transport and City Services.

Minister, a constituent of mine submitted a pothole-related compensation claim back in October 2022. To date, they have not been advised of the ACT government's position in relation to their claim, despite it being well past the 60-working-day target to do so. Minister why has nearly a year gone by without this resident receiving a proper response from your government?

**MR STEEL:** I thank the member for her question. I am certainly happy to follow up in relation to that specific constituent if you can provide the details. Certainly the government is working through claims that have been made to Transport Canberra

and City Services in relation to damage caused by potholes. Often that does take some time, to liaise with the particular resident to provide the evidence that is required to properly assess the claim. We do not automatically accept claims. Transport Canberra and City Services is not necessarily aware of every single defect to the road network as it occurs, so an assessment needs to be made on a range of different factors as to whether that claim will in fact be paid. But I am happy to follow up on that particular instance.

We have improved resources in relation to the assessment of pothole claims, noting there was a significant number due to the wet weather conditions we have been experiencing. We have seen that the number of claims coming in have dropped quite significantly with the dry weather we have had and that will no doubt continue with the La Niña conditions finishing and El Niño now being officially declared.

We will continue to focus on preventing potholes from occurring. That is absolutely the government's focus. We have made a significant investment—a 52 per cent increase—in road maintenance funding. That program of road resurfacing has begun now we are in the summer period and we are looking forward to making sure we have more roads in better condition, particularly focusing on those territorial roads.

**MS LAWDER:** Minister, how many other claims are currently still outstanding, after the 60-working-day target?

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

**MR PARTON:** Minister, are the significant delays in finalising these claims due to underfunding in this area of City Services?

**MR STEEL:** I thank the member for his question. No, we have increased resources to be able to deal with this but the government's priority at all times is to make sure we invest in road maintenance in terms of preventative resealing, to extend the useful life of our roads, to prevent defects from occurring so that people do not experience damage to their vehicle when they are driving on our roads. We have done the evidence based work with the Australian Road Research Board, now known as the National Transport Research Organisation, to look at what the level of investment needs to be to make sure we have a higher service and high standard level of roads in the ACT.

In relation to the previous question, I can provide some further information in relation to pothole claims that we have received. In 2023, we received 440 claims. Of the 705 claims submitted between 1 January 2022 and 31 December 2022, 234 are still pending. We will continue to work through those claims with the extra resources that we have, but we will always make sure the priority is making sure these do not happen again in the first place, by investing in, and getting on with the work, under our road maintenance program.

### **Budget—Aboriginals and Torres Strait Islanders**

**MS ORR:** My question is to the Minister for Aboriginal and Torres Strait Islander Affairs. Minister, can you outline some of the Aboriginal and Torres Strait Islander specific funding in this year's budget?

**MS STEPHEN-SMITH:** I thank Ms Orr for the question. The 2023-24 ACT budget, passed last week, reflects our commitment to working with Aboriginal and Torres Strait Islander people to achieve their aspirations and to improve access to services. The budget makes significant new investments in targeted and Aboriginal-led service delivery, guided by our partnerships. This includes, over the next four years, \$1.3 million for the continued delivery of the Indigenous Allied Health Australia ACT Health Academy and \$2.1 million to deliver the ACT Health Workforce Strategy, which includes a mentoring program for the ACT's Aboriginal and Torres Strait Islander staff. It includes continued investment in targeted child protection reform, guided by the Our Booris, Our Way review and implementation oversight committee.

We are also continuing to deliver on our commitment to invest more than \$19 million for Gugan Gulwan Youth Aboriginal Corporation's purpose-built facility. We are partnering with Winnunga Nimmityjah Aboriginal Health and Community Services to deliver a new alcohol and other drug residential rehabilitation facility to provide support for Aboriginal and Torres Strait Islander people, as part of the \$49 million redevelopment of the Watson health precinct. I was really pleased, as I have said previously, to be out in Watson earlier this week—alongside Winnunga CEO, Julie Tongs—to announce the notification of the development application for this vital new infrastructure.

**MS ORR:** Minister, how do these new initiatives support the government's commitments under the National Agreement on Closing the Gap and the ACT Aboriginal and Torres Strait Islander Agreement?

**MS STEPHEN-SMITH:** I thank Ms Orr for the supplementary question. The ACT government is committed to delivering against the National Agreement on Closing the Gap and the ACT Aboriginal and Torres Strait Islander Agreement 2019-2028. The new initiatives in this year's budget demonstrate the value of the partnership approach that underpins both of these agreements. We continue to hear from the Aboriginal and Torres Strait Islander community that Aboriginal community-controlled organisations achieve better results, employ more Aboriginal and Torres Strait Islander people and are often preferred over mainstream services. For this reason, both agreements have a strong focus on supporting and growing the community-controlled sector.

Community-controlled organisations embedded within the Aboriginal and Torres Strait Islander community implicitly recognise the strengths, the expertise and the right to self-determination of Aboriginal and Torres Strait Islander communities. Under the National Agreement on Closing the Gap, all governments have committed to working with Aboriginal and Torres Strait Islander people and communities to build the community-controlled sector. Our investments in this budget prioritise Aboriginal and Torres Strait Islander community-controlled organisations and the leadership of the Aboriginal and Torres Strait Islander community in the development and delivery of services to meet their needs, as outlined in the National Agreement on Closing the Gap.

**MR PETTERSSON:** Minister, why is it important for these investments to be driven by partnerships with Aboriginal and Torres Strait Islander people?

**MS STEPHEN-SMITH:** I thank Mr Pettersson for the supplementary. Across all levels of government and spanning the political divide, there is a growing recognition that Aboriginal and Torres Strait Islander people hold the knowledge that is key to

supporting the community to overcome the challenges they face. This is clear from the strong bipartisan interjurisdictional work to develop the National Agreement on Closing the Gap, which was achieved under the previous federal Liberal government. The partnership approach encapsulated by the national and ACT agreements seeks to harness the knowledge of Aboriginal and Torres Strait Islander people to drive our investments and reforms.

I particularly want to recognise the coalition of peak Aboriginal and Torres Strait Islander organisations that drove the finalisation of the National Agreement on Closing the Gap and continues to drive us forward, through the partnership working group and representation on the joint council.

The annual impact state for the ACT agreement, the annual report for the national agreement and the sector-strengthening plans all demonstrate the progress we are making, but it is clear that there is significantly more work to be done. This is generational work, but we are starting to see the early signs of change.

It is a shame that the unity that we have seen through the National Agreement on Closing the Gap and the work of the joint council has not been realised in the response to the proposal from Aboriginal and Torres Strait Islander people for a Voice to Parliament. It is a shame that those opposite cannot get it together to unify on this important question, set to be put to our community in the coming weeks.

### **Sport and recreation—Kambah playing fields**

**MR PARTON:** Madam Speaker, my question is to the Minister for Transport and City Services. Minister, I wish to draw your attention to the Tuggeranong United Football Club's home ground at the Kambah 2 playing fields, which I know you would be familiar with. As I mentioned in this place, access to their playing fields is seriously restricted. The driveway and carpark are full of potholes, and sections of the driveway are barely passable. There is no clearway marking near the ambulance gates, meaning they are quite often blocked, and obviously that is a very bad thing.

Members of the TUFC Board have raised this multiple times through Fix My Street, yet no action has been taken to rectify these serious safety issues. Minister, why have you let this deterioration that presents obvious safety risks develop in the first place?

**MR STEEL:** I thank the member for his question, and he is well aware that we have been through a very wet period on the eastern seaboard over the past three years, and that has seen damage to a wide range of infrastructure, and particularly road infrastructure, especially if it is not sealed road infrastructure, Madam Speaker. We have seen that at some locations.

I was out at Garran Scout Hall with members of that Garran Scout Group just recently, and we are working through how we can make sure that we deal with some of the potholes that had formed in that car park. I am happy to certainly have a look at the needs of the soccer club down at Tuggeranong. I have played there many times. I know the car park well and, if those have formed, we will have a look at that and getting onto that.



The road resealing program has begun as of today officially. This sort of work does occur during the summer months to make sure that the road sealing bitumen asphalt can cure, and so we are happy to have a look at that as part of the program that is underway. Some temporary improvements are often made ahead of those longer-term improvements being made. We will need to assess what is required there.

I appreciate that when people raise something on Fix My Street, sometimes it can be resolved within a matter of days, if it is a simple issue. Other issues are much more substantial than that. They require not just a quick assessment and patch; they actually require a much more substantial piece of work to be done to rectify an issue, and I am happy to provide some more information on that on notice.

**MR PARTON:** Minister, why do residents and community groups have to log these critical issues multiple times and often resort to writing to the shadow before any action is taken?

**MR STEEL:** I thank the member for—I thank Mr Parton for his question.

The reality is that many issues are dealt with often proactively through our scheduled programs—whether it is in mowing; whether it is in road maintenance—but of course, there will be issues that arise that need to be brought to the government’s attention. I think that is a good thing, and of course we should be providing mechanisms for that, whether it is through Fix My Street or whether it is through direct representations to local members. That is what you are there for, amongst many other things, in our parliamentary democracy.

We will of course take those issues seriously, and we will assess what the best treatment is for those issues raised. I expect that as long as I am a member in this parliament—and certainly as long as I am the Minister for City Services—that we will always have representations made by members of parliament in relation to issues raised with them by constituents, and that is a good thing.

Of course, we will continue also to ramp up our investment in maintenance across the city, and we have done that in our budget in tree maintenance; we have done it in mowing; we have seen massive increases in investment in road maintenance; we are seeing more investments in the budget in path maintenance, so right across our city we are investing in city services, many of which are focused on that proactive maintenance, but of course, we will also consider reactive maintenance requests as well.

**MS LAWDER:** Minister, will you commit to fixing these issues raised by the Tuggeranong United Football Club, and if so, when will they be fixed?

**MR STEEL:** We will have to assess what that issue is and what the best treatment is. I am certainly happy to provide some more information and be responsive to them about what they might expect in relation to that once we have been able to assess what the issue is.

### **Legislation—involuntary assisted dying**

**MR PETTERSSON:** My question is to the Minister for Human Rights. Minister, how is the ACT government progressing with making voluntary assisted dying available in the ACT?

**MS CHEYNE:** I thank Mr Pettersson for the question. We are continuing to develop a model for the implementation of voluntary assisted dying in the ACT. We are on track to introduce legislation later this year, following extensive community engagement and consultation to inform our approach.

Our approach has been informed by academics who have tested different models, medical experts, health service providers, people with lived experiences of loved ones with terminal illnesses, people who live with terminal illness and individuals from disability and First Nations communities.

We are deeply aware of how long Canberrans have been waiting for this service and this right. I look forward to introducing legislation later this year.

**MR PETTERSSON:** Minister, what kind of consultation was done to inform the development of voluntary assisted dying in the ACT?

**MS CHEYNE:** I thank Mr Pettersson for the supplementary. In June we released a listening report detailing what we heard from the community from our broad public consultation on what voluntary assisted dying in the ACT could and should look like.

More than 7,400 people visited the voluntary assisted dying YourSay conversation webpage and more than 2,900 people responded to a YourSay panel survey—one of the highest response rates to a panel survey ever. We also heard from 106 formal submissions and 366 short answer submissions from individuals, and we engaged with more than 300 stakeholders across various roundtable, workshops and meetings with key stakeholders.

Now that the rights of our territory to self-govern have been restored, we wanted to hear from as many members of the community as we could as we develop our policy, and that input has been invaluable.

**DR PATERSON:** Minister, what were the results of this consultation?

**MS CHEYNE:** I thank Dr Paterson for the supplementary. Most contributors generally supported the Australian model, which includes a strict eligibility criteria, a thorough request process and an independent oversight body. However, we also heard strong support for some key variations from the Australian model that build on the experiences of other jurisdictions.

I would like to take the opportunity to thank all the contributors that were involved in this consultation process. It was personally inspiring to see so many people in our Canberra community engage deeply with such a profound issue.

Through the development of our voluntary assisted dying model, we will continue to improve, maintain and celebrate our health services, our human rights and our rights as a territory. I look forward to introducing the government bill later this and to working through this place to ensure Canberrans get access to this important right with the appropriate safeguards that protect but are not unnecessarily burdensome.

I take the opportunity to particularly thank the officials in both the Health Directorate and the JACS Directorate, who have been working incredibly hard to date both in the

consultation process and then in the development process that we are now in. We very much look forward to the introduction of that legislation later this year.

### **Yerrabi Pond—parking**

**MS CASTLEY:** My question is to the Minister for Transport and City Services. Minister, I refer to your response to a question on notice from 2 December last year regarding parking in Gungahlin, at the Yerrabi Pond foreshore, where you said that the government completed parking studies in 2013, 2014, 2015, 2019 and 2022. In the answer, you also said that funding was provided in the 2021-22 ACT budget for planning and design works for improved and new amenities, which included increasing car parking. Minister, how many more studies are you going to commission before you finally increase parking at Yerrabi Pond foreshore?

**MR STEEL:** I thank the member for her question and note that, in the budget, we did fund improvements at Yerrabi foreshore which included new parking, which of course was delivering on a Labor election commitment. There was a lot of advocacy from local members but also from businesses around Yerrabi foreshore wanting more parking for their customers but also for those who want to enjoy the lake for recreation. We have responded to that by putting money on the table. Of course, that has been informed by studies looking at the various options to make sure that the parking extension was feasible, and we will now get on with finalising the design of those works ahead of construction.

**MS CASTLEY:** Minister, how much have you spent on all five separate parking studies that you commissioned into Yerrabi Pond?

**MR STEEL:** I am happy to provide that information on notice. It is an example of how we are investing in the Gungahlin region, looking at the issues that are raised with us by local businesses and by the community, and now we are acting, based on our commitments and based on budget investment, to make sure that there are more parks available for people to enjoy Yerrabi Pond. Also, we are improving the Yerrabi Pond picnic facilities, new toilet facilities and other improvements. We committed to deliver them. We are getting on with the job with the investment in the budget that those opposite voted against again.

**MR MILLIGAN:** Minister, do you think it is acceptable to use hundreds of thousands of taxpayer dollars to do numerous scoping studies without delivering any newly completed parking spaces at Yerrabi Pond foreshore?

**MR STEEL:** It is incredible that we are getting questions here from the opposition, arguing against investment in their own electorates, in Yerrabi. Our government will continue to invest in Yerrabi.

*Opposition members interjecting—*

**MR STEEL:** Of course, the earliest stage of any infrastructure project is to undertake feasibility and planning work. That is the first stage that you need to do to make sure that you can deliver something—

*Members interjecting—*

**MR STEEL:** before you then invest dollars into getting that work done. That is exactly what we have done. We have done that planning work, we have done the feasibility work, we have the money, and now we are getting on and delivering on our commitments.

**Ms Lee:** Madam Speaker, on a point of order: during that interaction, the Chief Minister literally made yapping noises, referring to the opposition, and I ask that you reflect on whether that is unparliamentary.

**MADAM SPEAKER:** Ms Lee, thank you for that. I did not hear the noise. I could not distinguish any noise whatsoever. I am quite happy to see if Hansard will pick anything up. Can I just remind members about interjections and noises. When someone is on their feet trying to answer a question, there should be silence and listening.

*Members interjecting—*

**Mr Barr:** The Leader of the Opposition just made an accusation that presumably I was treating people like dogs, Madam Speaker. I think that should be withdrawn.

**Ms Lee:** This is tit for tat. Madam Speaker, what else do you call this: “Yap, yap, yap”? That is literally what he did. Come on!

**MADAM SPEAKER:** Ms Lee, resume your seat. First, I did not hear any noise from Mr Barr, plus I did not hear your comment. Members, I am not going to rule on any more points of order. Can I just say: reflect on your own behaviour during question time and in the heat of debate. I ask you all, first, to be mindful of standing orders, but also to have some civility amongst yourselves.

### **Municipal services—Fix My Street**

**MS CASTLEY:** My question is to the Minister for Transport and City Services. Minister, I refer, again, to a question on notice from December last year regarding Fix My Street requests that have been lodged and completed over the September, October and November 2022 period. During this period, Yerrabi residents lodged 3,350 Fix My Street requests, and in the same period only 1,618 requests were completed.

Minister, how do you maintain that TCCS is adequately staffed to respond to Fix My Street requests when staff are only able to complete half the number of requests that are lodged by Yerrabi residents?

**MR STEEL:** I thank the member for her question. The ACT government will continue to invest in the city services that our city needs as it grows, particularly in areas like Yerrabi, to make sure that it remains a liveable place. We will do that through proactive programs, and we will increase investment in those programs, which we have in the budget—in tree maintenance, in footpaths, in road maintenance, in a range of different areas; we will continue to invest in stormwater.

The enormity of that task is that there are both large infrastructure projects that are required to meet the needs of our city and there are much smaller maintenance requests. The smaller maintenance requests can often be dealt with in a couple of days. Sometimes they are more complex than that and require further work. Sometimes people request major infrastructure projects that require, as I said earlier, a significant lead-in time before they can actually be delivered. We need to consider those requests in the context of the broader priorities in both Transport Canberra and City Services and the broader government, and the call on the budget, before we go ahead with those.

We will not be able to deliver every single thing that people request through Fix My Street, but it is a valuable resource to understand what the community would like to see improved. There are a range of other ways that people can also make government members aware of their priorities. Of course, in relation to maintenance, we endeavour to get on top of those requests as soon as we can under our existing programs. We continue to increase funding for those programs to make sure that Transport Canberra and City Services is adequately resourced to manage the demands it has on it, both in terms of the proactive programs, and the need to increase those as the city grows, and in terms of responding to reactive requests when they arise.

**MS CASTLEY:** Minister, how do you maintain that the government's current approach to suburban maintenance is acceptable, when TCCS cannot meet the demand of the Fix My Street requests?

**MR STEEL:** I do not think that that data does paint a fulsome picture of the situation. Certainly what it shows is that, when people do raise requests, we do get on to the ones we can do. There are a range of different requests that are made through Fix My Street. Without going through, in question time, every single one of the many thousands that have been made, what I can say is that we are continuing to invest in the growth of city services in the city. That is obvious in the budget, with the investment that we have made. We will continue to respond to the needs of the community, when they raise those issues, through many different means, including Fix My Street—to make sure we keep Canberra as a liveable city and to make sure places like Yerrabi are maintained for the community.

**MR MILLIGAN:** Minister, how many Fix My Street requests that are outstanding for the electorate of Yerrabi are more than six months old?

**MR STEEL:** I would have to take that question on notice and provide some further context about the nature of those requests, many of which, as I have detailed earlier, would not be able to be dealt with within the six-month period because of the nature of the request that has been made. Some of them are very large requests, and some of them require significant lead-in time and budget decision-making in order to be addressed. Some of them are able to be addressed much more quickly. With drier conditions ahead, we expect that in many areas of TCCS responsibility, we will now have a much clearer pathway to be able to get on to some of those requests, particularly in relation to road maintenance, for example, with the drier conditions that we expect.

**Community organisations—venue hire**

**MR BRADDOCK:** My question is for the Treasurer. Treasurer, how are the concession rates for the hire of ACT government spaces determined to ensure community groups, who often have limited resources, can viably hire these spaces for community events?

**MR STEEL:** I will take this question as the Special Minister of State responsible for Property Group and also for venues in the ACT. I thank Mr Braddock for his question. The ACT government offers a range of different community centres and halls, as well as iconic venues like Albert Hall, for example and the Fitters' Workshop, for casual hire by community groups. We know there is a community rate that is available for community organisations and those concessional rates are available to any organisation with an ACT certificate of incorporation or not-for-profit registration. I encourage community groups to get in touch with each of the different venues, many for which the booking service is offered by a third party organisation. For example, the Chifley Community and Wellbeing Hub close to where I live is operated by the Weston Creek Community Centre, so a community organisation would need to get in touch with the Weston Creek Community Centre.

**MR BRADDOCK:** Minister, how are those community concession rates calculated to ensure they are viable for community groups to actually access these spaces?

**MR STEEL:** The rates for bookings are usually categorised into either community or commercial prices. Community prices are designed to only recover costs associated with the hire.

**MR DAVIS:** Minister, how does the ACT government ensure these government-owned community spaces are utilised as much as possible and are not sitting idle?

**MR STEEL:** I thank the member for his question. We have seen really good utilisation of our ACT Property Group properties. As I mentioned in the earlier question, we only rent these out at rates that cost-cover the actual booking. Of course, the ACT government makes a substantial investment in the maintenance of these buildings, which is not covered by that rate. We also have policies in place for a broader range of community facilities, including those available through schools which puts a positive obligation on school principals to make those facilities available for community use when the facilities are not being used by the school. Just in the Education Directorate's facilities I understand there are 550 arrangements for community use currently in ACT public school facilities. So there is a substantial number.

We encourage community groups to get in touch with Property Group if they want to take out more long term licence arrangements in ACT government properties. Because there is such a high utilisation rate, there is a waiting list of around 50 organisations, I believe, at the moment for those longer term rentals. For the community halls and other spaces that are available for booking on an ad-hoc basis, they will need to contact the organisation that is managing the booking. All of that information is available on the website.

## **Municipal services—footpaths**

**MR MILLIGAN:** My question is to the Minister for Transport and City Services. Minister, my office has been contacted on multiple occasions with concerns about the many cracked, broken and unsafe footpaths around Gungahlin. Minister, how many reports have been submitted to Fix My Street regarding footpath repairs in Gungahlin?

**MR STEEL:** I thank the member for his question. He will understand that I will need to take that very specific question on notice.

In the ACT government's draft active travel plan, the second priority—ahead of safe infrastructure for walking and cycling—is a better connected and maintained path network. As part of that, there are a range of actions that the ACT government wants to undertake and that we have been consulting on with the community.

We know that investment in path maintenance is important. Of course, we have not just been relying on reactive requests through Fix My Street in relation to footpaths. We have undertaken a comprehensive audit of the over 3,000 kilometres of paths in the ACT. We did that through the Jobs for Canberrans program.

That audit looked at documenting the range of different defects on the path network, ranging from minor, low-risk hairline cracks through to raised pavement panels and a range of other high-risk defects that we are prioritising and triaging through the extra \$5 million investment that we made in the budget into path maintenance to get on top of the remaining defects.

We will continue to make investments through that proactive program, responding to the audit, but also to manage the Fix My Street requests that come through. I certainly encourage people if they see a defect that they think is high risk to report that through Fix My Street so that we can get onto it as soon as possible.

**MR MILLIGAN:** Minister, how does the government triage Fix My Street claims when it comes to footpaths? Is safety a consideration for when these footpaths would be scheduled?

**MR STEEL:** Yes, safety is probably the biggest issue that is looked at when looking at the prioritisation. Of course, there is an assessment that is usually undertaken in person by Transport Canberra and City Services ahead of those works being undertaken. That assessment may deem that a particular issue is low risk compared to other path defects and, as a result, may take longer to be addressed and maybe packaged through an arrangement with a contractor to get on top of those path works through a larger package.

We are also examining at the moment what the feasibility might be for looking at insourcing some of the panel replacement works. We of course funded in the budget work to insource some of the defect work. We hope that that will be more responsive to the community because we will not have to wait to go through a procurement process in order to get the works delivered. If we see a defect, we can have someone who is employed by the ACT government, by TCCS, to actually get out there and

address it, whether it is putting in place a short-term solution like grinding down the pavement or putting some asphalt in a large crack, for example, or whether it is through panel replacement in the future.

So we are looking at those new ways of dealing with the path maintenance program. We are doing that through the development of a new strategic path maintenance program, which I mentioned in the debate yesterday.

**MS CASTLEY:** Minister, what is the response time after a claim is lodged?

**MR STEEL:** I thank the member for her question. I can come back with some averages, if she would like. But certainly it will vary depending on the risk and the nature of the defect. I am happy to provide that in relation to the ACT.

### **Tourism—Floriade**

**DR PATERSON:** My question is to the Minister for Tourism. Minister, Floriade began last weekend, What can visitors expect from this year's event?

**MR BARR:** I thank Dr Paterson for the question. This year's theme is "Floral Wonderland". There are themed displays, performances and art throughout Commonwealth Park. NightFest returns for four nights over the October long weekend, bringing with it a range of programmed entertainment, including some adults-only entertainment. Last year NightFest sold out on half of its nights. I am advised that tickets are selling even faster this year.

We have set an attendance target that is ambitious for the month, of 500,00 people across Floriade and NightFest, which, if achieved, would be the second highest attendance in its history. So far so good. The great weather over the weekend saw nearly 40,000 people through the gates on the first two days.

**DR PATERSON:** Minister, what contribution does Floriade make to our local economy?

**MR BARR:** Last year the event generated an economic impact of over \$50 million. Visitors to Canberra accounted for more than 40 per cent of the attendees and the event generated nearly 180,000 visitor nights. We hope that this year betters last year. We are aiming to achieve a total attendance of half a million people and a total economic impact of more than \$60 million.

**MS ORR:** Minister, what are some of the other benefits that Floriade and events provide to our community?

**MR BARR:** I thank Ms Orr for the supplementary question. Floriade is not just a tourism event; it is also a much-loved community event. Elements like the Dogs Day Out and the Great Big Bulb Dig are back this year. Through Floriade, the community have distributed over 300,000 bulbs to more than 90 community organisations to spread the joy of Floriade throughout Canberra's suburbs.

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



**Ms Castley:** Madam Speaker, I seek your advice. Am I able to ask for clarification on a question I asked last Wednesday?

**MADAM SPEAKER:** No. You can put it to the minister, not through this process.

**Ms Stephen-Smith:** Feel free to text me anytime!

## **Light rail—stage 2**

**MR PARTON (Brindabella) (2.59):** I move:

That this Assembly:

(1) notes that:

- (a) in relation to Light Rail Stage 2A, in a promotional report prefaced by Minister Steel in September 2019, it was stated that City to Commonwealth Park operations would commence in 2024. This was also reiterated in the preliminary Stage 2A Business Case;
- (b) Minister Steel has continued to state that Stage 2A will be completed in 2026, and quite at odds with the advice his Government gave the National Capital Authority (NCA);
- (c) in evidence submitted to the Standing Committee on Public Works, the NCA indicated that the ACT Government advised Stage 2A construction would be completed by 2027-28; and
- (d) the substantial slippages in the Stage 2A completion date and expected date of operations cast significant doubt over its cost stability and the likely commencement of the Stage 2B project;

(2) further notes that:

- (a) in relation to Light Rail Stage 2B, the NCA Chief Executive expressed concerns about the feasibility of the Government's preferred route to Woden, stating on ABC Radio that it may be "technically challenging" for it to make the transition from Commonwealth Avenue onto State Circle;
- (b) Light Rail Stage 2B involves a complex approval and Commonwealth Parliament scrutiny process due to its passage into the parliamentary precinct;
- (c) the route through the parliamentary precinct is riddled with technical and other complexities, including protection of heritage values;
- (d) the ACT Government has refused to rule out reverting back to the Barton dogleg route which significantly increases tram travel times to and from Woden;
- (e) in December 2022, the NCA said that they do not expect a Stage 2B works approval application from the ACT Government for many years;
- (f) the engineering risks and route challenges could substantially add to the undisclosed total cost of Stage 2B;
- (g) the uncertainties and mounting risks are eroding the Canberra public's confidence in the viability of this massive undertaking; and
- (h) the ACT Government should acknowledge the scale and complexity of

Stage 2B is pushing the limits of the public's confidence and tolerance;  
and

- (3) calls on the ACT Government to:
- (a) not proceed with construction contracts for Stage 2B until firm completion and operational dates are clarified for Stage 2A;
  - (b) commission an independent review of the viability of proceeding with Stage 2B including the merit of other public transport options before construction tenders are called for that stage;
  - (c) report back to this Assembly on the findings of the independent review;  
and
  - (d) report back to this Assembly on a comprehensive business case including an approved route solution and total costs that must be covered by Canberra's community.

Here we go again! Here we go again! I am disappointed the Chief Minister is leaving. I am disappointed that Minister Rattenbury is leaving, to be honest, but this is another motion from the Parton office focused on the single biggest budgetary difference between this side of the chamber and that side of the chamber. Why are we bringing this matter to the chamber, you may be asking. Why are we bringing this matter to the chamber again? I will tell you why, Madam Speaker. It is because it is important. Mr Pettersson thinks it is important. Wherever you sit in the tram debate, this stuff matters.

I would acknowledge that for a number of years in our city there was no tram debate. Despite numerous suggestions online and in other public commentary, the Canberra Liberals did not oppose the tram in the lead-up to the 2020 election. We did not oppose it. Things have changed since then.

And the four biggest changes are: that it has become clear that this project will cost much, much more than had originally been suggested; that this project will take much longer than it was originally promised; that electric bus technology has dramatically improved, certainly since this project was originally mooted and promised prior to 2016; and that construction costs and supply chain issues continue to impact heavily on all projects of this magnitude and this nature.

The government finds themselves caught between a rock and a hard place. They are so far down this rabbit hole that they cannot backtrack, but it is clear even to them that it is the wrong rabbit hole. The whole thing has just got way too difficult, which has led to time line and cost blowouts. It has certainly led Ms Clay to the position last week where she brought a motion to the chamber conceding that the tram is not getting to Belconnen in the next 15 years and that other measures needed to be taken.

I understand that Ms Clay and her progressive colleagues will not be supporting this motion. Having said that, I understand also that they gave it a fair bit of discussion. They gave it a fair bit of thought. So they will not be supporting it despite the fact that she agrees. I note that Ms Clay is not with us today because she is not in the building today, and I sort of wish she was here, to be honest, because sometimes she does bring some sense.

Can you imagine if the Canberra Liberals had won power spruiking an expansion of the tram? Can you imagine if we had gone to the polls in 2020 promising to build the tram to Woden by 2025, as you did, and then we dragged the chain as much as this government has? If this was us in power, the Greens in particular would be going berserk. They would be going berserk. If we had promised a public transport project and, once we got in, just kicked it down the road, shut down transparency on it, refused to give any meaningful dates or costs figures or anything pertaining to it, you guys would be screaming blue murder. We would never hear the last of it!

Certainly, if the positions were reversed, we would not hear the last of it from Labor. They would be hassling us every day. We would not hear the last of it. But even though Labor and Greens are going through their late-term faux divorce in the lead-up to the next poll, they let you get away with this time and again.

Now, I will tell you which Green will not let them get away with it, Mr Assistant Speaker. Let me name, here in the chamber, the Green who will not let them get away with it. The former Member from Murrumbidgee, Ms Caroline Le Couteur. Now, Ms Le Couteur bobbed up on Ms Clay's recent sponsored Facebook post on the absurd Belconnen busway motion. I say absurd because, despite her suggestions otherwise, Ms Clay never, ever wanted her motion to get up. She did not want it to succeed. This is all part of the faux divorce, you see, where the Greens need to go out to the community and say that they are the only ones that really care about public transport issues.

So let me read for you what the Greens' hero, Caroline Le Couteur, said publicly on Ms Clay's Facebook page about Belconnen bus services. She said, and I am going to quote directly, Mr Assistant Speaker. I mean, you and I, we loved hearing Ms Le Couteur in the chamber last time around. So this is sort of like a Caroline Le Couteur speech. This is what Caroline Le Couteur said.

Don't Woden and Tuggeranong also deserve better, faster bus services? Over the last couple of years the government has reduced services and reduced the amount of bus only transit lanes. And if Light rail comes to WODen, for many people (I am one of them) the commute time into the city will be a lot longer.

She goes on to say:

An investment in buses and transit lances could keep current commute times for many plus provide a decent bus service to suburbs like Hughes, and Yarralumla where the bus service has been a lot worse since network 19 ...

That is Caroline Le Couteur. She knows. She knows what an absolute shemozzle this has become. She knows that you have actually backed the wrong horse. She is brave enough to publicly call it. Mr Assistant Speaker, my advice, through you to the Greens members, is perhaps they should pay heed to what Ms Le Couteur has to say.

This motion is an important one because of developments in this space in recent months. It has become apparent that there are massive problems with the preferred government route for stage 2B of the tram. This has come from the National Capital Authority. The NCA Chief Executive Sally Barnes publicly expressed concerns about the feasibility of the preferred route in a number of forums, including ABC radio. She

very clearly articulated that the preferred route may be technically challenging. She was speaking specifically about the transition from Commonwealth Avenue onto State Circle.

In the public conversation that followed, the transport minister, who I am sure will be attempting to defend his position, said he would not rule out reverting to the so-called Barton dogleg route, which would add much time to the journey between Woden and Civic. He knows that. We all know that. Whatever the case, whether we somehow respond to these technical challenges, or we revert back to the Barton dogleg, there will be significant added cost. We are already well over \$3 billion. I know there has been no concession from the government whatsoever on the cost, but I think it is pretty clear that the assessments that have been made by the Canberra Liberals are quite accurate. If anything, they are actually conservative. So we are already well over \$3 billion for stage 2 of the tram to Woden. These murmurings from the NCA begin to push us closer to or beyond the \$4 billion mark.

In question time earlier, we had Mr Barr say that, “Yeah, no, we’re pretty keen. We’re pretty keen to get some Rugby World Cup games here”:

No, not at any price ... nor am I going to say that at any cost we will participate, because we will not ...

But apparently this can be at any cost. I think he was trumpeting suggestions of North Korea versus Russia, which would be fascinating. So what has become clear, Mr Assistant Speaker, is that nothing is clear. Nothing is clear! The route is not clear. The cost is not clear. The delivery date is not clear. Ms Le Couteur is very, very clear. Mr Stanhope is very, very clear.

Again, if this was a project being managed by a Canberra Liberals government, if we were in power, you would not accept this disaster. You would not accept this absolute debacle. If this was us running this show, you would be suggesting that we were never really serious in rolling this out. That is what you would be saying. If we were doing this the way that you are doing it, you would say, “Oh, you guys aren’t serious. The Liberals, look at those Liberals! Those conservative Liberals, they said they’d do this and they’re not doing it.”

When it comes to basic transparency there is none on this issue. This government went to the election in 2020 telling Canberrans that the city to Commonwealth Park tram operations would commence in 2024. That was pretty clear. Subsequent to the election, Mr Steel has insisted that we will be getting to Commonwealth Park by 2026. Indeed, he answered a question in estimates hearings in very recent weeks suggesting 2026 for the completion of stage 2A. But only days later, of course, we heard contradictory evidence from the NCA suggesting they had been told by ACT government that stage 2A would not get to Commonwealth Park until 2027-28.

So our very clear view, do I need to state it again? Yes, I do. Yes, I do! Our very clear view is that the government should not proceed with construction contracts for stage 2B until firm completion and operational dates are clarified for stage 2A. I think that is a given for everyone. They should commission an independent review of the viability of proceeding with stage 2B, including the merit of other public transport

options, because the wider view in the community, from a lot of serious public transport nerds too, is that a lot of other options have not been properly examined. The government should report back to this Assembly on the findings of the independent review and report back to this Assembly on a comprehensive business case, including an approved route solution, so that Canberrans have some idea of what we are up for cost-wise. That is all we are calling for. I commend my motion to the Assembly.**MR STEEL** (Murrumbidgee—Minister for Skills, Minister for Transport and City Services and Special Minister of State) (3.09): I move:

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

- “(b) Minister Steel has continued to state that the timeline for services commencing on Light Rail Stage 2a (LRS2a) will be determined through the procurement, including during 2023-2024 Estimates Hearings;
  - (c) On 24 November 2022, Minister Steel amended Mr Parton’s motion to note “The specific delivery timeframe for LRS2a commencing operations is subject to receiving Works Approval from the National Capital Authority, signing a contract with the ACT Government’s delivery partner, and finalising an agreed construction program”;
  - (d) Minister Steel’s amendment to Mr Parton’s motion on the 24 November 2022 (referenced above) included forecasted milestones for LRS2a, which the ACT Government has achieved to date:
    - (i) Works Approval and Development Application for LRS2a were submitted in December 2022;
    - (ii) contract negotiations for the delivery of LRS2a Main Works commenced in early 2023;
    - (iii) approvals for the LRS2a Works Approval and Development Application were received in July 2023; and
    - (iv) construction of the depot expansion commenced in August 2023;
  - (e) The LRS2a Works Approval, which the ACT Government submitted to the National Capital Authority (NCA) in December 2022, stated “construction of the Project is anticipated to commence in 2024, with completion planned in 2026”;
  - (f) The ACT Government has invested \$50 million in the 2023-24 ACT Budget to progress planning work for Light Rail Stage 2b (LRS2b), which will progress a comprehensive assessment of environmental and heritage impacts through the delivery of an Environmental Impact Statement; and
  - (g) The ACT Government has committed to publish assessments of the realisation of benefits of LRS2a and LRS2b following the completion and after operations commence on each stage; and
- (2) calls on the ACT Government to:
- (a) continue undertaking contract negotiations for delivery of LRS2a in 2023;
  - (b) publish estimated costs and timings for LRS2a and LRS2b once contracts are signed and the procurement is finalised to ensure the Territory is in the best position to achieve value for money; and

- (c) continue to release business cases and contracts for future stages of light rail.”.

Well, it is starting to sound like groundhog day. As I have said in many of my previous speeches on many light rail motions that have come before this place from Mr Parton, the ACT government is committed to delivering light rail to Woden, as we promised at the election. We are getting on with the work that we committed to do to build a better public transport system for Canberra. Work is progressing on light rail stage 2A to Commonwealth Park as a critical extension necessary for us to get down to Woden. Works are very much underway.

Not only is this motion very similar to the previous motion, which Mr Parton moved on 27 June this year, it also completely disregards the motion the Assembly actually passed on 24 November 2022, which outlined the government’s forecasted milestones and commitments for light rail stage 2A and light rail stage 2B. In 2019, the ACT government released the light rail stage 2A business case and promotional report, which did provide projections for operations commencing. That is where the accuracy of Mr Parton’s motion starts and ends.

In July 2020 I advised the community that although we had been working closely with Canberra Metro and had environmental approvals lodged, contracts would not be signed in that term of the parliament due to the COVID-19 pandemic. I was very upfront about that with media and media releases. The impacts during that period of course included supply chain disruptions, the closure of the light rail vehicle factory in Spain and a very competitive market with a sudden increase in investment in rail infrastructure. Mr Parton has failed to mention this key piece of information in his motion. It is a fact that gets in the way of a story that is too good for throwing the red meat to the conservative base of the Liberal Party.

Since then, I have continuously stated that the time line for services commencing on light rail stage 2A will be determined through the procurement. I provided this advice to Mr Parton as recently as during the 2023-24 estimates hearings for the budget. It was confirmed in my amendment to Mr Parton’s motion, which was passed by the Assembly on 24 November 2022. This amendment called on the ACT government to note:

- (e) the specific delivery timeframe for LRS2a commencing operations is subject to receiving Works Approval from the National Capital Authority, signing a contract with the ACT Government’s delivery partner, and finalising an agreed construction program ...

This amendment in November also included forecasted milestones for the light rail stage 2A project. I am pleased to advise the Assembly that the ACT government has achieved all of the forecasted milestones to date that were set out in that motion. We submitted works approval and development applications for light rail stage 2A. In December 2022 we commenced contract negotiations with Canberra Metro for delivery of light rail stage 2A main works. In 2023 we received approvals for the light rail stage 2A works approvals, and development applications through ACTPLA and the NCA in July 2023. We commenced construction on the light rail depot expansion in August 2023. So milestone by milestone we are working through and getting on with what we said we would do to deliver the light rail extension.

The ACT government is expecting the contract for delivery of light rail stage 2A main works to be signed by the end of the year. This will enable construction to commence immediately after the completion of raising London Circuit, which is expected to occur in 2024.

The Assembly will see that my amendment removes Mr Parton's speculative and fearmongering comments on light rail stage 2B. Comments he makes just to undermine the project because he knows that the Liberals would never deliver it despite the fact that they committed to deliver it at the last election, betraying everyone in Canberra. The Liberals are really grasping at straws when they revert to quoting dates buried in federal government submissions, which the ACT government had no part in developing or reviewing.

The Liberals have conveniently overlooked the light rail stage 2A works approval package, which the ACT government submitted to the National Capital Authority in December 2022. The package confirmed "that the construction of the project is anticipated to commence in 2024, with completion planned in 2026." I remember standing up with the then Deputy Prime Minister and Minister for Infrastructure and Transport, Michael McCormack, and Zed Seselja, by the way, who had a corflute saying the expected completion date was 2026. That was some years ago now.

Of course these dates were indicative and the final construction methodology and staging will be determined through the work that is underway with the procurement, with the contract expected to be signed at the end of the year, and then the construction program being developed. This is what I have been repeatedly saying now for years: the time line for light rail stage 2A services commencing will be determined through that procurement process.

The ACT government has always said that light rail stage 2B is a complex project. That is why we committed to constructing the first segment of light rail between the City and Commonwealth Park as part of 2A, while obtaining federal approvals to construct the remaining segment of light rail from Commonwealth Park to Woden.

With stage 2A approvals now in place, the ACT government will start to shift focus, particularly with our technical design partners, AECOM, onto the progression of early design and planning activities for light rail stage 2B, as we always promised and said we would do. The ACT government has invested \$50 million in the budget to progress the planning work for stage 2B. This funding will progress a comprehensive assessment of environmental and heritage impacts through the delivery of an environmental impact statement.

The Liberals criticised how long it would take us to build this important complex infrastructure for our growing city, but they would never build it ever. They have no plan for public transport. This motion, again, which just recycles and repeats the same rubbish ad nauseam, just confirms that they have no public transport policy at all; none. They are more interested in some sort of weird thing about a former member of this place who never supported light rail. We have never taken advice from her. We have never taken advice from the Canberra Liberals about public transport policies.

*Mr Parton interjecting—*

**MR ASSISTANT SPEAKER:** Mr Parton!

**MR STEEL:** We are just going to get on with what we said we would do at the election, build light rail down to Woden, starting with stage 2A to Commonwealth Park. That is what we are doing. We are getting on with that work.

*Mr Cain interjecting—*

**MR ASSISTANT SPEAKER:** Mr Cain!

**MR STEEL:** My amendment calls on the ACT government to continue doing what we have already committed to do, which is getting on with delivering light rail to Woden.

**MR STEEL:** Mr Assistant Speaker Pettersson, to move more people more efficiently around our city we need to prepare our transport system now and not when congestion traffic impacts will in fact be worse, decades down the track. And that will impact on the form of transport that runs on the road, including buses, private vehicles and freight.

We are making investments right across the board through a balanced investment strategy in our transport strategy to invest more in public transport. Yes, not just in light rail but also in the integrated bus services and bus depots. We are building a new bus depot at Woden. We are duplicating Athllon Drive, which will include more bus priority facilities to make sure that we have an efficient bus service as well that will connect in with light rail. So we will continue to make those investments, as well as investments in road infrastructure, to support our growing community.

The ACT government is doing that because we are a future-focused government. We understand that people move around our city in different ways, but we need to make sure that we have mass transit infrastructure for a growing city. The Liberals have no plans for mass transit infrastructure. It sounds like they will have no plans for that in any future release policy. They certainly do not have a policy now. We are committed to getting on with the transport infrastructure that we committed to; that our growing city needs now and in the future. That is what we are doing. I commend my amendment to the Assembly.

**MR BRADDOCK (Yerrabi) (3.18):** I have a speech prepared by Ms Clay and her team to deliver in lieu of the transport spokesperson, who unfortunately could not join us today. But before I deliver that particular speech, I just wanted to add a few personal points.

Yesterday Ms Lawder accused me, during the debate about car dependency and roads here in the ACT, of rank hypocrisy, stating:

I would pay a lot more attention to Mr Braddock's views about this if he did not rock up to the Assembly every morning in his own big car.

Now, Mr Assistant Speaker, I do not even own a car, let alone a big one. I would like to correct my personal commuting habits for the purposes of this Assembly. I have not



had a car for over a year. I use multiple modes of transport to meet my mobility needs. Yesterday I drove a share car, used a hire scooter, caught light rail and caught a bus. Yes, I do all of that and I am a father who collects groceries, drops kids off at school and meets constituents in all variety of places.

Unlike most, if not all, members of this Assembly, I actually regularly catch the light rail. I caught it this morning. I wrote this part of the speech whilst I was on light rail. I do that because I prefer to spend that 24 minutes between Gungahlin and Civic working, typing on my notebook rather than concentrating on the road ahead. I enjoy the frequent and reliable travel that is smooth enough to allow me to work on a notebook. I have personally seen how much transport was taken off Northbourne Avenue when the light rail started. So it is not my rank hypocrisy here we should be talking about but some basic fact checking that should be undertaken before assertions are made about other members' transport habits.

Now moving on to the speech from Ms Clay and her office.

I would like to speak on Mr Parton's motion and the amendment circulated by Minister Steel. Mr Parton's motion raises a number of legitimate issues that I would first like to address. Light rail is late—there is no question. Minister Steel's amendments identify the most recent public estimates identified that stage 2A, a 1.7 kilometre extension from the city to Commonwealth Park, will not be completed until 2026.

This is disappointing. This project has been promised since 2016 and the fact that it will take 10 years to go 1.7 kilometres is devastating. If you had bought a home in the Woden town centre in 2016, hoping you might be able to get light rail to work in Barton, you will be pretty disappointed right now. We do not have any indication that light rail stage 2B will be completed until at least 2029. That is 13 years.

The ACT Greens do not think that this is good enough but Mr Parton's motion is too narrow in scope and will not deliver better outcomes for this essential project. Instead, it would be a light rail witch-hunt and a continuation of the ongoing attack on light rail that the Liberals are fond of. Rather than not proceeding with light rail stage 2, we just need to get it done.

People are tired. On the weekend, the ACT Greens had a policy conference and one of the outcomes was that we would like to see faster delivery of light rail stage 2 and future stages of light rail. An independent review into light rail will not speed up the project. What we need now is for the project to get prioritised by the government.

While Minister Steel's amendments do not address the problem and do not deliver us a clear way forward to fixing many of the legitimate issues identified in Mr Parton's motion, the ACT Greens will be supporting them as they continue to commit the government to delivering the project in a regime of transparency, which is not seen in other Australian jurisdictions.

We must say, though, that we intend to have more to say about this, going forward, and this will not be the last time we talk about our serious concerns about the delays to the delivery of important projects in the ACT. The ACT Greens will be supporting Minister Steel's amendments.

**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) (3.22): I have a few things to say about Mr Parton bringing yet another motion today that seeks to delay an important infrastructure project for Canberra’s future.

When I arrived in Canberra in 1994, the population was about 300,000. When light rail stage 1 opened in 2019, the population was 400,000. Today, the population is around 450,000. By 2030 the population is expected to be over 500,000 and by 2060 it is projected to be 784,000—784,000 people. That is more than double the population in 1994 and almost double the population when light rail stage 1 opened in 2019. Does Mr Parton think that when we have twice as many people in our city as we did before light rail, we should have twice as many cars on the road? I do not know how that is going to work out for people in Tuggeranong. It is certainly not going to work out for all of us in an era of global boiling!

Here we are, we are going around and around in circles about why we need a public transport system that is fit for a big city. The fact that this city has been growing steadily for decades, and the fact that it will continue to grow over the coming decades, is why the ACT government is investing in the infrastructure that a bigger city needs, like the \$1 billion new hospital for the north side, like the new Woden CIT campus and like light rail stage 2, because being ready for what is coming in Canberra’s future is important. If you fail to plan, you plan to fail.

But we Greens also believe in transparency, as Mr Braddock was talking about. I want to thank my colleague, Jo Clay, for her work in holding the government to account on making more information on transport investment available to our community. We will hold the government to account for its commitments to complete stage 2, and I know Ms Clay will ensure that this government is required to answer for any delays.

The questions to be answered are not whether we should have light rail, but how do we keep this project on track and ensure that it meets as many people’s needs as possible so that we can reduce the carbon emissions from transport as quickly as we can. If Mr Parton wants to keep driving his car, he can go right ahead and that is his choice. The good news is that with more people on light rail in future, he will find that the roads are less congested and the car parks are less scarce in future. That is good news for anyone who needs to drive, and there will always be some people who need to drive sometimes.

What we all want is more choices. Stage 1 of light rail has shown that this is a choice that works for lots of people, at least for some of their trips. Once light rail gets to the south side, if Mr Parton wants to spend his money on lunch instead of on parking, or his morning commute texting brilliant private members business ideas to the ACT Liberals party room instead of sitting in traffic on the Parkway, then maybe think about using a “bike and ride” or “park and ride” in Woden, combined with light rail for the commute to the city. Personally, knowing how much Mr Parton enjoys cycling, I think it would be great if he was able to spend half an hour, maybe 45 minutes, riding to the Mawson Bike and Ride, and then take light rail from there instead of having to ride all the way to Woden. That would be even better.

**Mr Parton:** When I am 90!

**MS DAVIDSON:** I am sure you will be fit enough, Mr Parton—it will be great! I do not know why Mr Parton is so stuck on the idea that we cannot have nice things on the south side. I would really like to think that we can. It just feels like he is seeing someone else having a good time and he does not think it is ever going to happen for him and he is feeling a bit grumpy about it. So what I would like to say to Mr Parton is: someday I will be living in a big old city and all you are ever going to be is mean.

One more thing on Mr Parton’s faux divorce comments. I am not going to try to speak for everyone in my party but when I do a break-up, it is permanent. There is nothing faux about it, and if that happens, we are never, ever, ever getting back together.

**MR ASSISTANT SPEAKER:** I appreciate your references, Ms Davidson.

**DR PATERSON** (Murrumbidgee) (3.26): I guess it is groundhog day—we are having the same conversation again and again and again! Light rail is such critical infrastructure and a critical investment in the south side of Canberra’s future. I would like to congratulate Minister Steel on progressing this project step by step. He is doing an exceptional job and I think he has been incredibly transparent with the challenges that this project has faced and with the steps and stages, which have been outlined and articulated again and again and again.

I was very jealous of Mr Braddock’s description of his experiences of light rail coming from Gungahlin to the city. I, too, would like to have an opportunity to have those experiences of light rail and so would thousands of my constituents. I would like to acknowledge that Canberra’s south-side residents also want quicker commutes. They want less traffic on the roads, easier access to employment and education hubs, and a more efficient public transport network for residents and visitors. Light rail will see major economic development opportunities for Woden, the Murrumbidgee electorate and the south side of Canberra more generally.

I have said it before in this place: I have been at meetings where Westfield Woden are discussing their potential future development plans. When asked what is the lynchpin, what is going to make this happen, they explicitly say the key to this development is light rail to Woden. We have seen more and more investment in Woden town centre. We have seen huge investment in housing and apartments there. We have the Hellenic Club looking to do developments, as well as the Southern Cross Club and Westfield Woden. All the major employers in that area are all looking to develop and it is because of light rail. CIT will be based in Woden. That is fantastic; but, again, critical to the success of CIT is light rail to Woden.

So I am incredibly supportive of this and I take any opportunity to talk about the benefits of light rail to Woden. I think this is an ACT Labor promise that has been a strong commitment, and it is a critical piece of infrastructure for the ACT government. I do push back on Minister Davidson’s points. Minister Davidson is in cabinet so she is ACT government as well. In holding the government to account on these projects, I think Minister Davidson also needs to be held to account. I would like to thank Mr Parton and support Minister Steel’s amendments to this motion.

**MR PARTON** (Brindabella) (3.30): For Ms Davidson’s benefit, I guess I would say in response to the contributions thus far:

Players gonna play, play, play, play, play  
And the haters gonna hate, hate, hate, hate, hate ...

We will not be supporting the amendments from Mr Steel because they continue to throw a blanket of secrecy over this disaster of a project. He says that we are very predictable when it comes to this particular topic, and I would say that Mr Steel is also very predictable. COVID, war in Ukraine, supply chain issues—this government is holding the city to ransom with this project. The opportunity cost of this \$3 billion-plus spend is remarkable. Again, I would state that this issue remains the single biggest budgetary difference between the two sides in this chamber.

The wave of dissent that is coming from the community on this issue, and the wave of dissent that is coming from former cheerleaders—and, indeed, former members of this government—is quite remarkable. And I applaud those who have seen the light. I applaud Ms Clay from the Greens for at least having the courage to call out Labor on delivery time lines. She has been very, very clear about that. We found ourselves, on some matters of this debate, on a unity ticket. Isn't it interesting that Mr Steel referred not to Ms Clay, but to the former Greens MLA Ms Le Couteur?

I do not know if you picked up on this, Mr Assistant Speaker—I am sure you would have, because I think you were tapped in pretty savagely to this debate—but Mr Steel absolutely dismissed her contribution to this debate. He said, “We never took advice from Ms Le Couteur.” That is what he said, and I hope the Greens were listening to that. He said, “We never took advice from Ms Le Couteur.” Mr Steel was a member of this Assembly for four years at a time when Ms Le Couteur was a member and, according to Mr Steel, her thoughts were irrelevant. “Ms Le Couteur—as if we would've listened to her! She is with the Greens; we wouldn't listen to that rubbish.” I know that the Greens often feel as though their thoughts are irrelevant to Labor; it is just very rare that it is stated publicly by Labor ministers, but it was very clear.

Mr Braddock's speech was enlightening. His delivery of Ms Clay's speech was pretty interesting, too, because, like Ms Le Couteur, Ms Clay has massive concerns about the progress of this project and she conceded that Mr Steel's amendments were weak. Do you remember when they used to hold community days at your school and they would make a big tub of cordial, which they would serve in cups? It is about as weak as that cordial, but they are going to back it because they cannot really back us at this stage.

So, yes, Ms Clay has conceded that they are pathetic amendments, but she is going to support them anyway. Although Mr Steel may suggest in private that Ms Clay's thoughts on this are irrelevant, out here he has to cling to them because he needs the numbers to get the vote over the line. We will not be supporting Mr Steel's amendment to my motion because we like it in its original form.

Question put:

That the amendment be agreed to.

The Assembly voted—

Ayes 15

Noes 8

Mr Barr  
 Ms Berry  
 Mr Braddock  
 Ms Burch  
 Ms Cheyne  
 Ms Davidson  
 Mr Davis  
 Mr Gentleman

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

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

Question resolved in the affirmative.

Original question, as amended, resolved in the affirmative.

## **Multicultural affairs—community facilities**

**MR CAIN** (Ginninderra) (3.39): I move:

That this Assembly:

(1) notes:

- (a) during the 2020 ACT election, ACT Labor committed “to create hundreds of new local jobs by investing \$21 million to build a new 10,000m<sup>2</sup> indoor venue at Exhibition Park In Canberra (EPIC)” if re-elected;
- (b) ACT Labor publicly promoted the commitment as “the first, purpose-built facility in Canberra that can cater for large multicultural performances and private events such as weddings.”; and
- (c) ACT Labor and ACT Greens included this commitment in the Parliamentary and Governing Agreement for the 10<sup>th</sup> Assembly on multiple occasions:
  - (i) commitment 15.2 under Community Facilities to “[c]onstruct a large new multicultural events venue at EPIC for cultural performances and available for hire for large private functions, such as weddings.”; and
  - (ii) commitment 18.3 under Multicultural Affairs is “constructing a large indoor venue at EPIC for cultural performances and large events such as weddings.”;

(2) further notes the:

- (a) Minister for Multicultural Affairs advised the Select Committee on Estimates 2023-2024 that the proposed refurbishment of Fitzroy Pavilion at EPIC would sufficiently fulfill ACT Labor’s commitment at the 2020 ACT election for an exclusive multicultural venue in EPIC; and
- (b) the cost of refurbishment of Fitzroy Pavilion has not been disclosed to the public as this is in the pre-tender stage; and

(3) calls on the ACT Government to:

- (a) honour the terms of commitment 15.2 and commitment 18.3 of the Parliamentary and Governing Agreement for the 10th Assembly by constructing a new purpose-built indoor venue for multicultural use at EPIC;
- (b) meet with the Multicultural Advisory Board within 30 days of the passing of this motion to provide an update on the project; and
- (c) expedite project planning work and tender procurement to ensure a timeframe on delivery will be available by 31 December 2023.

The multicultural and multifaith community in the ACT occupies a treasured and celebrated position in the ACT. We are very blessed in Canberra to have such a burgeoning population of people hailing from different nations, cultures and religions. Multiculturalism has been interwoven into the very fabric of the ACT and this is something we ought to celebrate, not treat indifferently. We must embrace multiculturalism in this country and support the goodwill we each possess with funding and investment that allow proper planning to ensure the multicultural and multifaith community grow in line with their original identity and purpose. They should not be taken for granted.

Every week I attend events with multicultural organisations and meet with their members across the whole ACT. They describe to me the challenges they face in organising venues for functions and in opportunities to congregate. The Theo Notaras Multicultural Centre, while fantastic, is not large enough to provide for the size and demand of the community and the frequency of their cultural gatherings. Similarly, private venues are indispensable in catering for the community. I recognise the role of these businesses; however, they cannot alone fill the lack of supply in the market.

As you would be well aware, Mr Assistant Speaker Pettersson, ACT Labor made a promise leading up to the 2020 election, saying they would “create hundreds of new local jobs by investing \$21 million to build a new 10,000m<sup>2</sup> indoor venue at ... EPIC”. They said they would do this if they were elected. Obviously they were, but have they done it? Clearly not. In fact, they have withdrawn from this promise and broken it. ACT Labor marketed this in a media release as:

... the first, purpose-built facility in Canberra that can cater for large multicultural performances and private events such as weddings.

The Labor-Greens coalition wrote it into the Parliamentary and Governing Agreement for the 10th Assembly as commitment 15.2 under “Community facilities”, stating:

Construct a large new multicultural events venue at EPIC for cultural performances and available for hire for large private functions, such as weddings

Commitment 18.3, under the heading “Multicultural affairs”, states:

Constructing a large indoor venue at EPIC for cultural performances and large events such as weddings

They would construct this venue as a mecca, so to speak, for the multicultural community, as a bulwark to protect the character and identity of our multifaith and cultural community.

During stakeholder consultation, the option was explored to designate areas of the venue to showcase and honour individual cultures, although this suggestion is now out the window under a model where the Fitzroy Pavilion is to be refurbished. This became apparent during estimates this year when the Minister for Multicultural Affairs advised me that the proposed refurbishment of the Fitzroy Pavilion at EPIC would sufficiently fulfil the Labor-Greens' government commitment at the 2020 election for an exclusive multicultural venue at EPIC. I was advised directly by the Minister for Multicultural Affairs during estimates:

It is not a broken promise, Mr Cain. We look forward to the completion of the centre within 12 months.

The minister has the gall to say that I was the one to badge the centre as a multicultural promise, despite the fact that the venue features as commitment 18.3 under "Multicultural Affairs" in the government's Parliamentary and Governing Agreement. Her claim is as disingenuous as it is misleading.

I was gobsmacked to find on the Major Projects Canberra Projects Pipeline website that the amount estimated for the refurbishment is \$2 million to \$5 million. I am just trying to align that refurbishment for an expense of \$2 million to \$5 million with the promise to "create hundreds of new local jobs by investing \$21 million"—that does not line up, does it—"to build a new"—and that does not line up—"10,000m<sup>2</sup> indoor venue at EPIC." I just do not see how those align. They seem very different things. In fact, what is promised now is a very small version of what was promised leading up to an election.

Mr Assistant Speaker Pettersson, you might think I am cynical, but I wonder if some in our parliament here would be happy to promise something and never intend to deliver it. I do wonder if that is actually what happened. If it was promised with a genuine intention to deliver it, surely they would explain why they were not going to deliver it, not stand their ground on a refurbishment that is a fraction of the cost of what was promised to be spent. Where are those hundreds of new local jobs that were promised with a \$21 million investment? Will there be hundreds of new jobs with a \$2 million to \$5 million investment? That is for the government to explain.

This is really shabby politics and a betrayal to our multicultural community, yet the minister explains, "No—this is what we were always doing." By some reasoning, a spend of \$21 million, creating hundreds of local jobs on a new 10,000-square metre facility, is meant to be seen as being produced by a \$2 million to \$5 million refurbishment of an existing facility. The facts do not line up.

Did they, in good faith, mean to keep this promise? Why didn't they? And why do they not honestly admit why they are not doing it and why they are planning to deliver a very much scaled down version of their own promise? They should be held accountable for their own words—words that they used to persuade our multicultural community to vote for them. Were they just words? I think that is a fair question for our multicultural community to ask. If so, why would anyone trust the words leading up to our next election? I certainly will not be.

These are questions that this government needs to answer and not pretend they are delivering what they promised. They have not even come up with some explanations

for why it is not going to happen the way it was promised. They say, “We are kind of doing it, nonetheless.” They do not actually need to give explanations because they are “kind of really doing it”.

I am here because I care about speaking truthfully to our wonderful multicultural community. I am here to highlight the words spoken by this government, and I will be making sure that the community is aware of the words spoken before the next election and that they weigh those subsequent words with these failed words—the words that they said to the multicultural community, such as “You can rely on us. Look at what we are going to do for you,” with the subtext, “Please vote for us.” I will be speaking about this between now and October next year. I will be reminding the multicultural community of Canberra that, while they cannot rely on the words from this government and what it promises, they will be able to rely on the words of an Elizabeth Lee-led government following the October 2024 election.

I present my motion, which very simply calls on the government to honour its own promise. How can they possibly oppose this motion?

**MR BARR** (Kurrajong—Chief Minister, Treasurer, Minister for Climate Action, Minister for Economic Development and Minister for Tourism) (3.49): I move the amendment circulated in my name:

Omit all text after “That this Assembly”, substitute:

(1) notes:

- (a) during the 2020 ACT election, ACT Labor committed “to create hundreds of new local jobs by investing \$21 million to build a new 10,000m<sup>2</sup> indoor venue at Exhibition Park In Canberra (EPIC )” if re-elected;
- (b) the significant pipeline of event infrastructure investment, as outlined in the Entertainment, Arts and Sports update to the Infrastructure Plan that was released in June 2023, including confirmation of master planning work for EPIC so it is able to host larger and more diverse exhibitions, concerts, conferences and a range of multicultural and community events, along with a revitalised festival precinct; and
- (c) as an important step to improve venue spaces for the multicultural community in line with relevant election and Parliamentary and Governing Agreement commitments, in the 2023-2024 Budget the ACT Government has invested in substantially upgrading and refurbishing the Fitzroy Pavilion at EPIC;
  - (i) this Fitzroy Pavilion upgrade is expected to be complete in this term of Government, ensuring the multicultural and wider community have a great venue available quickly, while wider EPIC facilities works are under planning and development;
  - (ii) this upgrade will include new catering facilities and amenities, agreed in consultation with multicultural group users; and
  - (iii) through these major upgrades, the facility will be a suitable and desirable venue for a range of multicultural events for up to 1,000 guests seated in banquet configuration, or up to 1,500 standing guests;



- (2) further notes:
- (a) the Minister for Multicultural Affairs advised the Select Committee on Estimates 2023-2024 that a refurbished Fitzroy Pavilion will provide upgraded catering facilities and amenities and be suitable for hosting larger-scale community and multicultural events, as reflected in the Parliamentary and Governing Agreement;
  - (b) the cost of refurbishment of Fitzroy Pavilion has not been disclosed to the public as this is in the pre-tender stage; and
  - (c) the ACT Government continues to support community groups, including multicultural groups, in their use of government-owned community halls and centres by offering hire at a community rate; and
- (3) calls on the ACT Government to continue:
- (a) to support the multicultural community by ensuring there are suitable venues available for hire for a range of event uses; and
  - (b) consulting with the multicultural community, including through the Ministerial Advisory Council for Multiculturalism, as these projects progress.”.

The amendment seeks to outline the facts of the matter and to cut through the political spin from the shadow minister.

**Mr Cain:** Deal with your own facts.

**MR BARR:** I note that Mr Cain quoted from the Labor election commitment. It is the bits that he omitted from the commitment, the bits that he has not quoted, that I think need to be quoted.

**Mr Cain:** They contradict as well, do they?

**MR ASSISTANT SPEAKER (Mr Petterson):** Mr Cain, if you do not cease to interject, you will be warned and then named.

**MR BARR:** The election commitment was:

... purpose-built facility ... that can cater for large multicultural performances and private events such as weddings.

The new facility will also be available for regular EPIC users, including trade shows, business events, the farmers market, Summernats and the folk festival.

That is from exactly the same media release—a point that you omit time and time again, Mr Cain, because you cannot accept—

**Mr Cain:** Where is the \$21 million?

**MR ASSISTANT SPEAKER:** Mr Cain, please! Chief Minister, through the chair, please.

**MR BARR:** Thank you.

The commitment then went on to talk about the size of the venue, stating:

This new facility would accommodate ... around 1,500 people for standing community events, and provide a seated option for up to 1000 guests.

I think it is important to note, in the context of the work that the government has underway, that the 1,500 and 1,000 capacity can be accommodated within the work that we have undertaken in relation to the Fitzroy Pavilion.

We have a venue opportunity and a challenge. I think Mr Cain and I are in agreement that the Theo Notaras Multicultural Centre function room is excellent but is sufficient only for small gatherings, and that there is agreement around the need for larger venues.

The early design work that the government undertook on progressing a 10,000-square-metre facility identified that a single, very large facility would not be an adequate solution by itself. Large facilities can be partitioned into smaller spaces, but the running costs and therefore hiring costs for users would be significant. So, even at a concessional rate, the costs of hiring a very large venue would likely be prohibitive for all but the largest community events.

A 10,000-square-metre facility can comfortably accommodate several thousand people at a single event. The Theo Notaras function centre could only host around 120. So there is a clear need for a suitable and desirable event space for more than 120 people but also one that is suitable for fewer than several thousand. That is why, in addition to the work that we are undertaking on the 10,000-square-metre facility, we have also commissioned and funded a major upgrade to the Fitzroy Pavilion.

This will include elements that are consistent with the policy commitment: a larger kitchen with refrigeration, preparation and servery areas; and insulation, flooring, heating and cooling. The Fitzroy Pavilion then becomes suitable for a wide range of events. It is a major upgrade and improvement, and, when it is complete, guess what? It will be able to host 1,000 guests in banquet seating and around 1,500 standing patrons. This is a cost-effective option for hirers, particularly for events like weddings, where they are likely to host several hundred people.

The refurbishment of the Fitzroy Pavilion provides a space for multicultural and other community groups—again, consistent with Labor’s policy commitment. We always said, “The new facility will also be available for regular EPIC users,” so it has to be multipurpose and it has to be able to cater for events with up to 1,500 people standing and 1,000 people seated, and it certainly does. It will provide this space and will provide access for a range of community organisations.

As part of the venue improvement process, we have consulted with the multicultural community, including through the previous ACT Multicultural Advisory Council. Future consultation is also planned in the coming months. We will seek further advice in relation to ensuring that the upgrades at the Fitzroy Pavilion will meet immediate needs. These upgrades are an important interim step—I repeat that: an interim step, Mr Cain—one that means the community will have an additional event space available for hire sooner than would otherwise have been the case. We are aiming to complete this refurbishment in the next 12 months or so, which would be a great outcome.

As we have made clear, the Fitzroy Pavilion is just the first element of a broader redevelopment project at EPIC. This project will continue work towards delivering larger event spaces within the precinct and will consider the size, functionality and location of other additional event and function spaces as part of the broader EPIC master planning work which rethinks the precinct's layout for festivals and events. This precinct planning work, which is an extensive piece of work, is currently underway. Once it is complete, we will then begin a staged redevelopment of the precinct. This has been outlined in our *Infrastructure plan update—entertainment, arts & sports*, which was released in June.

Of course, it is not just the multicultural community that needs additional space for events. Our growing city needs more space for events and entertainment, and that is exactly the process that we have underway. There is a significant pipeline of infrastructure investment over the coming years. In addition to the Fitzroy Pavilion and the EPIC redevelopment, there is also redevelopment of the Canberra Theatre precinct, a new city entertainment pavilion and convention facilities as part of the infrastructure plan that we updated a few months ago.

I need to reiterate, in moving the amendments today, that they put the actual facts of the matter on the table and they are consistent with the full commitment that we made. Mr Cain continues to cherry-pick and leave out important elements of the commitment, but, to be clear, I repeat again: the facility needs to cater for at least 1,500 people and provide a seated option for 1,000 people. That is definitely what the Fitzroy Pavilion upgrade does. It needs to be available for regular EPIC users, including trade shows, business events, the farmers markets, Summernats and the Folk Festival, to name a few, consistent with the commitment, but it represents just one stage of a series of improvements at Exhibition Park.

The advantage of doing it this way is that we get a facility available more quickly and at a more affordable hire cost for users. It does not mean that we are not going to proceed with the further elements of the Exhibition Park improvement project, which is part of the master planning exercise, but, if we waited for the conclusion of that, we would not have a new facility before October 2024. That is why we have made the decision to deliver quickly on the venue for 1,500 people standing and 1,000 people seated, as the first step of what will be a series of investments in Exhibition Park.

The master planning process needs to conclude before we finalise the different elements, but we can proceed with the Fitzroy Pavilion now. It meets the terms of our election commitment in relation to having a venue available within this term of the Assembly that can cater for 1,500 people standing and 1,000 guests seated.

Beyond this, as I have mentioned, there is a significant investment in event infrastructure. My amendment covers these points and outlines the process from here. Once we have concluded the tender process, we will be able to make some further announcements about who will be undertaking the refurbishment work, the number of jobs associated with that project, and when the new facility will be ready, and then we will get on with the delivery of this important project for Canberra.

I commend my amendment to the Assembly.

**MS CASTLEY** (Yerrabi) (3.59): I will not take long today, but I do want to talk about the amazing multicultural community that we have, especially in my electorate of Yerrabi. There are so many wonderful community multicultural groups out there, and one thing I will note is their kind nature. They want to involve everybody in all of their events. I think the question that has to be asked is: what impression did they get, following the promise of a new multicultural venue?

I can tell you that they are shocked, saddened and disillusioned. We know that it does not matter which area they are from—it is so broad; it could be the Indian community or the Chinese—they all want to share their faith, their celebrations, their food and their culture. I cannot name them all. There are so many, and they have been calling out and crying out for a facility such as this for as long as I can remember. I will not mention all of them.

I am really thankful that Mr Cain has moved this motion because it does highlight, as I said before, that these communities feel a bit gipped, to be honest. The most recent event that I attended was at the BAPS Hindu Mandir in Taylor. Mr Milligan was there as well, and I know, Mr Cain, that you had a wander through. These lovely people are building their temple so that everybody in the community can use it. They have made it large. They have a commercial kitchen. It is not as large as the entire community need, but the point here is that they have done the government's job in building this facility and it is not just for them to use; they are extending that invitation to everybody.

I think it is a real failure of this government that we have our own multicultural communities building facilities for all of us to use. That is really all I have to say. I tried to write down all of the events that I have attended, all of the wonderful community multicultural things that we have attended and been invited to. I want to support Mr Cain today and say thank you, on behalf of the electorate of Yerrabi and the wonderful people in my community. Thank you for standing up for them.

**MR BRADDOCK** (Yerrabi) (4.02): I would like to thank Mr Cain for raising this matter, as I have also spoken with some community members who expressed concern on hearing of the announcement. As some history is required, I will cast back to the 2020 ACT election campaign. The Greens took a commitment to that election for a community centre able to host large events, with commercial-scale kitchen facilities, to be located within the Gungahlin town centre. This reflected the Greens' commitment to prioritising easily accessible spaces for community use, reflecting our understanding of the importance of preparing food together to many in our community, and recognising the unmet community need in Australia's fastest growing district.

From memory, the Libs also took to the election a commitment to a 1,500-person capacity venue in the Gungahlin district, and I believe Labor committed, at the last election, to a large facility to be located at EPIC. The Labor commitment is the basis of the commitments in appendix 3. I would just like to remind Mr Cain that appendices 3 and 4 are key priorities for the individual parties to work through during the term and not necessarily agreed to by the other party.

Coming back to this particular commitment, the government has decided in the interim to pursue refurbishment. As the Chief Minister has explained, there will be a

large facility, with commercial kitchen space, located in the Gungahlin district, in an area which has plenty of parking and public transport nearby. This provides an interim venue quickly, to meet the needs of the community, whilst we are awaiting further planning and development of the EPIC master plan.

When a Labor Chief Minister and Treasurer and a Labor multicultural affairs minister, as part of the budget process, decide to progress an interim solution of refurbishment rather than an entire new facility, it does give me cause for hope. It demonstrates the reality that competition for budget allocations is fierce, and even Labor commitments are not immune to examination as to how community needs can be met in the most cost-effective way. I ask Mr Cain to explain what community requirements are not being met by this proposed refurbishment. I would like to know.

In the meantime, my focus is on the community centre in the Gungahlin town centre, which was the Greens' commitment at the last election. I was not able to secure the size of venue in the location I desired, and, yes, I am disappointed by that, but I am focused on how the government is planning to deliver a mid-sized community centre in the Gungahlin town centre that will provide a flexible range of spaces for use by the community. This will include a much-needed youth space, as well as the capacity to deliver a range of community services from the centre. It will not be completed by 2024, as COVID slowed down the initial stages of the project, but I was pleased to see funding in this budget to commence the design and construction of our centre.

A key challenge in the Gungahlin district remains the availability of community spaces. The reality remains that the level of space available for community use in Gungahlin is outstripped by the demand. Partly, this is structural. There are two large pokies-based clubs in the Gungahlin town centre with spaces available for hire by community groups, sometimes at discounted rates. But community groups may be reluctant to take this up due to the cost associated with hiring these venues or the fact that these venues are not conducive to children attending events unless they are escorted by an adult. Some parts of the community also do not wish to visit a venue that includes gambling or alcohol sales. Some community groups are looking for a facility where they can prepare food together, which they are unable to do in a club.

Partly, the unmet community demand is about challenges in maximising the community use of the ACT government spaces that already exist in the district. I would like to see our schools humming in the evenings and at weekends, not just the school hall but the other spaces, to meet a range of community needs. This includes the storage space, given that movement of gear and equipment can be a major barrier to community sports and recreation groups. It is also important for the community to be able to easily see availability across the range of schools, be able to book and pay for them via a single portal, rather than having to contact many individual schools. I welcome the trial for 12 schools to have a common booking portal, via the Education Directorate but, as always, want it to be better, faster and here now.

Partly, the unmet community demand arises as community groups have not yet reached the level of financial capacity to build the size of spaces sought. There are a number of exciting projects in the pipeline, but these take time to realise. All of these reasons make things tight in the Gungahlin district. I want to talk to one part of Mr Barr's amendment, regarding the concession rates for community group hire,

which was the subject of a question I asked earlier, which I had written about a week ago, before I knew this motion was coming. I appreciate that concession rates are available for community groups to hire ACT government spaces, such as those at EPIC.

The second of these rates raises an important question: how much should the government, aka the ratepayers, cost recover—or, in other words, subsidise or support—community group use? There are numerous community benefits that arise from such events and use of the space. The advantages of government size and ability mean that it is appropriate to provide a concession rate, but the question is whether the government should cover only the cost of cleaning between hirers, or some of the wear and tear, utilities, management or public liability costs. This gets more complicated and worthy of further examination.

Finally, I would like to thank all community groups for the gift of their time, effort and money which goes towards making a community. Canberra is richer for your contributions.

**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) (4.09): We recognise that there is a need for a large facility suitable for multicultural events. This was a commitment, and we have been working through that.

As early design work was progressing for a 10,000 square metre facility, it became apparent that a single, very large facility would not be an adequate solution in and of itself. While large facilities can be partitioned into smaller spaces, the running costs—and therefore hiring costs—would still be significant.

In this year's budget, the government announced the Refurbishing the Fitzroy Pavilion initiative for major community events. This positive announcement will also include identification of gaps in the territory's current event space infrastructure for multicultural groups.

Unlike those opposite, we have a real plan to address gaps in event infrastructure for multicultural groups. We have listened to the community and we know that getting something sooner and something that would be more affordable would be valuable.

That is exactly why we are pursuing the Fitzroy Pavilion refurbishment now. As the Chief Minister has said, the master planning for the EPIC site will consider the locations for the larger venue.

As I have told Mr Cain repeatedly—and we talk about Groundhog Days here!—we are delivering on our commitments. It is easy to throw stones when you do not have something positive to contribute to public debate, as the party of No. We should not forget that this motion is brought forward by a member who believes this place should be abolished and that we should be under the administration of the federal government! I suppose it is easier to not have any policies if you do not think the ACT government should even exist.

But, on this side of the chamber, the Chief Minister and this government are committed to building the infrastructure that the fastest-growing jurisdiction in the country needs, and that includes infrastructure to support our multicultural community and the broader events community.

It is worth repeating again that this budget initiative involves commissioning and funding a major upgrade to the Fitzroy Pavilion. This includes some significant upgrades to amenities, including a larger kitchen with refrigeration, preparation and servery; insulation; flooring; and heating and cooling—an interim step but an important first step, and you would note these elements are consistent with the terms of the policy commitment.

The facility will be a suitable and desirable venue for a range of multicultural events for up to 1,000 guests seated in banquet configuration or up to 1,500 standing guests—a facility that will be available more quickly and will be more affordable, factors which I am confident will be welcomed by the multicultural community.

As we have made clear, the Fitzroy Pavilion is just the first element of a broader redevelopment project at EPIC. That project will continue work towards delivering larger event spaces within the precinct and will consider the size, functionality and location of other event and function spaces within the EPIC precinct as part of a broader piece of work to rethink the precinct's layout for the festivals and events that it attracts.

Finally, it is worth underlining that work has been underway for some time with the multicultural community, regarding their expectations of community facilities, including what a larger venue needs to support the community's needs. This included a presentation to the Multicultural Advisory Council in December 2022.. Since the budget announcement, there has been a presentation to members from the Multicultural Advisory Council and to the National Multicultural Festival Community Panel Reference Group, who attended an information and consultation meeting with Venues Canberra on 26 July 2023.

Draft plans for the refurbishment of the Fitzroy Pavilion were circulated to all members of those groups on 4 August, requesting feedback by 18 August. Three feedback responses were received from members and their community groups. Venues Canberra are reviewing that feedback and they will continue to work with the Community Services Directorate to undertake further consultations with the newly appointed Ministerial Advisory Council for Multiculturalism—a council which had had its orientation just yesterday and has not formally met yet. There is no such thing as a Multicultural Advisory Board, as referenced at 3(b).

In addition to the ACT multicultural community that I have identified, other key stakeholders to be consulted through development include, but are not limited to, the current tenants and hirers of EPIC, the National Multicultural Festival Community Reference Group, again, and major event promoters.

We are continuing to invest in the infrastructure needs for our community, delivering on our commitments and planning for the future. I commend the amendment to the chamber.

**MR COCKS** (Murrumbidgee) (4.14): Thank you, Mr Cain, for bringing this motion today because it is an issue that is important to the multicultural community, not just in the north of Canberra but across Canberra. There are strong links in multicultural communities between different electorates. There are many people in my electorate who will travel to the north to be able to attend functions, events and celebrations. Conversely, there are those who travel back the other way.

I would really like to note that the issue at the heart of this motion is about trust and honesty, and it is about this government's attitude to the promises it makes and takes to elections. This government made a promise to the multicultural community and to the broader Canberra community that it would build a new venue.

I do not know very many people who would look at a promise to build a new venue and think, "Oh that means we get a new kitchen." That is just not the way a promise works. This government went to an election and promised something and was fully intending, by the sound of what the Chief Minister was saying, not to deliver it.

**Mr Hanson:** A bit like the drug's policy, isn't it?

**MR COCKS:** They are very happy to deliver something completely different, completely different, to what everyone was expecting.

**Mr Hanson:** They have got form.

**MR COCKS:** As Mr Hanson says, "They have form."

But that is not the only promise. We only have to look at Calvary. What has happened there? The government went to the election and they promised a new hospital for the north side of Canberra—new. That is an important word. It is important in that promise and it is important in this debate. What no-one expected—no-one at all—was that the government would step in, take the existing hospital and look to do a simple knockdown and rebuild.

What no-one expected in this debate, in this promise, is that the government would simply build a new kitchen. What the government is doing today in this debate is nothing more than trying to use lawyerly language, look for loopholes, build up strawmen, dodge the issue and gaslight the Canberra people. But it has form. This is what this government tends to do.

Three parties went to an election promising a new facility that would expand and increase the number of facilities, the number of venues for this type of event, across Canberra. One of those parties did not intend, from everything I can see, to actually deliver that in this term of government.

Canberra's multicultural community has a right to feel deceived. It is completely understandable. The government promised. It is there in their costings. It is there after the election. It was a promise. But this is the government's attitude to promises.

At this juncture, I would like to thank Mr Braddock for his contribution because what he has shown is just how little their promises seem to mean—and just how many



times they are failing to actually deliver on what they told the Canberra people they could expect to receive.

Labor actively, clearly and knowingly promoted this as a new venue dedicated to events for the multicultural community. That is what they promised. That is what Canberrans from all backgrounds expected: a new venue, an increase in capacity, and it is not.

I have to say that, when Mr Cain first brought this up, when we first spoke about it, I thought, “Here we go again; it is going to be another knockdown and rebuild.” But it is even worse! It is only a refurbishment of something that is already there.

How can anyone in Canberra trust anything this government brings to the next election if this is its attitude to promises? It is not good enough. That is why Mr Cain’s motion in full as presented should be supported, and that is what I will be doing.

**MR CAIN** (Ginninderra) (4.19): Despite the Chief Minister’s very pious presentation of the government’s commitment, saying “There is nothing really to see here,” why does he not support my “calls on”, which simply repeats the government’s promises and urges the government to go to the multicultural advisory board and explain what is going on?

Mr Braddock himself said, “The community is a bit confused and disappointed.” That is certainly the feedback I am getting. That is certainly the feedback my colleagues have been getting. So, if there is no kind of breaking of a promise, why would you not support my “calls on”—because it just says “keep your promise”. So there must be a problem that you are not really telling us about, Chief Minister. Who is playing with words now?

Apart from mentioning the promised \$21 million, 10,000 square metre indoor venue that is new and which will create hundreds of new local jobs, it then disappears from the language. There is nothing in Mr Barr’s “calls on” that says, “Do not worry; we are really going to do that.” Does that mean, “Oh, I forgot to put it in; that is actually what we are going to do”? He seems to be saying, “We are going to do it,” but then he is afraid to put it in writing again. I wonder why! I think I know the answer to that. It is because they are not going to do it. They say: “We are rolling out things and we are doing other infrastructure. Look at the Canberra Theatre.” Sorry, I am not quite sure that I was talking about the Canberra Theatre in my motion.

There is an avoidance of supporting their own promise. There is only way you can interpret that, quite frankly, and that is that they do not intend to fulfil it—another way of saying, “There is nothing really wrong here”, but then stay away from the actual language of their own promise. I do not know if it can be any more obvious. Surely this is so obvious. The facts were their facts. The promise was their promise. We do not know what is going to happen. We know that we are going to get a refurbishment for a fraction of the cost. We are going to get a new kitchen for a fraction of the cost of what they promised, and then we do not know what is going to happen next—if anything!

By the way, if they actually end up saying what is going to happen next, why would anyone believe them? Why would we believe you? That is what I will be telling the community over the next 12 months: “Why would we believe a promise of the government, when we have a demonstration here where they are unable and unwilling to keep their promise?” That is, if they ever actually intended to keep their promise. Did they ever really intend to deliver this this new 10,000 square metre, \$21 million venue? It is a broken promise.

Just for the record, I refute Ms Cheyne’s assertion that I do not believe in territory rights or the right to self-government. I affirm territory rights and the right to self-government. But what I can also affirm is that this government does not keep its own promises.

So I reject Mr Barr’s really pointless amendment, wherein he does not even reference in his own “call-ons” anything specific about what they are actually going to do. They might say, “Oh, yes, we will support the multicultural community. We will consult with them,” but will they keep their promise? Clearly not. I reject Mr Barr’s amendment and support my motion, and I thank my colleagues for doing so.

Question put:

That the amendment be agreed to.

The Assembly voted—

Ayes 14

Noes 7

Mr Barr

Dr Paterson

Mr Cain

Ms Berry

Mr Pettersson

Ms Castley

Mr Braddock

Mr Rattenbury

Mr Cocks

Ms Cheyne

Mr Steel

Mr Hanson

Ms Davidson

Ms Stephen-Smith

Mrs Kikkert

Mr Davis

Ms Vassarotti

Mr Milligan

Mr Gentleman

Mr Parton

Ms Orr

Question resolved in the affirmative.

Original question, as amended, resolved in the affirmative.

## **Federal government—territory rights**

Debate resumed.

**MR DEPUTY SPEAKER:** The question is that Mr Barr’s amendments to Ms Lee’s amendment be agreed.

**MS LEE** (Kurrajong—Leader of the Opposition) (4.29): I wish to speak to Mr Barr’s amendment, but, as members can see, I have also circulated my further amendment.

I want to address some of the comments that have been made, especially by Mr Davis and Mr Pettersson, who spent an extraordinarily long time during their contributions

to this debate putting forward conspiracy theory after conspiracy theory about what has apparently gone on in terms of the federal Liberals and the local Liberals. I think members opposite totally forget that this law passed a year ago. It is not as if, in the last year, it has been a big secret. I think they totally forget that convenient fact.

They are also, of course, absolutely forgetting the fact that the CPO, the AFP and Australian Border Force came out early this month expressing their dismay and concern about the devastating impact that this law may have on the Canberra community. Whilst it is all good for them to try to spin this story, they conveniently forget that this has been on the public agenda for a year. Of course, there has been public comment by the Australian Federal Police and Australian Border Force—national institutions—so there is no surprise that federal elected members are going to start paying attention.

The accusations and assertions that have been thrown about in terms of the conspiracy theories make it look as if they are taking a leaf out of Trump’s handbook. The conspiracy theories! The conspiracy theories that are being bandied about are ludicrous.

Mr Barr stated that he could not support my original amendment in itself because it does not allow the conveying of the Assembly’s views to the Australian parliament.

That is why I move my amendment to Mr Barr’s amendment to my amendment to Mr Barr’s motion:

1. Omit “and renumber accordingly”.
2. Add after paragraph (3): “and calls on the Speaker of the ACT Legislative Assembly to relay to the President of the Senate and the Speaker of the House of Representatives the ACT Legislative Assembly’s support for Territory rights.”.

My further amendment seeks to add a paragraph calling on the Speaker of this Assembly to convey to the Australian parliament the strong view that is agreed to—that is the pertinent point—by all parties represented in this chamber! Let us be brutally clear about this: if those opposite do not support my further amendment, it will be abundantly clear, it will be crystal clear, that this is nothing more than what I have already called it out to be—a stunt to score cheap political points to deflect from the gross failures of this Labor-Greens government and from the gross betrayal of the confidence and faith of the Canberra community when it comes to the performance of this Labor-Greens government!

Have a look at the string of failures of this Labor-Greens government. What is the status of our health system? What is the status of our education system? How is our housing crisis going? How is the resourcing for our police and emergency services on the front line? How is our skyrocketing debt, which Canberrans are already paying over \$1 million a day to service? What is the status of the poor maintenance of our suburbs? And where is the apology? Where is the embarrassment and the shame over the hundreds of millions of taxpayers’ dollars that have been mismanaged through dodgy procurements and projects? Deflection, spin, gaslighting, disrespect, contempt, and utter disdain for transparency, accountability and ministerial responsibility are the

legacies of this Labor-Greens government. There is a debt so large that it will burden future generations of Canberrans well after every single member in this place has long gone. That is the legacy of this Labor-Greens government, and no number of stunts and cheap political points will deflect from that.

This is a pathetic attempt to spin and create a diversion, because Canberrans are now starting to see this government for what it really is: a government so arrogant, so tired and so beyond caring about the Canberra community, which has afforded it the privilege to make decisions for and on behalf of it. That is what it comes down to. If you look at my amendment and my further amendment, you will see that there is no way that Labor and the Greens members are genuine in dressing this up as “We care about territory rights”. If those members are genuine and serious that we as an Assembly should convey our strong views to the Australian parliament, then they should have no problems supporting, accepting and voting on my further amendment. I commend my amendment to the Assembly.

**MADAM SPEAKER:** The question is that Ms Lee’s amendments to Mr Barr’s amendments to Ms Lee’s amendment be agreed.

**MR BARR** (Kurrajong—Chief Minister, Treasurer, Minister for Climate Action, Minister for Economic Development and Minister for Tourism) (4.36): It is getting to the point of absurdity, Madam Speaker.

To endeavour to clear a pathway forward, the government is happy to add the words “and calls on the Speaker of the Assembly to relay to the President” to the motion. That is acceptable. We cannot support the first part of Ms Lee’s amendments, which simply seeks to delete “and renumber accordingly,” because we will then have a motion that will have added in some new elements, and if we do not renumber them then it is illogical and it is not clear what is being deleted, other than “and renumber accordingly”.

What we are seeking to do is to incorporate the points Ms Lee has made—that all members of the Assembly support the right of the Assembly to make and pass its own laws, and that there is tripartisan support in the Assembly for territory rights, and that we call on the Speaker to convey that—in addition to the points that are in my original amendment.

On that basis, I will move that the question be split and that we vote on each part of Ms Lee’s amendments. I indicate that the government will oppose point 1 because it is illogical, does not achieve what I think Ms Lee is seeking to do. Instead, it would render the entire motion useless, with duplicate numbers and no other numbers. We are happy to support point 2, which would add “calls on the Speaker of the Assembly to convey”. We would need to do that anyway in relation to the letter that is contained within the earlier element of the motion. For those reasons, I move:

That the question be divided.

**Ms Lawder:** Point of order, Madam Speaker. It says in the standing orders that the Clerk can correct minor errors in motions and amendments, so I think we could allow

Ms Lee's amendment as is and allow the Clerk to correct it later. I would like your ruling on that, under standing order 147A.

**Mr Gentleman:** On the point of order, Madam Speaker, the motion has been moved by the Chief Minister to split this question.

**MADAM SPEAKER:** I am going to put the question that what is in front of us is split. So the question is that Ms Lee's most recent amendment is split.

*Ordered that the question be divided.*

**MADAM SPEAKER:** The question is that point 1 of Ms Lee's most recent amendments, be agreed, namely:

1. Omit "and renumber accordingly".

**Mr Parton:** We are just talking about the splitting?

**MADAM SPEAKER:** We have split it. Now we are dealing with the substance of the split points, point 1 and point 2.

**MR PARTON** (Brindabella) (4.39): I am not quite sure what I am speaking to anymore, but let us be honest about what is going on here, Madam Speaker. I think you and I can be honest with each other. This motion is about division, and certainly that is what most of the government members are focusing on. They are focusing on their perceptions of division on this side.

Let me talk to you about happy families and let me promise you this: it is a much happier family on this side of the chamber than on that side of the chamber. How absurd that this mob tramp on down here and try to lecture us about political division! My word! There is nobody who knows more about political division than ACT Labor and the Greens. I would suggest that this stunt today, as was the case yesterday, is to try to take people's attention away from their own dysfunction. That is what is going on.

The great chasm that is opening up between Labor and the Greens is much wider than any mythical division that you are trying to materialise in my party. You guys are the kings of division. You have got it down pat. Hate is a very strong word, and I do not actually hate anyone in this place, but let me tell you: the only people who hate the Greens more than us are ACT Labor! The only people who hate the Greens more than us are ACT Labor! Do not dare lecture us about political division when your own cabinet could not publicly agree on certain aspects of the budget! We have seen the drama play out in this chamber; we have seen it play out on the streets over a long period of time.

Who was in the chamber to hear that savage attack that Dr Paterson made on the Attorney-General the other day? Did you hear that? Did you not hear Mr Davis savage Ms Berry in the estimates hearings? Did you not hear Mr Davis challenge Mr Barr in question time today—and how about his response, where he dismissed Mr Davis?

Here is the thing: you guys are actually flying the plane. The plane is in the air and, certainly according to Standard & Poor's, we are heading towards the side of a mountain, and you guys are having a punch-up in the cockpit as to who should have their hands on the steering wheel!

You have all signed a power-sharing agreement but it does not seem to be worth anything. Do not dare talk to us about division when the two parties in government cannot stand the sight of each other. They cannot stand the sight of each other. I am the member of a political party which allows robust discussion on most matters and, yes, that discussion is often quite willing. It is often quite willing and it is a part of the healthy democracy that is the Liberal Party. Whatever robust debates may or may not exist within my party pale into complete insignificance against the dangerous dysfunction between you guys. I would suggest that you should focus—

**Mr Gentleman:** Madam Speaker, I move that this member no longer be heard. I move:

That the question be now put.

*Opposition members interjecting—*

**MADAM SPEAKER:** Members! As tempting as your question may be, Mr Gentleman, there are a few minutes left for Mr Parton. I am going to let him continue, but I would just remind everybody to focus on policy and to be respectful in the debate.

**Mr Hanson:** On a point of order, Madam Speaker, Mr Parton is responding to debating points raised by numerous members opposite. He is entitled to do that. It is entirely in order because these are points raised by those opposite.

**MADAM SPEAKER:** I have dealt with it, thank you.

**MR PARTON:** In closing, I believe that those on that side of the chamber should focus on limping through to the next election before it comes to physical blows between the two of you! Thank you.

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

That the question be now put.

**MADAM SPEAKER:** We are dealing with Ms Lee's amendments that have been split.

Question put:

That Ms Lee's amendment No 1 to Mr Barr's proposed amendments to Ms Lee's proposed amendment be agreed to.

The Assembly voted—

Ayes 8

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

Noes 15

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

**Ms Lee's** amendment No 1 to **Mr Barr's** proposed amendments to **Ms Lee's** proposed amendment negated.

**MADAM SPEAKER:** The next question is still on Ms Lee's most recent amendments to Mr Barr's amendments et cetera. It is:

2. Add after paragraph (3): "and calls on the Speaker of the ACT Legislative Assembly to relay to the President of the Senate and the Speaker of the House of Representatives the ACT Legislative Assembly's support for Territory rights."

**MR BARR** (Kurrajong—Chief Minister, Treasurer, Minister for Climate Action, Minister for Economic Development and Minister for Tourism) (4.50): The government will support this addition, because this is to add to Ms Lee's amendment to my original motion. The effect of voting for this will be that when we get to the next vote there will be three new components that are added to the motion.

Those three new components are that all members of the Assembly support the right of the ACT Legislative Assembly to make and pass its own laws, that there is tripartisan support for territory rights and that it will call on the Speaker to convey in the terms that the Speaker has just read, which are part 2 of this motion. The government is happy to support this.

Because we have not deleted "and renumber accordingly," the Clerk has the capacity under the standing orders to make the adjustments to the different elements, because that is what my amendments to Ms Lee's proposed amendment would do. Ultimately we can then vote on what will now become a combined amendment to the original motion, which the government would then be happy to support.

**MADAM SPEAKER:** The question is that the second part of Ms Lee's amendments to Mr Barr's amendments be agreed to. Then we will come to your amendment, Mr Barr. That is the question before you: part 2.

**Ms Lee's** amendment No 2 to **Mr Barr's** proposed amendments to **Ms Lee's** proposed amendment agreed to.

**MADAM SPEAKER:** Now we are moving to Mr Barr's amendments, as amended, to Ms Lee's proposed amendment. As so well put by Mr Barr that would include what we have just accepted from Ms Lee's amendment to Mr Barr's amendment.

Question put:

That Mr Barr's amendments to Ms Lee's proposed amendment, as amended, be agreed to

The Assembly voted—

Ayes 15		Noes 8
Mr Barr	Ms Orr	Ms Castley
Ms Berry	Dr Paterson	Mr Cocks
Mr Braddock	Mr Pettersson	Mr Hanson
Ms Burch	Mr Rattenbury	Mrs Kikkert
Ms Cheyne	Mr Steel	Ms Lawder
Ms Davidson	Ms Stephen-Smith	Ms Lee
Mr Davis	Ms Vassarotti	Mr Milligan
Mr Gentleman		Mr Parton

**Mr Barr's** amendments to **Ms Lee's** proposed amendment, as amended, agreed to.

**MADAM SPEAKER:** The other amendment was Ms Lee's first amendment, but I think that's been superseded because it's been incorporated into the other.

**Ms Lee:** Yes.

**MADAM SPEAKER:** As it is clear that the Assembly supports Ms Lee's amendment, as amended, the question now is that the motion, as amended, be agreed to.

**MR BARR** (Kurrajong—Chief Minister, Treasurer, Minister for Climate Action, Minister for Economic Development and Minister for Tourism) (4.53): I am now closing. After that series of amendments, I think I can summarise by observing that there is agreement in relation to the now augmented motion that adds three elements that the Leader of the Opposition has sought to add to the motion, and the government has agreed to add those three elements. Those three elements are that all members of the Assembly support the right of the Assembly to make and pass its own laws, that there is tripartisan support and that the Speaker convey this.

There will also be a letter that will be sent. I will interpret from the "no" votes of those opposite that they do not intend to sign it, but the letter will indeed convey the points, provided the Assembly votes for the amended motion, of course, that all members support the right of the Assembly to make and pass our own laws. It is just that some people will not sign anything to that effect. That will be the outcome of this process. Nevertheless, the statement is there and we will take it on face value that that is the position, even though some people are not prepared to put their name to it.

I table the following paper:

Territory Rights—Support—Copy of draft letter to the Speaker of the House of Representatives and the President of the Senate, Parliament of Australia signed by Andrew Barr MLA, undated.



**MADAM SPEAKER:** That will be circulated now. As I understand it, there will be a mechanism for that to be—

**MR BARR:** Here's something we prepared earlier!

**MADAM SPEAKER:** Yes. Members, the question before you is that Mr Barr's motion, as amended, be agreed to.

Original question, as amended, resolved in the affirmative.

**MADAM SPEAKER:** The numbering will be tidied up, courtesy of the Clerk. Those with an interest, perhaps talk to the government whip about signatures. It is an unusual instruction, but there you go.

### **Courts Legislation Amendment Bill 2023**

Debate resumed from 27 June 2023, on motion by **Mr Rattenbury:**

That this bill be agreed to in principle.

**DR PATERSON** (Murrumbidgee) (4.56): I stand here to express my support for the Courts Legislation Amendment Bill 2023. This bill represents a step forward towards improving the efficiency and accessibility of our justice system in the Australian Capital Territory. Its proposed amendments promise to streamline court operations, enhance judicial tenure, clarify legal immunity and promote fairness in legal proceedings.

The bill proposes to make amendments to the Court Procedures Act, the Magistrates Court Act and the Supreme Court Act to recognise the evolution of the associate judge's role, which now closely resembles that of a resident judge. By doing away with this distinction, we enhance court listing flexibility, ensuring that judges can hear all types of matters. This in turn will lead to more efficient court operations, providing quicker access to justice for all.

This bill extends the maximum term of appointment for acting judges from 12 months to two years. This change aligns with the principles of judicial tenure, ensuring the continuity of access to court resources when resident judges are unavailable. It safeguards the independence of our judiciary while bolstering the efficiency of our courts.

Further, this bill provides a clarifying measure that ensures the common law immunity of Supreme Court judges extends to ACT magistrates, registrars and deputy registrars when exercising delegated court functions. This straightforward clarification eliminates ambiguity and uncertainty that have been persistent since 1930. It aligns the ACT with immunity provisions in other jurisdictions, further enhancing the independence of our judicial officers.

Further, this bill addresses the existing limitation in our court system by allowing the Court Procedure Rules 2006 to order court costs against non-parties to proceedings. This bill makes headways for the legal system in the ACT.

Currently, we are the only jurisdiction in Australia that prohibits such cost orders. This amendment rectifies this inequality, ensuring that parties who are entitled to costs receive them. It enhances access to justice, aligning the ACT with other jurisdictions and promoting fairness in legal proceedings.

The scrutiny committee reported that these amendments may, in the balance of rights, limit certain individual rights: the right to privacy and reputation and the right to a fair trial. However, I believe that, in the balance of rights, these limitations are proportionate to the legitimate purpose of enhancing access to justice.

In essence, the bill strikes a delicate balance between enhancing access to justice and safeguarding individual rights. It is a rational and proportional approach that respects the principles of justice and fairness in our legal system. That is why I support this bill passing today.

**MR CAIN** (Ginninderra) (4.59): The Courts Legislation Amendment Bill 2023, as Dr Paterson has mentioned, aims to reform the court's legislation to, as stated in the explanatory statement:

Improve the efficacy of ACT court operations, organisation structures and processes to ultimately make it quicker and easier for people to access justice.

In broad terms, I support that understanding of the bill, and the Canberra Liberals will be supporting this bill.

There are a couple of minor changes, as have already been spoken of. The first provision of the bill will remove the associate judge position and replace that with the role of sixth resident judge, formally called the Master. I understand the reasoning behind getting that sixth resident judge cemented into legislation without the need for an associate judge or even a master-level position. It also extends the maximum appointment term of an acting judge from 12 months to two years, which is uncontroversial in my opinion.

The third one, though, does give me cause for concern. The third amendment clarifies that the common law immunity of Supreme Court judges applies to ACT magistrates, as it should have clearly done so. So it is of interest to me that it needs clarifying under the legislation, when that really should have been crystal clear from the word go.

Given the immunity that is deserved by our judicial officers, it is disappointing to see that there was some uncertainty hanging over the magistrates that requires a legislative fix. I would certainly be interested in any instances where that had actually put a magistrate at risk. Perhaps the Attorney-General could offer a briefing if that really has been the case.

The last amendment, again, does something that the ACT seems last to the party about. It provides the power to the court to order cost against non-parties to proceedings, particularly in emerging practice or cases to frequently be funded by someone with an interest in the outcome or even an interest in stopping the litigation, like often insurers and companies that obviously have no security to support their supposed funding and professional funders and shareholders.

So there is a category of individuals and entities that choose to fund litigation for their own purposes and occasionally that could even be vexatious litigation. To extend the power of the court to actually order that non-party funder to pay costs does seem a very sensible thing to do.

It is of interest that all the other states and the Northern Territory had this. Again, I am disappointed that we seem to be last to bring in something that is universally recognised as an important aspect of access to justice and the administration of justice in the territory.

I want to thank again the department officials for a briefing I had in mid-August on this bill. I will note that there was a question that I posed during that briefing on 14 August. This morning I received a response to a question I raised in that 14 August briefing. It was only at 10.50 this morning that I received a response from the Attorney's senior legal adviser in his actual office.

I got this response this morning. If we had been in normal timing, I could have been speaking to this bill within minutes of receiving this four-page email advice. So I do request of the Attorney that, if I have posed a question during a briefing—and, again, I do appreciate the opportunity that was given for that—I do not get the response to a question I raised potentially minutes before I am up to speak about that very thing.

I do not necessarily put any mean-spirited attitude behind that. But certainly a more timely response to a question would be appreciated. In fact, it would be courteous to the shadow Attorney-General.

We will be supporting this bill. The points that I have made are not just critical for the sake of being critical; they are observations of how we should be an exemplary jurisdiction in having a legislative scheme to support the administration of justice in the territory, and I do think we can do better.

**MR RATTENBURY** (Kurrajong—Attorney-General, Minister for Consumer Affairs, Minister for Gaming and Minister for Water, Energy and Emissions Reduction) (5.04), in reply: I welcome members' support for the legislation. This bill is part of the government's commitment to the ongoing review and reform of court legislation, to ensure the ACT has an accessible, fair and efficient justice system that can also protect our most vulnerable communities.

The bill makes a number of improvements and efficiencies through amendments across the Court Procedures Act 2004, the Supreme Court Act 1933 and the Magistrates Court Act 1930. It also makes consequential amendments to other legislation to improve the efficiency of the ACT courts operations, structures and processes, making it quicker and easier for people to access justice.

Passing this bill will enhance the efficiency of our ACT courts and will support greater flexibility in allocation of court resources by removing the associate judge position, known as the master, which will be replaced with the appointment of a sixth resident judge on the ACT Supreme Court. The role of the associate judge was originally introduced as a more junior judicial role that would predominantly preside

over interlocutory work and some other civil matters. However, over the years the jurisdiction of the associate judge has widened significantly such that it is now very close to that of a resident judge. The associate judge role has, over time, expanded through amendments to the Supreme Court Act in 1988 and 1991, and with the introduction of the court procedure rules in 2006. This associate judge now exercises the same inherent civil jurisdiction of a single judge of the Supreme Court.

While the associate judge was given jurisdiction in some criminal matters through amendments made in 2009, 2017 and 2018, there remains a small scope of criminal matters that resident judges are able to hear which an associate judge cannot. By replacing the associate judge position with a sixth resident judge, the bill facilitates structural changes within the court and provides greater listing flexibility and efficiency, as all Supreme Court judges would be able to hear all types of matters.

The bill also extends the maximum term of acting judges from 12 months to two years, bringing these judicial appointments more in line with the principle of judicial tenure and helping to safeguard judicial independence. It also reduces the administrative burden of having to reappoint acting judges every year through a long and complex appointment process, which then allows the courts to focus on substantive court matters. As acting judges step in on an as-needs basis to cover cases where resident judges are unavailable, the extension of their terms of appointment will lead to greater efficiencies and will support continuity of access to court resources.

The bill further improves the function of the ACTs courts and protects judicial independence by clarifying and updating the immunity provisions for magistrates which have remained substantially unchanged since 1930. The bill clarifies the existing immunity provisions, to provide greater certainty on the scope and application of immunity to magistrates. This will ensure that our ACT magistrates are afforded appropriate immunity and will bring the ACTs approach to magisterial immunity in line with other Australian jurisdictions.

Lastly, as has been noted, the bill will make a change that will enhance access to justice for the ACT community by providing the courts with the power to make non-party costs orders. The ACT is the only jurisdiction to prohibit its courts from making costs orders against a non-party to a proceeding, except under certain prescribed circumstances. This can result in inequities and denial of justice to parties who are otherwise rightly entitled to receive costs. The bill will enable the rule-making committee to make rules to enable a court to order costs against non-parties to proceedings where it is in the interests of justice to do so, thus promoting greater fairness in the allocation of costs. It is worth noting that the scope of this power will be appropriately limited by the established commonwealth principles of Knight that apply to making costs orders against non-parties.

In conclusion, I am pleased to say that this bill will make necessary improvements to the ACT courts to ensure they remain effective and sustainable into the future by delivering greater equity and facilitating structural change, enabling the courts to better serve the Canberra community. I welcome members' support for the bill and commend it to the Assembly.

Question resolved in the affirmative.

Bill agreed to in principle.

Leave granted to dispense with the detail stage.

Bill agreed to.

## **Correction to the record**

**MS STEPHEN-SMITH** (Kurrajong—Minister for Aboriginal and Torres Strait Islander Affairs, Minister for Families and Community Services and Minister for Health) (5.09): I rise briefly to correct the record on something I said last Wednesday in question time in responding to a question from Ms Castley in relation to a series of correspondence between me and the Chief Minister, and me and Calvary.

I said that, as it looked like we were potentially going to reach agreement with Calvary, we would be able to transition the land without having to legislate. I wrote to the Chief Minister, as reported in the *Canberra Times* and available through FOI, requesting that the legislation be removed from the legislative forward agenda, because the negotiations with Calvary actually looked like they were going to reach agreement. It has been drawn to my attention that my letter to the Chief Minister is not available through FOI, so I just want to correct the record. I have advised Ms Castley that I am looking into whether I can release that in another way.

## **Adjournment**

Motion (by **Ms Cheyne**) proposed:

That the Assembly do now adjourn.

## **Mr Robert Eakin—tribute**

**MS CHEYNE** (Ginninderra—Assistant Minister for Economic Development, Minister for the Arts, Minister for Business and Better Regulation, Minister for Human Rights and Minister for Multicultural Affairs) (5.10): I rise this evening to celebrate the life of Robert Eakin and to express my sincere condolences to his family and to his friends.

Rob was born on 20 August in 1939 in Bowraville to dairy farmers. From a young age it was clear that Rob had an inquiring mind, but, more than that, he could literally turn his hand to anything he wanted. Notably, in 1956 he was selected for the Olympic torch relay. This was not something offered to just anyone. He had to run a mile in six minutes—and it is all the more remarkable when you know that the four-minute mile had only just been achieved—but Rob could do it and he was selected, running in Nambucca Heads, up and down hill no less.

Rob received a teacher's college scholarship and trained at the Alexander Mackie College of Advanced Education. Then he was the only teacher at his first school and had to make do with the chalk that he found on the ground, because he was without any supplies, but nothing deterred Rob.

Rob met Robin, who is here with us today, in October 1963 in Bathurst. He would fondly recall that on that first meeting he knew that she was the one for him, and sure enough they were engaged by Easter and married on 29 August 1964. Robin recalls one of their very first dates was foraging for antlions—insects which dig pits to trap passing ants—because Rob wanted to show his students their behaviour.

Rob and Robin soon moved to Canberra and lived in Lyons, with Rob seeking a potential change in careers and studying science and forestry at the ANU, while Robin worked at Lyneham High School. They welcomed their daughters, Jane and Fiona, to the family in 1968 and 1969 respectively.

It became clear that careers in forestry were few, so Rob joined the Australian education department. This role included a stint in Darwin for five years in the mid-1970s in school planning and infrastructure recovery following Cyclone Tracy. On return to Canberra and now living in Hawker, Robin joined Belconnen High as a music and English teacher. She oversaw the popular and high-achieving Belconnen High School Band program, Belconnen Musicians, for 13 years which toured overseas four times.

As always, Rob and Robin were a team. With Robin working into the evening, Rob took over the home duties and he supported Robin with the band in every practical way he could—manager, fetcher and carrier—and was always relied on to set up and take down. Unsurprisingly, instruments with heavy use require repairs from time to time, which is an expensive undertaking, especially for a band, but Rob had a solution. He went to the US and he undertook a three-month course in how to repair band instruments. What is more, he taught himself to play all the instruments too so he could check, for sure, that everything was in order once repaired. Rob also passed his knowledge on to many, including in his last days.

Rob and Robin have always lived Labor values. In 2013, they took the next step and decided to offer their practical help to the party, responding to a call for volunteers from Andrew Leigh's office. Soon after, they were awarded, at the ACT Labor Conference, Volunteers of the Year.

It is at the Belconnen sub-branch that I got to know Rob and Robin as friends and saw and enjoyed the extraordinary personal and practical encouragement they offered, and offer, so many people. Rob and Robin established a knitting group of like-minded people who would gather to discuss politics, enjoy Rob's fantastic coffee and knit blankets for families in need. They established extraordinarily strong friendships in that group, including Roz Lambert, who is present today. They threw their support behind candidates at ACT and federal elections. Rob, in particular, was a fixture in the depths of winter at Jamison Plaza and the Hawker shops. Rob proudly took on duties of attaching corflutes to stakes for many candidates, which any of us here knows is a huge undertaking. (*Extension of time granted.*) In Rob's usual fashion, he devised a method which was the most efficient and effective, to the relief and the gratitude of everyone he assisted.

Rob was diagnosed with bladder cancer in late 2016, which was a difficult time that he approached with stoicism and his trademark good humour. He was never short of a

kind word or an invitation for coffee, and he continued to help in any way he could. In 2019, we celebrated Rob's 80th birthday, which was a fantastic and memorable occasion at their home in Hawker.

Despite an incredible fight, earlier this year it became clear the cancer was back and had spread. I was very lucky to be able to spend time with Rob in his final weeks, as I know many of my Labor local and federal colleagues were able to as well. Rob remained sharp-witted and kind as always.

Rob died on 10 May. He is so dearly missed. He often quoted *Ulysses*, that he was part of all he had met, and all of us who knew him continue to draw great comfort from this.

Vale Rob Eakin. Rest in peace.

### **Multicultural events—African Australian Council ACT**

**MRS KIKKERT** (Ginninderra) (5.17): I rise today to express my gratitude to the African Australian Council ACT for inviting me to their Dera Night event two weeks ago. A dera is a colourful dress common in East Africa, and attendees made sure that there were many examples to appreciate on the night.

But the purpose of this important event was more than admiring eye-catching African textiles. Instead, the focus of the second annual Dera Night was squarely on bringing awareness to women's health matters.

The three key priorities identified by the team of community volunteers behind this event were to promote equality, inclusiveness, and sisterhood in a fun-filled, safe, and social environment. They skilfully accomplished these aims and so much more.

Speakers included Mrs Anaisel Garcia, Mrs Roseline Ashepet and Dr Taiye Oguns from Kenolta Medical Centre. Michelle and Julie from BreastScreen ACT also participated.

In addition to information-filled talks, guests were treated to delicious food, including Flo's tasty pilau and a strikingly colourful cake artfully executed by Dorcas Dauda. Zambezi Sounds provided music that got participants up and dancing.

I take this opportunity to thank the volunteers who planned and executed this valuable event, including Betty Macharia, the council's secretary and Dera Night team leader; council president Yvette Poudjom Djomani; treasurer Jeannot De Nadjitein; communications officer Jackie Wairimu; and youth coordinator Rabi Celestina. Volunteers from the East African Community Association included secretary and health professional Gladys Kamale and youth coordinator Mercy Lelei.

Likewise, I thank the following for their contributions: mental health advocate Purity Goj; health professional Michelle Anyango; Philippa Kimburi, who did the decorating; and photographers Liz Kinuthia and Ahmad. Special thanks also goes to youth volunteers Hawa, Lungowe, Julie, Simina and Phoebe.

Sometimes it is not easy for women to talk about our health. I support the African Australian Council ACT's efforts to normalise such conversations with a focus on holistic approaches, cultural competence and positive cultural health practices. I believe that many will benefit from having participated in this event. I am already looking forward to next year's Dera Night.

### **West Belconnen Junior Rugby League FC—50th anniversary**

**MR CAIN** (Ginninderra) (5.20): I rise to speak about the recent West Belconnen Junior Rugby League Football Club's 50th anniversary, which I was delighted to attend last Saturday 16 September at the Raiders Belconnen, Holt.

It was especially delightful for me to meet a Raiders and rugby league legend, Mr Neil Henry, who is currently on contract with Australia Rugby League to coach coaches and to really impart his very significant experience in coaching NRL teams.

Rugby league is much loved in Belconnen. Out of respect, I played it really badly in my junior school years—very badly indeed. Forgive my little play on words that is about to happen. I started as a hooker in the scrum. They then moved me to the centre, then to the wing, then to the fall-back and then left right out—the best position I have ever played in, I have to say, not on the field, of course. But I do love my rugby league. I support the Canberra Raiders and try to get to the games out there at GIO Stadium when I can.

This dinner was a very special event—50 years of operation of this club in West Belconnen and Belconnen. The club was formerly called the West Belconnen League Club: the spiritual home of rugby league in the electorate of Ginninderra.

The West Belconnen Warriors have been a prominent local junior club in the Ginninderra electorate for half a century. Since 1973, the Warriors have been the breeding ground for a significant talent of rugby league stars in the Canberra region rugby league, and even the national rugby league. Notable juniors, for example, that have come out of West Belconnen include Bradley Clyde, Bailey Simonsson and Matt Frawley.

In the 2023 season, with grand finals just last weekend, a massive 10 teams from this club in the junior ranks qualified for grand finals, with eight coming away with victory. I pay credit to the various West Belconnen juniors teams who achieved such amazing results in the 2023 season and have done the West Belconnen region very proud.

The champion Warriors for 2023 include the Under-16 Blues, the Under-16 Golds, the Under-14 Blues, the Under-14 League Tag, the Under-13 Girls, the Under-11 Girls, the Under-11 Blues and the Under-10 League Tag. I also note that the Under-13 Golds and Under-12 league tag teams, though losing their grand finals, put in valiant efforts.



Of course, this wonderful club could not do what it does without the commitment and efforts of their players, coaches, officials, volunteers, sponsors and families. That was well on display at the dinner on Saturday night, which included an award-giving component, as well as Canberra Rugby League officials, referees, sponsors who were represented.

I want to thank the West Belconnen Warriors Committee and event organisers for accepting my expression of interest to attend their gathering, and I look forward to further participation with this game of rugby league in our wonderful city and, in particular, in my electorate.

### **Dementia—Dementia Action Week**

**MS LAWDER** (Brindabella) (5.24): I am pleased to rise today to provide information to members in the chamber about Dementia Action Week, which is taking place this week from 18 to 24 September. This coincides with World Alzheimer’s Day on Thursday 21 September—that is tomorrow. Led by Dementia Australia, this year’s theme for Dementia Action Week is “Act now for a dementia-friendly future”.

Sadly, there are more than 400,000 Australians living with dementia, including 5,650 here in the ACT. We must ensure that these Canberrans are supported by the community and are kept at the forefront of the government’s mind in their programs and infrastructure.

I recently visited the Alchemy Chorus, which is a group of volunteer musicians and people living with dementia and carers who meet on Thursdays for a morning of singing and sharing stories. They also have a fabulous morning tea with excellent scones. After my visit, Alchemy Chorus founder and conductor, Brian Triglone OAM, shared with me a quote that he had been sent by one of the carers involved. They said:

Like many in the choir, life is tough and the future is uncertain. I sometimes arrive feeling tired and stressed but walking through the doors to the chair changes that. I am standing, singing and feeling totally different. Troubles gone.

They continued:

I am not just a carer. My partner is no longer someone with Alzheimer’s. We are choir members. For both of us, the choir is a weekly dose of joy. Words cannot express how much it means to us. Nothing else we have done since starting on the Alzheimer’s journey has meant as much as Alchemy Chorus.

I know from my visits that they lift my spirits. The feeling in the room of people enjoying the music and being part of a choir is palpable.

It is important this Dementia Action Week that we recognise the work of community organisations such as the Alchemy Chorus. I would also like to acknowledge the fine

work of Dementia ACT. I also hear good things about organisations such as Community Home Australia, which includes Club Kalina in my own electorate of Brindabella.

Just last week, it was my privilege to attend the annual Cope Lecture at the University of Canberra, which was delivered by Dr Rodney Jilek, talking about gerontological care, especially for people living with dementia.

It is so crucial as a community that we continue to get behind our fellow Canberrans living with dementia. Many Canberrans will be personally travelling the dementia journey either themselves or with their parent, grandparent or partner.

As shadow minister for seniors, I remain committed to demanding better outcomes for those of all ages living with dementia and personally working towards that. While I am proud that, after much advocacy, my calls for dementia considerations to be included in the Age-Friendly City Plan were answered, I feel we still have a long way to go. I believe that all Canberrans would like to see our city become a place where residents living with dementia feel safe, included and supported.

Question resolved in the affirmative.

**The Assembly adjourned at 5.28 pm.**