



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

**DAILY HANSARD**

Edited proof transcript

21 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 **Thursday, 5 October 2023**.

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**Thursday, 21 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.

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

That leave of absence be granted to Ms Lawder for this sitting due to her attending shadow ministerial duties.

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

That leave of absence be granted to Mr Rattenbury (Attorney-General) for this sitting due to his attending ministerial duties.

## **Children and young people—Child and Adolescent Clinical Services Plan 2023-2030**

### **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 today to provide a further update on the work of the Child and Adolescent Clinical Services Expert Panel and the final Child and Adolescent Clinical Services Plan. The expert panel has done an enormous amount of work to consider the range of child and adolescent health needs in the ACT, including undertaking substantial consultation with stakeholders across the health and broader care system. It has now finalised the plan for children and adolescents accessing health services in the ACT, with the vision to see “children, adolescents and their families have easy access to a caring, inclusive and high quality health system in the ACT that enables them to live their best and healthiest lives” now and in the future.

As the Assembly is aware, in August 2022 I released the ACT Health Services Plan 2022-2030, a key deliverable under Accessible, Accountable, Sustainable: A Framework for the ACT Public Health System 2020-2030. The ACT Health Services Plan sets a road map for this decade for the redesign, investment in and redevelopment of health services funded by the ACT government. The development of the Child and Adolescent Clinical Services Plan was identified as a priority action under the Health Services Plan. In September 2022 I established the Child and Adolescent Clinical Services Expert Panel, consisting of independent members, as well as decision-makers from across the ACT public health system. The panel has met 13 times since its establishment and engaged with local and interstate experts, consumers, carers and the broader community.

I would like to take this opportunity to thank each member of the expert panel, and those who supported them, for their diligence, their hard work and the thoughtful way they have considered the priorities for this plan. I have been very impressed by the expert panel and the richness that this model can bring to our work in the ACT. The expert panel is chaired by an independent paediatrician, Professor Michael Brydon and includes interstate medical and nursing paediatric experts; a consumer representative; the ACT Discrimination, Health Services, Disability and Community Services Commissioner; and executive staff from Canberra Health Services and the ACT Health Directorate. I want to particularly acknowledge Professor Brydon for his commitment to this important work and his focus on delivering a practical plan with a clear focus on the needs of children, adolescents and their families.

The panel has considered a range of data and factors relating to the provision of care for children and adolescents in the ACT and surrounding region, including demographics, population projections and health status; health service utilisation, including access to interstate care; recent reviews of paediatric clinical services, including the actions and recommendations from those reviews to consolidate those that are still considered a priority into one plan; the Health Care Consumers Association's Consumer and Family Experiences and Expectations of Accessing Interstate Specialist Care: The Kids Interstate Shared Care project; and feedback from health services, clinicians, Aboriginal and Torres Strait Islander consumers, the Community Services Directorate, the Sydney Children's Hospitals Network and other experts.

The result is a plan that considers the healthcare needs of all children and adolescents, from zero to 16-years-plus, whatever carer relationship exists around them. While some data in the plan remains focused on traditional age definitions, this plan considers services for older adolescents, as they will still receive services planned for younger people until they have successfully transitioned to adult health services.

According to the Australian Bureau of Statistics, in 2021 children aged zero to 14 years made up 18 per cent of the ACT population, which is approximately 83,000 children. From New South Wales data we also know that there are more than 38,000 children aged zero to 14 in the Southern NSW Local Health District. Through to 2041 we can expect the number of ACT children to increase by 1½ per cent per year, with Belconnen, Gungahlin and Tuggeranong having the largest numbers of children in this age group.

We know that in some areas we are doing better than other Australian jurisdictions at minimising avoidable health risks for children. For example, 95.7 per cent of five-year-old children are fully immunised and 94.7 per cent of women in the ACT do not smoke during pregnancy. This helps to ensure that children in the ACT have the best start in life. We will continue to support families in minimising health risks for children.

The Child and Adolescent Clinical Services Plan focuses on ACT government-funded clinical services for children and adolescents. However, the expert panel and the Health Services planning team have made every effort to consider the spectrum of areas where overlap occurs across paediatric and child health and human services in order to strengthen how services work together around families. The plan also considers the interaction with other child health services operating in the region, including general practitioners, Winnunga Nimmityjah Aboriginal Health and Community Services, private paediatricians and other clinicians, our many non-government organisations, and condition-specific support groups and services.

Across the ACT's public health services there were 33,407 emergency department presentations, 9,654 admissions and 3,022 operations in 2020-21 for those aged zero to 16 years. In 2021-22 there were 235,543 paediatric outpatient appointments or service events provided by Canberra Health Services. Every day our ACT public health services work incredibly hard to support children, adolescents and their families from the ACT and the surrounding region to access exceptional care across a range of services. I want to take this opportunity to thank the doctors, nurses, midwives, allied health professionals and support staff who work with children and young people across our health and community services every day.

The expert panel undertook targeted consultation on the draft plan between 15 May and 30 June this year. All feedback was considered and there were other minor changes to the plan prior to finalisation in August. In particular, the expert panel considered the various views expressed about recommendations for the development of paediatric intensive care services. They spent considerable time working through this action with the stakeholders who held differing views on the way forward, and revised their recommendation after extensive discussion with local and interstate subject matter experts.

Now that it is finalised, the plan will assist the ACT government to deliver on our ongoing commitment to support children and adolescents to receive high quality, safe and accessible health care that also recognises and respects the experiences and expertise of their families and carers.

The Child and Adolescent Clinical Services Plan 2023-2030 has four objectives, outlined as priority areas for investment, to deliver quality healthcare services that are age appropriate and family centred. These objective areas are: improve care, access and processes for children using ACT public hospitals, including seriously unwell children; improve care and services for children with chronic and complex conditions and their families, where care is shared with Sydney Children's Hospitals Network; improve care and processes for children requiring local outpatient and community-based services and their families; and enable the health system to better respond to the needs of children and their families.

Each of the objectives in the Child and Adolescent Clinical Services Plan is aligned with success indicators, with suggested time frames of short term, within two to three years; medium term, within four to five years; and long term, within six to eight years. Implementation, monitoring and evaluation of the plan will take place under the overall framework of the ACT Health Services Plan. This will include public reporting on progress every two years, in 2024, 2026, 2028 and 2030. As services develop and priorities evolve, this plan will continue to guide and deliver improved health care for children, but we know health services planning is a continual process. Flexibility will be needed to respond to developments in the future, including the community's changing needs, national policy and new evidence and technologies.

As I outlined in my update in June 2023, the 2023-24 budget included a significant investment of \$15.8 million over four years to expand paediatric services. This investment will assist in addressing key identified growth priorities, as will the allocation of \$6.7 million over four years to sustainably expand specialist medical and paediatric outpatient services at the Canberra Hospital to deliver more appointments.

These investments build on those we have made over recent years in paediatric services. This included \$4.8 million in the 2022-23 budget to expand outpatient paediatric services through the establishment of a neurodevelopmental and behavioural assessment and treatment service. In the 2021-22 budget more than \$15 million was committed for additional Neonatal Intensive Care Unit cots at Canberra Hospital, along with more than \$6.4 million to establish a patient navigation service, starting with the successful Paediatric Liaison and Navigation Service.

These investments will help to address identified growth areas and initial priorities identified in the Child and Adolescent Clinical Services Plan, such as upskilling emergency department staff. Importantly, our significant infrastructure investments will also support paediatric services now and into the future. The \$50 million expansion of the Centenary Hospital for Women and Children is supporting more paediatric services, and the \$16.6 million investment in new health centres will deliver more services closer to home for Canberra families.

The Canberra Hospital expansion is delivering the new Critical Services Building in 2024, with a dedicated paediatric emergency department, and we are planning for the new more than \$1 billion north-side hospital. These are the largest health infrastructure investments since self-government and will expand our services and provide more opportunity for us to work with the community on building paediatric services that work best for them.

While the Child and Adolescent Clinical Services Plan has been coming together, work has been ongoing in our health services to continue improving paediatric care. The dedicated paediatric area of the Canberra Hospital emergency department has remained open since the start of 2023. Canberra Health Services has continued to recruit and upskill staff across paediatric and emergency services to deliver the exceptional care it is passionate about. Canberra Health Services has also been working with the Sydney Children's Hospitals Network to establish shared care arrangements in areas such as paediatric rheumatology.

In closing, I want to acknowledge again the expert panel's significant work to support future planning for healthcare delivery for children, adolescents and their families in the ACT. This work is already driving change to ensure that children, adolescents and their families have access to a caring, inclusive and high quality health system that enables them to live their best and healthiest lives, now and into the future. Thank you for the opportunity to provide an update to the Assembly on this important work. I commend the plan to members. I present the following papers:

ACT Child and Adolescent Clinical Services Plan 2023-2030—  
Plan, undated.  
Ministerial statement, 21 September 2023.

I move:

That the Assembly take note of the ministerial statement.

**MS BERRY** (Ginninderra—Deputy Chief Minister, Minister for Early Childhood Development, Minister for Education and Youth Affairs, Minister for Housing and Suburban Development, Minister for the Prevention of Domestic and Family Violence, Minister for Sport and Recreation and Minister for Women) (10.13): We know that the first five years of a child's development are some of the most important. Planning for those years and proving supports to families and our communities is critical. We know that early intervention is important when it comes to helping children with developmental delay or vulnerability.

The Child Development Service is the ACT government's publicly funded early intervention service, providing assessment and referral for children aged zero to six, and intervention services for children aged 24 to 36 months. The Child Development Service also provides autism assessments for children under the age of 12. As part of the NDIS implementation, we expect that the NDIS will take carriage of early intervention services for children with developmental delay or vulnerability. This has not occurred, which has resulted in significant service gaps across many states and territories, including the ACT.

This is why the ACT government has stepped up and funded early intervention services for children aged 24 to 36 months, ensuring that essential speech, occupational therapy and physiotherapy services are available to children in this age with developmental delay or vulnerability. The expanded 24 to 36 months service became operational in February 2023 and since then, I am pleased to say, has seen 169 children. Alongside this, the ACT government has recently funded additional psychology positions to boost existing staff in the Child Development Service. These positions will focus on autism assessments and will also provide diagnosis and full wraparound support to children and families requiring a multidisciplinary approach to their treatment.

The Child and Adolescent Clinical Services Plan makes recommendations to improve care for children requiring local, outpatient and community-based services. There is also work occurring across early intervention services and all directorates. We are putting our children front and centre in how we approach early intervention. We also

continue to work to make sure that these services are more accessible. One of the recommendations in the plan is to co-locate a number of services. We will continue to work to integrate the delivery of services across Health, Education and CSD.

I want to thank Minister Stephen-Smith for raising this important issue in the Assembly. I look forward to continuing to work together to improve outcomes for our youngest Canberrans.

Question resolved in the affirmative.

### **Canberra Institute of Technology—Woden campus Ministerial statement**

**MR STEEL** (Murrumbidgee—Minister for Skills, Minister for Transport and City Services and Special Minister of State) (10.16): I am pleased to be able to provide an update to the Assembly on the progress of the CIT Woden campus project. In exciting news and a major milestone for the project, the development application for the main building at CIT Woden has now been approved. We are seeing construction moving full steam ahead on the main structure, due for completion in 2025. The construction site in Woden is buzzing. There are boots on the ground, activity, movement and progress. The site is changing and expanding every single day.

In recent weeks, we have seen the arrival of the first tower crane on site, the basement excavation complete and footing piling work underway. Construction workers are busy installing in-ground services, such as electrical and plumbing systems, to meet the future building needs. The second tower crane will soon arrive on site, and the first concrete slab will be poured to support the north pod of the building, which will house specialist learning environments. The use of engineered timber for the building's structure will deliver a 59 per cent reduction in embodied carbon, playing a significant role in the building achieving a six Green Star rating. Along Callam Street, stormwater works are also underway to service the new light-rail-ready public transport interchange.

This project is delivering transformational infrastructure to support the future skills our city needs. However, this project will also be a game changer for the regeneration of Woden town centre. The CIT Woden campus project is part of an overall commitment to the growth and renewal of Woden. This investment will support the ongoing economic growth of the territory, supporting 520 local jobs during construction. The project will help transform Woden into a modern town centre for people to live, work and learn. When completed, the CIT Woden campus will support up to 6,500 students each year who are seeking the skills and training required for tomorrow's careers in IT, cybersecurity, business and hospitality.

The CIT campus is more than a building; it is the start of a new era for the Canberra Institute of Technology. The new campus will feature specialist learning environments for hairdressing and beauty therapy, creative design, media, music and cyber training. There will be digital learning spaces, and a training restaurant and bar, with kitchens. There will be a double-height, multipurpose hall available for events, common areas and green spaces, incubator hubs and spaces for collaboration with industry and local business.



A new public transport interchange is being built adjacent to the CIT campus on Callam Street, to be used by buses now and to be ready for light rail in the future. The new interchange will improve bus services to and from the town centre and make travelling safer and more comfortable for passengers. It will include capacity for more buses, passenger-friendly shelters with better weather protection, improved lighting and signage, and the technology to support future electric buses and light rail. The new CIT campus and surrounding precinct will be a place that welcomes students, commuters and Woden residents, whether to study, use public transport, access local shops and services, or meet up with others in new public plazas and green spaces.

The Woden town centre has a reputation for being a concrete jungle, with cold and hard lines, which required a thoughtful architectural response. This project is a reimagining of CIT. Through design development we have moved to strongly differentiate the campus from nearby buildings. The new CIT campus will usher in a new chapter of Woden's story, bringing a different look and feel through innovation in its design. The design introduces warm and soft building elements as a response to the environment.

You only need to see the reactions of people when they view the innovative facade design to understand the positive impact the building will have on the landscape, its users and the community. The facade incorporates a "walking the ridgeline narrative", developed in conjunction with local Indigenous groups. Internally the design has progressed significantly to an 80 per cent level of detail. Our delivery partner, Lendlease, and Major Projects Canberra continue to engage with stakeholders as the design is finalised.

The design of key areas being finalised includes the maker spaces. These areas will house specialist facilities and equipment to simulate real-life learning environments for visual art, graphic art and textile students. Maker spaces will allow staff, students, industry and entrepreneurs to come together to develop, prototype and test creative projects. One of these spaces is called the Showcase, a space promoting collaboration and cross-disciplinary engagement through the showcasing of innovative work. The space will play a key role in the ground floor activation of the building, being visible from the east-west boulevard.

In the culinary and hospitality learning areas, layouts are being finalised to fit out commercial kitchens, the training restaurant and the bar. This industry standard facility will assist students in developing essential skills for future employment in this sector. The fully electric kitchens in these learning areas support the territory's commitment to city-wide electrification by 2045.

The CIT precinct will be home to a wide range of public facilities and amenities. During design development, and as a result of ongoing community engagement for this project, the scope has been expanded to include key features that we know the community wants to see, including more shelter linking the CIT campus to the new public transport interchange; a pedestrian boulevard to the Woden town square; a new Bowes and Bradley streets local shared zone; secure bike storage; public toilets; and new green spaces and trees.

We have heard the community and worked closely with our project delivery partner, Lendlease, to improve weather protection, connections to nearby active travel routes, safety and precinct activation, and to build in more green space. To ensure better weather protection when accessing the interchange, we have added a larger entry canopy to the main building, as well as increasing the overall covered area around the main CIT building by creating a 2.7-metre-wide colonnade linking the interchange and the main campus building.

The community told us they wanted to feel safer in Woden, so we are increasing passive surveillance, providing pick-up and drop-off areas, and disability and business access around the CIT and transport interchange. This will be delivered via a slow speed local access street connecting Bowes and Bradley streets. Similar to the shared zone on Bunda Street in Civic, the Bowes-Bradley connection can be closed off to facilitate community events such as markets and open days. New public spaces in the west and north plazas, as well as the east-west boulevard in the core, will provide family-friendly areas, with more planting and canopy cover that will see the heart of the town centre transformed.

As part of this project, a youth foyer will be delivered within the campus precinct to support vulnerable young people. The foyer will provide accommodation, support services and opportunities to pursue education and training all in the one location. For a foyer to be successful, it is crucial that the building be located close to services, transport, shops and an education provider. This is exactly what this new facility will provide. Linking youth foyers to educational institutions is considered best practice in wraparound service delivery. By locating a youth foyer directly adjacent to an educational institution, this project will give a leg-up to disadvantaged young people who require the support of the community to have opportunities to succeed.

I want to take this opportunity to acknowledge and thank the commonwealth government for their contribution of \$10 million towards this important component of the project. They are important partners on projects across the ACT, and I welcome their continued support in delivering on the ACT's infrastructure needs.

While bricks and mortar milestones are important, I also want to acknowledge the social objectives that are playing a key part of this transformational project. Even though construction on the new CIT campus is not yet complete, it is already delivering skills and training opportunities to our community. Our partnership with Lendlease is targeting opportunities to employ more local trainees and apprentices to support the upskilling of our local workforce.

A key focus of the project is to increase the participation of women in construction across all sectors of the industry. It will provide 15 new school-based apprenticeships for girls and an additional 15 new apprenticeships for women. There is a commitment for people working on the project to be made up of 10 per cent apprenticeships and traineeships. I am pleased to say that there have already been success stories because of this initiative, with two trainees who have been working with Lendlease for several months on this project being offered apprenticeships with local electrical and carpentry businesses. At the end of July this year, apprentices and trainees made up 32 per cent of people working on the project—a significant proportion. I am told that, as at 23 August, Lendlease had reached 50 per cent of its total 6,500 training hours to

be delivered as part of this project. That has been achieved only one year into the project, so that target should well be exceeded once it is completed.

Madam Speaker, the CIT Woden campus project is also encouraging the economic participation of Aboriginal and Torres Strait Islander businesses, via a commitment to a 10 per cent Aboriginal and Torres Strait Islander procurement target. I am pleased to report that the figure has already reached five per cent on the project, with further procurement of Aboriginal and Torres Strait Islander businesses expected as part of the design and construction of the Yurauna centre at the CIT Bruce campus. As part of this project, a new culturally sensitive building will be developed to house Yurauna, CIT's Aboriginal and Torres Strait Islander Educational Centre of Excellence. Community leaders and educators have determined that the Bruce CIT campus will provide the most suitable location for Yurauna. I am pleased to say that the design partner for this component of the project will soon be appointed. I look forward to seeing further collaboration with local Indigenous stakeholders in designing a hub of cultural support and culturally safe service coordination for the whole of the CIT learning community and the wider Aboriginal and Torres Strait Islander community.

This is a transformational project for Woden. Delivering a contemporary and sustainable CIT campus at its heart will not only have an ongoing and positive impact on the delivery of vocational education and training in the ACT; it will accelerate the revitalisation of this growing part of our city. I look forward to providing more updates to the Assembly as we move through construction on this city-shaping project.

I present the following paper:

CIT Woden Campus Project—Update—Ministerial statement, 21 September 2023.

I move:

That the Assembly take note of the paper.

**MS DAVIDSON** (Murrumbidgee—Assistant Minister for Families and Community Services, Minister for Disability, Minister for Justice Health, Minister for Mental Health and Minister for Veterans and Seniors) (10.27): I want to thank Minister Steel for his progress update on the CIT Woden campus project.

I am especially pleased to learn that the Woden CIT campus will include a multipurpose hall that is two storeys high with room to seat 200 people and an adjacent kitchen. It will be available to the community for live music and other events. It will be a six-star rated, all-electric building and will, in future, be right next to light rail, with access all the way through to Gungahlin.

Including a live music venue and arts precinct in the construction of the new Woden CIT campus is something that the Greens have been really keen to see. This is why we made it a commitment in appendix 4 of the Parliamentary and Governing Agreement.

I believe that the development of this multipurpose hall within the CIT campus will provide the Woden community with a vibrant space where people can connect and

share their artistic passions. Having spaces to tell our own stories through music, theatre, visual arts or dance is really important for building connected, kind communities where we understand each other's experience, make meaning out of what we have collectively been through—particularly in the past few years—and can build resilience for future challenges as a community together.

This multipurpose hall will play a really important part in fostering a strong sense of community, empowering Canberrans to express their individuality and contributing to the cultural vitality of Canberra.

Question resolved in the affirmative.

## **Procurement—reform program**

### **Ministerial statement**

**MR STEEL** (Murrumbidgee—Minister for Skills, Minister for Transport and City Services and Special Minister of State) (10.28): I rise today to provide an update to the Assembly on the government's procurement reform program and detail progress in making sure our procurement framework remains robust to support the efficient use of government resources.

Each year, the ACT government spends close to \$1.5 billion on procurements that support the delivery of quality public services, infrastructure, economic growth and community wellbeing. Engaged in this process are procurement officers across the ACT public service, subject matter experts and advisors, financial delegates, directors-general and chief executives of territory entities, as well as the Government Procurement Board.

Each and every individual in this process is bound by a rigorously defined legal framework underpinned by the Financial Management Act, the Government Procurement Act, the Government Procurement Regulation and the Public Sector Management Act.

The ACT public service and the ministerial codes of conduct articulate the behaviours that support individual accountabilities. The ACT government is delivering a comprehensive program of reform to support territory entities when they undertake procurement; help reduce unnecessary red tape for business wherever possible; and build stronger capability across the ACT public service in managing and supporting procurement.

This program is underpinned by progressing three focus areas: transparent, evidence-based procurement decisions which are conducted with probity and can withstand scrutiny; support for our workforce, local industries and businesses through clear roles and the delivery of consistent, accurate, timely, practical and customer-focused services through all phases of the procurement lifecycle; and streamlining our legislative framework, policies, processes and templates to ensure that they are efficient and can facilitate timely procurement outcomes.

As I have previously informed the Assembly, the procurement reform program will be completed in stages and will conclude in 2025. Since the progress update that I provided to the Assembly last year, substantial further progress has been made on

this reform program. This includes the development of the procurement capability strategy, which will facilitate learning and qualifications for procurement officers across the ACT public service. This will identify and embed the requisite skills needed and support the performance and professional development of the procurement workforce across the ACT government.

Under the capability strategy, Procurement ACT has finalised the procurement training pathways which identify training materials and supports to deliver capability uplift and currency for our procurement workforce. Last year, I announced the release of an accreditation program which will ensure that directorates and agencies undertaking goods and services procurement are properly supported to make good procurement decisions.

The accreditation program provides a robust evaluation process that is supported by an independent governance body to review each territory entity's capacity and capability to manage its procurements. It is aligned with the scale, scope and risk of the procurement to ensure that high-risk and high-value procurements are provided with additional centralised support. The Government Procurement Board will endorse entity accreditation delivered through this program.

Over recent months Procurement ACT has partnered with the Canberra Institute of Technology and Transport Canberra and City Services to pilot the program. The CIT will be accredited as a whole agency, and individual business units of TCCS will have their own accreditation. This pilot will help ensure that all procurements are supported from planning right through to contract closure.

The tiered service delivery model, to be delivered in 2024, will use this accreditation to provide clear and appropriate levels of support based on the capacity and capability of the territory entity undertaking the procurement. The launch of the procurement unique identifier earlier this year provides enhanced data capture and analytic capabilities across the life of a procurement, from planning through to contract closure.

The program of work to implement the unique identifier is ongoing. Work is currently underway to ensure that the unique identifier is captured on both the ACT government's Contracts Register and the Notifiable Invoices Register to provide greater transparency of the ACT government's expenditure against our contracts.

It is the procurement reform program that will affect the work that the government will now undertake following the response to the Auditor-General's report into the *Activities of the Government Procurement Board*. The Auditor-General's report into the *Activities of the Government Procurement Board* has provided a valuable independent assessment of this facet of the ACT government's procurement environment.

Recognising this, I am pleased to say that the government has agreed to each of the Auditor-General's recommendations. The Auditor-General's report was a comprehensive investigation of the board's activities. The government welcomes this audit and the work the Auditor-General has done to identify where improvements can be made. The formal response to the Auditor-General's report will be tabled in the Assembly this afternoon and identifies the government's commitment to

strengthening the function of the board through legislation and legislative instruments to be delivered in the procurement reform program.

As I have outlined to the Assembly before as part of the procurement reform program, the government will progress amendments to the Government Procurement Act 2001 and the Government Procurement Regulation 2007 and issue other legislative instruments to strengthen our procurement framework in the ACT. Through this process, the government will formalise terms of reference for the Government Procurement Board which clearly define the board's role and the board's authority, enshrine the independence of the board and elevate its concerns where advice is in danger of not being heeded.

The terms of reference will also clearly define the risk thresholds that the board will apply in evaluating procurements. They establish that the board may, where risk is not properly mitigated, elect to evaluate any individual procurement that it considers might jeopardise the achievement of value for money and enhance the efficient and effective use of public resources for which a chief executive is responsible to their minister. The board may also elect to bring to my attention any structural or recurrent deficiencies that it observes in procurement practice across the ACT public service.

The government will further strengthen the authority of the Government Procurement Board through a legislative instrument that will provide clear directions to territory entities undertaking procurement to clearly outline their accountabilities under law and policy in relation to procurements that they undertake. These directions establish an obligation to implement the recommendations of the board on a procurement.

In consultation with the board, the government will also issue annual strategic directions to ensure that the board's focus remains relevant to the contemporary needs of government. This allows the board to respond with agility to the emerging needs of the ACT government procurement environment as it develops in the future.

The combination of updated legislation, legislative instruments and new terms of reference will ensure that the board has appropriate power and authority and that territory entities are clear on their accountabilities.

The new legislative framework will clarify the purpose of the board and its authority to act. It will also make sure that the board is focused on high-value procurements and on high-risk procurements, regardless of value. That will mean that, for a range of procurements, the board will be empowered to consider a range of risk-based scenarios that are not connected to a dollar value or to the phase in the lifecycle of a procurement.

In supporting the Auditor-General's recommendations the board will consider procurements with a higher risk profile; that have substantial changes to the scope or nature; or where a delegate is considering departing from a recommendation of the evaluation team and has either not sought probity advice or does not intend to follow probity advice.

Referral to the board will also be expanded to include referrals by Procurement ACT or Major Projects Canberra, a probity advisor or a probity auditor. The board will also

have the power to identify a procurement from the anticipated procurement activity report for its review.

Further, the government will augment existing practices and processes to effect the Auditor-General's other recommendations. This will include removing the rarely used strategic procurement plans and better utilising the endorsed procurement practices to set better process for use across the ACT public service.

The ACT government will appoint a non-government member as the Chair of the Government Procurement Board, acknowledging the findings and recommendations of the Auditor-General. The board currently comprises a diverse array of members in respect of expertise and public sector engagement, and the ACT government accepts the case for enhancing the representation of the board to the greatest practical extent. The focus of future board membership will continue to have regard to overall complementarity of skills, as well as diversification of experience, to deliver the board's purpose.

I have highlighted how the government's established commitment to an overarching procurement reform program has, and will continue to, enhance procurement practice in the ACT. The procurement reform program improves government business while helping our economy and our community. It provides more opportunities for industry and local businesses to work with the ACT government. It supports the capability of our workforce through enhanced training and development programs to help staff make better procurement decisions. The focus on streamlining fosters innovation and timely procurement outcomes.

The procurement reform program and the work the government is undertaking in response to the Auditor-General's report into the *Activities of the Government Procurement Board* provides an opportunity to strengthen our procurement practices, building assurance with the community that the ACT's \$1.5 billion in procurement delivers value for money and efficiently and effectively utilises public resources.

As this work progresses, I will endeavour to provide further updates to the Assembly. Should the community or members of the Legislative Assembly wish to stay informed on the progress of the procurement reform program, they can visit Procurement ACT's website where a dedicated webpage has been created to track its implementation.

I present the following paper:

Update on the delivery of the Procurement Reform Program—Ministerial statement, 21 September 2023.

I move:

That the Assembly take note of the paper.

**MR BRADDOCK** (Yerrabi) (10.39): I would like to thank Minister Steel for the update and look forward to reading the government response to the Auditor-General's report on the procurement board this afternoon.

I just wish to add a few more words. As a small jurisdiction, there is always a risk that offices who rarely undertake procurement activities may make mistakes in the procurement process or in the application of policies and procedures. To err is human. It is something we must accept, albeit with mitigations, and I believe the procurement reform program is taking steps to mitigate this risk.

I strongly support the reforms planned for the Government Procurement Board. Given the ACT government spends close to \$1.5 billion each year on procurements, an investment of approximately \$1 million on the procurement board is money well spent on governance and risk management.

But the procurement board's advice is still advice, and officers must be made accountable for the decisions they make when they deviate from that advice. They must document those decisions and be able to justify their decisions. It is not sufficient to have best-practice laws, policies and procedures if they are not applied or if people are not held to account for any failure to abide by them.

What I deplore is when there exists a lack of a culture of accountability at the senior levels. I am talking about the financial delegates, directors-general and chief executives of territory entities. These senior leaders are paid well, commensurate with their responsibilities to frame and lead the cultures of their organisations.

As the minister mentioned, these roles are all bound by a rigorously defined legal framework underpinned by the Financial Management Act, the Government Procurement Act, the Government Procurement Regulation and the Public Sector Management Act. The ACT public service and the ministerial codes of conduct articulate the behaviours that support individual accountabilities.

Yet, with all of this legislation, I find myself wondering: where has the accountability gone? When things go wrong, I am not seeing anyone in a position of responsibility saying it is not good enough, they must do better, they tried but made a mistake—people held to account for their actions or inactions. This is particularly at the senior level, where the risks and responsibilities are far greater. To encourage a culture of accountability, you need to hold yourself accountable first. As a leader, you—very much—set the tone for the performance and culture of the organisation that you lead. If you avoid responsibility for your mistakes, others will follow.

Part of a culture of accountability is owning your mistakes and learning from them. When people see it is okay to make mistakes, they are more inclined to push the boundaries and innovate. If mistakes happen, it is good practice to admit the mistake and never try to shift the blame; create a plan to resolve any fallout from the error; and communicate any lessons learned along the way to prevent future occurrences of that mistake.

This is so important, because workplace accountability boosts productivity, creativity, trust, morale, and overall team performance, which is what I want to see from our ACT public servants.

Question resolved in the affirmative.



## **Dhulwa Mental Health Unit—inquiry—update Ministerial statement**

**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) (10.43): I rise today to provide an update on progress towards implementing the recommendations made in the *Inquiry into the legislative, workplace governance and clinical frameworks of Dhulwa Secure Mental Health Unit – final report*. This follows the second meeting on 19 July of the independent board overseeing the implementation of the recommendations. The final report, which outlined 25 recommendations and 28 sub-actions, was tabled on 1 December 2022.

As Minister for Mental Health, I accepted the findings of the Dhulwa report and committed to implementing in full all recommendations made in the report. This is complex work, but I would like to reiterate my commitment to ensuring we get the job done and ensuring the standards of care and safety at Dhulwa are as high as they should be.

Dhulwa is a forensic mental health facility, and ensuring the recommendations are implemented completely and appropriately requires a depth of expertise and inputs from all key stakeholders. That is why I appointed the independent oversight board to review progress towards implementing the recommendations. I was committed to ensuring that the work was completed with sufficient rigour, independence and expertise, for me, as Minister for Mental Health, and for the community to be assured that the recommendations have been fully implemented.

The board has now met twice, most recently on 19 July this year. The board's latest report was tabled on 31 August, during the last sitting period. I would like to advise that subsequent to the tabling of the report, the oversight board have informed me that there was an error in the report tabled on 31 August 2023. The board has informed me that they are satisfied that the evidence provided in the report endorsed by the Dhulwa working group identified that a specialist forensic mental health clinician had been engaged and an appropriate framework was selected. The version of the report that I previously tabled stated that the framework had been selected and that recruitment of the specialist forensic mental health clinician was underway.

I am pleased to report that the board endorsed a range of actions taken by CHS as having met the requirements for the board's endorsement. The board has endorsed 22 of the 53 recommendations and sub-recommendations as complete. The following improvements are examples of the work that has been completed to the satisfaction of the board between March and the most recent meeting on 19 July.

I am grateful for the work that the dedicated staff at Canberra Health Services have put into implementing these improvements. I wanted to highlight a few of these changes from the most recent report.

Dhulwa's model of care has been clarified and made available to stakeholders and the public. By ensuring that it is clear what Dhulwa's purpose is, and what the treatment

practice, clinical care delivery and workplace health and safety practices appropriate to the facility are, we can be confident that there is no scope for misunderstanding.

While Dhulwa is a complex environment and operates as a secure facility, it is not a corrections facility and will not operate as such. As the model of care clarifies, Dhulwa:

... will fundamentally be a therapeutic setting, underpinned by contemporary, evidence-based multidisciplinary mental health care to ensure the highest quality of person-focused care which enables recovery of the person's mental illness which played a functional role in the offending or difficult behaviour.

With the model of care clarified and in place, governance arrangements have been improved and made consistent with the model of care. This includes: more opportunities for staff consultation and input into changes to Dhulwa's operations; clearer delegation of responsibilities; and greater clarity among Dhulwa's leadership team regarding roles, lines of reporting and performance measures for the unit.

The program of activities at Dhulwa has also been updated to provide consumers with access to at least 25 hours of activities across all seven days of the week. Providing a range of activities for people at Dhulwa, including on weekends and during holidays, is an important step that provides better opportunities for rehabilitation and helps to avoid the boredom and frustration that can lead to aggression. Not only have these steps improved the quality of life for people at Dhulwa; they have also made it a safer place for everyone.

It is important to remember that safety of staff, consumers and others at Dhulwa was a key reason the review was undertaken. Among the recommendations made by the board are a number relating directly to improvements in safety at the unit, several of which have been endorsed as complete.

This includes more training and professional development for staff, particularly in areas relating to risk identification, assessment and management. For example, forensic education for registered nurses' training has been provided to better equip staff with skills in de-escalation, limit setting and therapeutic relationships. This is a positive step for both staff, consumers and others at Dhulwa.

Although there is more work to be done, the board has confirmed that these steps represent substantial progress towards fully implementing all of the recommendations from the Dhulwa report. The board will meet again on 23 October 2023, and I will provide an update on their findings regarding the progress made in implementing the recommendations.

I would like to acknowledge the hard work that staff in Canberra Health Services have applied to this important body of work. It is through their efforts that Dhulwa is on its way to becoming a safer and more appropriate environment for everyone at the facility. I would particularly like to acknowledge the Dhulwa leadership team and the Executive Director of Mental Health, Justice Health, Alcohol and Drug Services within CHS for their contributions. I would also like to thank the board itself for its

work in providing independent assessment of the progress being made towards fully implementing the report recommendations.

I am committed to ensuring that the change delivered at Dhulwa represents real improvements for people, staff and everyone at Dhulwa. It is so important that this work is done and done well, and that we get it right. I appreciate the work of the board. They are dedicated to overseeing this process and providing frank, fearless and accurate advice on what has been done and what is still left to do. Only through a process characterised by integrity and dedication to evidence-driven decisions about how best to make Dhulwa the therapeutic and safe environment it must be will we meet this critical goal.

We have more work to do to achieve the full implementation of the board's recommendations, but I stand here today to commit, once again, to the ACT public to ensuring that the work is done.

I present the following paper:

Canberra Health Services progress against recommendations made in the Deegan Report—Ministerial statement, 21 September 2023

I move:

That the Assembly take note of the paper.

Question resolved in the affirmative.

## **Seniors—International Day of Older Persons 2023 Ministerial statement**

**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) (10.49): I rise to recognise the International Day of Older Persons. Since 1990, the United Nations has designated 1 October as the International Day of Older Persons.

Over the next three decades, the number of older people worldwide is projected to more than double, reaching more than 1.5 billion persons in 2050. By 2050, around one-quarter of Australians will be aged 65 years and over. There are over 83,000 Canberrans aged 60 years and over, and this number will continue to grow. Currently the 65-plus-years age group makes up 13.3 per cent of the population and, by 2060, this is expected to grow to 14.6 per cent.

For older Australians, 124,000 are Aboriginal and/or Torres Strait Islander people; 53 per cent are women; over a third were born overseas and one in six spoke a language other than English at home; half have a disability; over 180,000 are clients of the Department of Veterans' Affairs; 15 per cent participate in the paid workforce; 21,521 are in an LGBTIQ+ relationship; and they spend 12 hours a week grandparenting and about a quarter are volunteering. Tragically, one in six experience or have experienced abuse.

In the ACT, we know 4,688 people are using the aged-care system and more are in need of its supports. Over 6,600 Canberrans have dementia, and this is expected to get to close to 20,000 by 2058.

Today we recognise and celebrate ageing and older people, while continuing to reckon with the pernicious forces of ageism.

In May of this year, I was pleased to advise the Assembly of progress in the penultimate year of our Age-Friendly City Plan. Thirty-two of the plan's actions are in progress or complete, and one is yet to commence. We will, of course, close out the current Age-Friendly City Plan in 2024.

Work is already underway to develop a longer-term plan once the current plan comes to an end to continue to support the ACT government's ironclad and longstanding commitment to being a world-leading age-friendly city. Detailed reporting on the ACT government's progress against the Age-Friendly City Plan is available on the Community Services Directorate website.

Earlier this month, I was delighted to join a range of community members for our annual Age-Friendly City Plan governance workshop. The workshop underlines the critical role of the community in shaping Canberra as an age-friendly city.

The Age-Friendly City Plan is not owned by government alone but is a shared vision with our community. I am grateful for the strong and passionate views our community holds on what it means and what it takes for Canberra to be age friendly. I assure you all these views continue to influence and guide our progress on the plan and the development of the next.

On this note, I would like to recognise the many organisations in our community providing dedicated support for older Canberrans, including COTA ACT, ex-service organisations, local seniors centres, Legal Aid, ADACAS, the regional community organisations and Carers ACT, to name just a few, and thank you for keeping us accountable.

Indeed, on 21 September, COTA's treasured Seniors Expo will take place for the second time this year. The event is a flagship attracting thousands of older Canberrans to connect and take over EPIC. The ACT government is proud to support it and the many events that make up the yearlong Silver is Gold Festival.

I would also like to extend my gratitude to the Ministerial Advisory Council on Ageing for their considered, active and engaged representation and advice on a broad range of matters affecting older Canberrans.

I would like to reflect on a key initiative progressed since the last International Day of Older Persons, and that is the review and the Commissioning of the ACT Seniors Card Program. Commissioning is ushering in a new era of designing, funding and delivering a fit-for-purpose human service system within the ACT. Commissioning is

a fundamental transformation from transactional and unilateral contractualism to co-produced, person-centred and outcomes-based procurement, underpinned by genuine partnership.

Over 3,000 older Canberrans have told us about their experiences with the ACT Seniors Card Program. We have reflected these results back to the community through the survey listening report and the published review of the program. We held a co-design workshop with key stakeholders in June where we heard the partnership model is critical to the future of the program. We also heard about the community's expectations about digitisation, access, awareness, administration and business engagement. These results will be used to design the future of the program.

Turning now to the 2023-24 ACT government budget, I am thrilled with the \$626,000 over four years that we are investing for the social inclusion and the wellbeing of older Canberrans.

Drawing inspiration from Scotland's creative ageing initiative, Luminare, we are investing in Australia's first dedicated seniors arts festival developed by and aimed at older people, with investment of \$260,000 over two years. This festival will work to dismantle barriers to creative and artistic expression for older people, while showcasing the emergent and established work underway in support of older people's creativity.

We will see the ACT host Australia's first dedicated program of dementia-friendly film screenings, and we will support dementia-friendly principles being embedded in mainstream events, with investment of \$130,000 over four years.

Bringing dedicated dementia-friendly events into the mainstream will not only better support the ever-growing community of people with dementia in the ACT but also raise awareness and tackle stigma. This will also include ensuring that key ACT events are accessible, through investment in dementia audits, to allow people in our community with dementia to take part in more of what our city has to offer.

We will invest in the ACT's first dedicated intergenerational live-in program for aged care, Gold Soul, which supports allied health students to live through a residential placement in an aged-care facility, with investment of \$100,000 over two years. Building on the existing Sydney-based program, the experience opens up the world of ageing, aged care and the value of working with older people for students building their careers in allied health.

We value the advice and the expertise of those who provide advice to the ACT government in relation to older Canberrans, with members of the Ministerial Advisory Council on Ageing to be remunerated on a per diem basis moving forward, with investment of \$136,000 over four years.

Crucially, more than \$1.4 million over two years has been committed to commence work on the establishment of a new centre of excellence for older Canberrans, to develop a model of care for different levels of behavioural and psychological symptoms in dementia and to continue the SPICE program—Sustainable,

Personalised Interventions for Cognition, Care and Engagement—which provides allied health-led support for people living with dementia and for their carers.

Finally, on this International Day of Older Persons, I very much look forward to the launch of a video featuring prominent older Canberrans providing their views and advice to people working in the ACT public service on their role in addressing ageism.

My thanks to Senior Australian of the Year, Tom Calma AO; Dementia Australia advocate, Cam Stewart; the chair of the Ministerial Advisory Council on Ageing, Prue Power; and members of the Ministerial Advisory Council on Ageing, Louise Bannister, Phillip Piggini and Jenny Mobbs; and Chin Wong.

Louise is also a renowned local advocate for women, older people and people with disabilities; Phillip is a leading expert in the ACT on the benefits of dance for older people; and Jenny is, of course, the CEO of COTA ACT; and Chin Wong is an indefatigable advocate for the health and wellbeing of Canberra's older multicultural population.

We asked them what they want the 27,000-plus people who work right across ACT government public services to know about ageism and, importantly, what role each public servant can play in making a difference to it—and I am told they really let rip. So I am very much looking forward to the release and dissemination of this video as a core part of our work under the Age-Friendly City Plan to continue to build the strongest possible capacity of the ACT public service to work effectively with, for and alongside older Canberrans.

When it comes to equality and justice for older people, there is no doubt we have work to do. I am pleased with many of the building blocks I have reflected on here today. An age-friendly city is critical for older Canberran right here, right now, and the ultimate in future proofing for all.

I present the following paper:

International Day of Older Persons 2023—Ministerial statement, 21 September 2023.

I move:

That the Assembly take note of the paper.

Question resolved in the affirmative.

## **Justice and Community Safety Legislation Amendment Bill 2023 (No 2)**

**Ms Cheyne** on behalf of **Mr Rattenbury**, 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) (10.59): On behalf of Mr Rattenbury, I move:

That this bill be agreed to in principle.

I am pleased to present the Justice and Community Safety Legislation Amendment Bill 2023 (No 2) to the Assembly on behalf of Minister Rattenbury. The bill makes amendments across 20 pieces of legislation. It is an omnibus bill which makes minor and technical amendments to laws falling primarily within Minister Rattenbury's portfolio as the Attorney-General. The bill also includes amendments which fall within my portfolios of Minister for Human Rights as well as the Special Minister of State's portfolio.

The amendments will improve the administration and operation of the laws in the territory for different groups in our community. The amendments modernise and promote better services for Canberrans. They also promote an improved regulatory framework and the operation of the ACT government and its agencies.

The bill includes amendments across five key areas, which are: modernising wills and estates laws; clarifying the operation of tenancy laws; amending strata laws to support owners corporations in unit-titled complexes to operate more effectively; supporting the Human Rights Commission and the ACT Ombudsman to exercise their statutory functions more effectively; and supporting administrative efficiencies, reduced regulatory burden and simpler processes.

The changes to the Wills Act 1968 will support the creation of a single, centralised wills register for the ACT, which will be managed by the Public Trustee and Guardian. In November 2018, the Legislative Assembly Standing Committee on Justice and Community Safety recommended that a program be introduced to enable more citizens to deposit their wills with the Public Trustee and Guardian to prevent wills from being lost or destroyed. The bill furthers that objective by ensuring that there will be a single government agency offering a centralised wills register service.

Specifically, the bill will enable the transfer of information about wills currently held by the Supreme Court to the Public Trustee and Guardian for inclusion in the centralised wills register. This information might be, for example, the name of the testator and their date of birth.

The amendments also include a delayed commencement, which is intended to allow for an implementation period to set-up the framework for the centralised wills register. At the end of the implementation period, the Supreme Court's ability to accept wills from members of the public for deposit will be removed.

The bill also includes a range of other changes which were recommended by the ACT Law Society's Elder Law and Succession Committee, with the intention of improving the way succession laws operate in the territory.

This bill makes amendments to the Residential Tenancies Act 1997 and the Residential Tenancies Regulation 1998 to clarify the operation of the ACT's tenancy laws. I note

that some of the amendments arise from the most recent round of tenancy law reforms which commenced on 1 April 2023. It is these changes that I will touch on today.

Firstly, a key aim of the April 2023 reforms was to remove all forms of no-cause evictions from ACT tenancy law. However, due to technical differences in how the standard residential tenancy terms apply to fixed-term tenancies, as opposed to periodic tenancies, there was some doubt as to whether the 2023 reforms effectively removed no-cause evictions from fixed-term tenancy agreements. This bill rectifies this uncertainty by inserting a new transitional provision into the Residential Tenancies Act to clarify that no-cause evictions are removed from fixed-term tenancies from 1 April 2023.

Secondly, following the removal of no-cause evictions in 2023, new grounds for the termination of tenancies were created for the Commissioner for Social Housing. These new grounds are to be used in limited circumstances to promote the efficient management of public housing stock.

One of the new grounds introduced permits the commissioner to terminate a tenancy where a person is receiving temporary housing assistance but is found not to be eligible for ongoing assistance under housing legislation. Temporary housing assistance is used following a breakdown in tenancy situation, such as where a tenant dies and another resident remains in the property.

However, the 2023 reforms did not provide for the situation where a person who is receiving temporary housing assistance fails to apply for ongoing assistance, despite being required by the commissioner to do so. In such circumstances, the commissioner cannot assess the person's eligibility. It is important for the commissioner to be able to end the tenancy so the property may be reallocated to a person who is eligible for assistance.

The bill will clarify that, if a tenant in public housing who is receiving temporary housing assistance does not apply for ongoing housing assistance within six weeks, the commissioner can issue them with a notice to vacate the property.

Although this places limits on the right to privacy, the bill will include safeguards for tenants in recognition of the vulnerable position they are in. These safeguards include: that the tenant must be put on notice at the start of the period of temporary housing assistance; that if they fail to apply for ongoing assistance, their tenancy may be terminated; that if the tenant does fail to apply, then the period on the notice to vacate must be for at least 26 weeks; and that the notice to vacate must also include the details of legal or advocacy support services.

Further, the bill will require these terminations to be reviewed by ACAT, which will assess whether the termination is reasonable and proportionate in all of the circumstances. The bill, accordingly, will promote the efficient management of public housing stock in a manner that respects the rights of vulnerable members of the community.

In the ACT, the Unit Titles (Management) Act 2011 governs the way owners corporations operate in unit title premises, such as in apartment buildings. This



includes procedures around how owners corporations conduct their meetings and how decisions are made.

One such requirement imposed by the legislation is for owners corporation meetings to have quorum. However, stakeholders have advised that it can be very hard for quorum to be reached. Participation in owners corporation meetings is not mandatory and so many owners may choose not to attend and engage with the affairs of the owners corporation.

As result of this, many meetings end up becoming reduced quorum meetings. Where a reduced quorum meeting is held, there is a strict requirement that owners must receive notice of decisions made at the meeting within seven days. This is intended to enable owners to challenge the reduced quorum decision.

In practice, owners very rarely do so. The notice requirement is very difficult for owners corporations to meet if owners do not provide an email address for service of notices, due to legislative presumptions that notices sent by post take multiple days to be received.

The bill amends the legislation to extend the time frame for notices of a reduced quorum decision to be given, from seven days to 14 days and to provide that this time frame is met when the notice is sent, rather than when it is received by owners. This will support owners corporations in unit titled premises to operate more effectively.

Through amendments to the Human Rights Commission Act 2005 and the Freedom of Information Act 2016, the bill seeks to improve the operation of the ACT Human Rights Commission and the ACT Ombudsman.

The changes to the Human Rights Commission Act will support the commission's ability to consider vulnerable persons' complaints in a manner that best protects the vulnerable person, while still ensuring the commission's processes are compatible with the rights of the person complained about.

The changes to the Freedom of Information Act will support the ACT Ombudsman to perform its review functions more effectively, by enabling access to all documents which fall within the scope of an FOI request, even where a document is subject to legal professional privilege. This will ensure the Ombudsman is in a position to independently evaluate whether or not the release of the information is on balance contrary to the public interest.

The amendments to the legislation in the bill being introduced today are of a minor and technical nature. However, it is precisely amendments such as these which are crucial to ensuring the high quality of legislation in the ACT is sustained.

I am pleased to introduce this bill today on behalf of the Attorney-General, as I see it as a reflection of the government's ongoing dedication to ensuring that legislation in the territory is properly maintained and modernised, and I commend it to the Assembly.

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

## **Mental Health Amendment Bill 2023**

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

Title read by Clerk.

**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) (11.09): I move:

That this bill be agreed to in principle.

This is the second tranche of amendments to the act since its commencement on 1 March 2016. The first amendment bill was introduced in the 9th Assembly in August 2020 and comprised amendments identified as a result of two mandatory reviews—namely, a review of section 85, the maximum period of further detention, a review of the mental health orders provisions contained in the act, and amendments identified during the consultation and review process on the general operation of the act.

The report of the first review was tabled in the Assembly on 30 July 2019 and was followed by the tabling of the report of the second review on 13 February 2020.

The act seeks to promote a recovery-oriented approach to mental health service delivery. It gives people in the ACT living with a mental illness, as well as their carers and family members, greater opportunities to make decisions about their treatment, care and support. It sets out the legal responsibilities of professionals, such as doctors, mental health workers, ambulance and police officers, who exercise functions under the act.

The act brings the ACT's mental health legislation in line with human rights jurisprudence, including the United Nations Convention on the Rights of People with a Disability and the Human Rights Act.

The amendments in this bill have been developed in response to urgent issues raised by clinicians and stakeholders in exercising their functions under the act, via consultation with key stakeholders and in conjunction with the Mental Health Act Oversight Committee.

Stakeholders consulted in the development of the bill included the ACT Human Rights Commission, The Public Advocate, ACT Civil and Administrative Tribunal, ACT Ambulance Service, ACT Policing, ACT Mental Health Consumers Network, Carers ACT, the then Calvary Public Hospital Bruce and Canberra Health Services.

This bill seeks to enhance the rights of mental health consumers subject to the act by modernising the criteria that must be met before a person can be in contravention of their mental health order. The inclusion of an all-reasonable steps approach provides greater flexibility and opportunity for a person to comply with their mental health order.

The bill also provides greater clarity to police, ambulance officers, doctors and mental health officers when transporting a person to an approved mental health facility during apprehension.

The bill seeks to ensure that the ACT Civil and Administrative Tribunal, or ACAT, is better informed when making decisions about the release of a person who comes to ACAT by a criminal justice pathway by ensuring the Chief Psychiatrist or delegate provides relevant information to inform the conditions of release.

These amendments support the object and principles contained in the act, particularly the rights of a person with a mental illness or disorder to determine their own recovery as much as is possible and access the best available treatment, care and support relating to their individual needs. The amendments reflect the ACT government's commitment to person-centred care and a safe, responsive and sustainable public health system.

The amendments fall into five areas, which I will outline. Firstly, the purpose of the contravention provisions in the act is to provide a lawful means to support people who may be at risk of harm to themselves or others, while ensuring that any limitations on their human rights are safeguarded.

While most people with a mental illness or mental disorder are able to make decisions about their treatment path, a small cohort of the community will at times need safeguards to ensure their safety and wellbeing.

The amendment to section 77 and section 124 will replace the existing oral and written notice criteria for enacting a contravention to a requirement for the relevant official to use all reasonable steps to contact the person and provide them with an opportunity to comply with ordered treatment before the person can be apprehended and transported to an approved mental health facility for treatment.

The amendment allows greater flexibility in the approach taken to communicate with mental health consumers and simultaneously minimise delays, which can worsen mental health outcomes. Providing an opportunity to remedy a contravention before harsher detention action is taken, supports the principle of least restrictive care, outlined in the act.

Also provided in the bill is an additional amendment that will allow a mental health officer to enact the contravention process. Currently, only the Chief Psychiatrist or delegate of the Chief Psychiatrist can enact a contravention.

The amendment to section 80 will provide clarity to assessment and transportation processes. Section 80 allows for a person who has a mental illness or mental disorder and is at immediate risk of harm to themselves or others to be apprehended and transported to an approved mental health facility for examination.

Issues have occurred when an authorised official has made the assessment that a person needs to be taken to the hospital and requires assistance from another authorised official to transport the person. In this instance, the authorised officer may

form the view that they are required to reassess the person and agree with the initial assessment. This can lead to delays and complexity in reconciling the two assessments.

To address the lack of clarity regarding transportation, the proposed amendment seeks to specify that, where a doctor or mental health officer has assessed a person against the standard in section 80(3), any authorised officer, including an ambulance officer or police officer, is authorised to transport the person to an approved mental health facility. Similarly, where an ambulance or police officer has assessed the person against the standard in section 80(1), the person may be transported to an approved mental health facility by any ambulance or police officer.

The amendment to section 201 of the act will provide the Chief Psychiatrist with the authority to appoint mental health officers under the act. This authority currently sits with the Minister for Mental Health and is delegated to the Chief Psychiatrist. The Chief Psychiatrist has oversight of the mental health system and so is well placed to make decisions on mental health officer appointments.

The bill includes a new provision that makes it clear that the use of spit hoods as a restrictive practice in mental health treatment care and support is not allowable. The amendment intends to ensure that spit hoods are not used in the future by persons exercising a power or performing a function under the act. At present, the act specifies that a person who meets criteria for involuntary treatment under the act can be subjected to the minimum confinement or restraint that is necessary and reasonable to prevent the person from causing harm to themselves or someone else. The amendment will specify that spit hoods are not considered a minimum or reasonable method of restraint.

The explicit reference of spit hoods not being included as a restrictive practice under the Mental Health Act recognises that spit hood use is a cruel and inhuman restrictive practice that has no place in mental health care and is not in line with the objects and principles of the act in supporting the treatment, care and support of a person detained under the act. I note that spit hoods have not been used in mental health facilities in the ACT and would not be considered humane. But we want it to be absolutely clear that they will never be considered acceptable for use in ACT mental health care.

The government has carefully considered these amendments and the human rights implications of the bill. This consideration is further detailed in the explanatory statement, as required. I commend the bill to the Assembly.

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

### **Executive business—precedence**

*Ordered that executive business be called on.*

## **ACT Teacher Quality Institute Amendment Bill 2023**

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

That this bill be agreed to in principle.

**MR HANSON** (Murrumbidgee) (11.17): The Canberra Liberals will be supporting this bill, as I indicated on Tuesday when it was introduced. As we are all aware, this has been put forward and proceeded with in an unusual way. However, there are unusual circumstances that have created this need. These circumstances appear to be no-one's fault but would nonetheless have direct consequences that must be addressed.

The bill was circulated on the morning of 18 September, at the beginning of the sitting week. It was noted as urgent and a briefing was offered to the shadow minister's office and the Whip's office. From that briefing, it is certainly our understanding that, through an unrelated ACAT case, it was discovered that the governing act for the Teacher Quality Institute had an internal drafting conflict. That drafting conflict left many teachers in the ACT facing the possibility that their registration may be invalid. This poses an obvious risk to the teacher workforce in the ACT, which is already facing extreme shortages.

As we know, it is unlawful to teach in an ACT school without registration. According to the briefing that we received, about 1,000 otherwise qualified teachers currently working in the ACT may have their registration in doubt if the legislation is not remedied. As stated, the problem was only discovered through another case and it is not the fault of any party or person that we are aware of. The only people at risk are hardworking qualified teachers, who, through no fault of their own, find themselves in legal limbo. In these circumstances, we agree that the bill should be dealt with urgently.

The other unusual aspect is the inclusion of a retrospective clause. As explained, this is because the problem has existed for many years before being recognised. This means that many decisions were made through the act operating as understood to be originally intended, and those decisions go back several years. Therefore, it is necessary to include a retrospective clause that ratifies and confirms previous registrations.

In the briefing it was confirmed that all previous decisions were made with the substantive qualification requirements being met, and the bill would make no substantive change to any decision but will ratify previous registrations and remove any doubt for any teacher unknowingly affected. In these circumstances, we also agreed that a retrospective remedy that fixes an unintended outcome is appropriate.

I acknowledge the work that has been going on since this issue became apparent, and I understand that the TQI have had meetings and briefings with the minister, school associations, the directorate, the PCO and the GSO. The teacher union, the independent school sector and the Catholic Education Office have been briefed. I understand that everybody is on board.

I also acknowledge that the minister's office has reached out to us, and I would like to thank the minister and her office, in particular Rebecca Hobbs, for their cooperative work on this matter. As I said at the outset, the way that this is being done is unusual, both urgently and retrospectively, but in this case the Canberra Liberals believe that it is justified and we will be supporting this bill.

**MR DAVIS** (Brindabella) (11.21): I rise to speak to the ACT Teacher Quality Institute Amendment Bill 2023 and commit support for the bill on behalf of the ACT

Greens. We Greens are proud believers in public education and high quality learning for everyone, and we know, of course, that you cannot have great schools and great learning without great teachers. Fortunately, Canberra is blessed with some of the best teachers and best-paid teachers in the country. I fully support the government's commitment to ensuring better pay and teaching standards for all teachers in the territory and our ongoing effort to work with teacher representative bodies, including their union, to address teacher shortages and workforce challenges. As I have said many times in this place, I am a proud product of Canberra's public schools and I would not be where I am today, standing in this chamber, were it not for the ACT public school system.

The Teacher Quality Institute is an independent statutory authority that serves the essential role of assuring community confidence in the professional standards of our teachers and supports the ongoing efforts of raising teacher quality. The Teacher Quality Institute provides a number of essential functions to ensure that we have the best teachers, including teacher accreditation, quality assurance of teacher education, and professional learning and development, as well as administering professional regulatory services.

The Teacher Quality Institute has been issuing registration to teachers in the ACT since 2011. This registration can take two forms: provisional or full registration. Provisional registration allows teachers to develop their skills and grow their teaching experience before applying for full registration. Provisional registration is granted in a number of situations, such as to newly graduated teachers or those who have had a break from teaching. Full registration is granted to teachers who meet the highest level of proficiency standards.

Regrettably, errors in interpreting and administering the act previously have meant that some teachers' registrations are not valid, having fallen through the gap created by the way the act was originally drafted. The act specifies that, for full registration, teachers must have taught more than 180 days in the past five years, alongside other criteria. However, if they do not meet other eligibility criteria for full registration but have taught for more than 180 days in the past five years, they are not eligible for provisional registration either, leaving some teachers in the tricky position where they had become ineligible for both provisional and full registration, despite being fully competent and qualified teachers.

I have been informed that this poses particular challenges for teachers who take maternity leave or carers leave or stay at home with children for a few years, therefore impacting the number of days that they have taught over that period of years. The Teacher Quality Institute recently realised that they had been granting provisional registration to teachers in this situation and that those registrations were invalid under the act. Strangely, the issue is that a number of teachers have actually taught too much to be eligible for provisional registration. Who would have thought that they could ever have too much experience?

The Teacher Quality Institute accredits teachers across our education system, so issues created by the misinterpretation of the act have impacted teachers, both in government and non-government schools. This legislation corrects errors that the Teacher Quality Institute identified in its practice of issuing provisional registration

by removing the requirement to have taught for fewer than 180 days to be eligible. The legislation also corrects other minor errors in the act, such as full registration renewal in the regulation now having a head of power in the act. The legislation also validates all registrations made to date and decisions made by the Teacher Quality Institute that relate to these particular matters, ensuring that all schools and teachers who may have been unknowingly caught up in this issue are now appropriately covered by the act and subsequent regulations.

The issues that the bill will address are regrettable, but let us be very clear that they are no fault of anyone, our teachers and our schools especially. All teachers in the ACT are completely qualified and experienced to be teaching Canberra's young people and I have full confidence in each and every one of them. We reiterate our support for all teachers and all schools, particularly our public schools, and thank all stakeholders, including the Education Union and the Council of Parents and Citizens Associations, for their ongoing efforts to ensure that our schools give young people every opportunity to achieve the bright futures that we know they deserve.

We commend the Teacher Quality Institute, the ACT government, Minister Berry and her office for drawing the attention of Assembly members and relative party spokespersons to this issue; for providing full, informative and timely briefings; and for ensuring the quick passage of this bill through the Assembly so that we can get on top of what could be best described as a clerical error. With this bill we can ensure that we can maintain a high quality, well paid and well respected teaching workforce in ACT schools.

**MS BERRY** (Ginninderra—Deputy Chief Minister, Minister for Early Childhood Development, Minister for Education and Youth Affairs, Minister for Housing and Suburban Development, Minister for the Prevention of Domestic and Family Violence, Minister for Sport and Recreation and Minister for Women) (10.26), in reply: In closing, I would like to start by thanking members in this place for their support for this bill today. As I outlined on Tuesday, the bill will provide certainty to our teachers and our community. The bill will simply address a technical error in our legislation. Teachers have done nothing wrong and there is no safety or educational risk to our students.

We brought forward this legislation in line with the nationally consistent registration framework, as well as the current practice that the TQI has been operating with since 2011. This bill will address the three issues that I explained on Tuesday: the unintentional ceiling of 180 teaching days for provisional registration; the maximum of six years that a teacher can be provisionally registered; and the invalid regulation that does not have a head of power in the ACT TQI Act.

This bill will also validate the TQI's past registration decisions in relation to the identified issue and will validate all employment decisions made by employers on the basis of a teacher's registration status. It is vital that our community can remain confident that their children are safe at school and that they are receiving a quality education. It is also critical that teachers can continue to teach and schools can continue to operate.

I want to take this opportunity to thank Lyndall—the CEO of the TQI—her amazing staff and the Parliamentary Counsel's Office for the professionalism and speed with which they worked with my office and the TQI to get this issue resolved. I also want

to acknowledge all staff in my office who at some point were engaged in this work to overcome this challenge and repair the issues in the bill, and, of course, members in this place, including Mr Hanson and the Greens, for their collaboration, understanding and support of this bill. In times like these, which are unusual, when we cooperate and work together, we can achieve a better outcome for the community. I commend the bill to the Assembly.

Question resolved in the affirmative.

Bill agreed to in principle.

Leave granted to dispense with the detail stage.

Bill agreed to.

## Order of business

*Ordered that order of the day No 2, executive business, relating to the World Day for Safety and Health at Work and International Workers' Memorial Day, be postponed until the next day of sitting.*

## Environment—feral horses

Debate resumed from 7 June 2023 on motion by **Ms Vassarotti**:

That this Assembly:

(1) notes that:

- (a) the impacts of feral horses on the environment and biodiversity is in most cases catastrophic and leads to a loss of vegetation, the trampling of soils, the spreading of weeds, the erosion of stream banks and damage to threatened species, their habitat, and aquatic environments;
- (b) there are significant populations of feral horses over the border in NSW that pose a significant threat to the ACT should incursions occur;
- (c) in February 2023, the Senate referred the impacts and management of feral horses in the Australian Alps for inquiry;
- (d) the ACT Government made a submission to the Senate inquiry that describes the critical need to protect the ACT's highly sensitive water supply and conservation areas from the feral horses; and
- (e) the ACT Government continues to deliver monitoring and control programs to protect the ACT from feral horses and as a result there are no established populations of feral horses in the ACT; and

(2) supports:

- (a) the ACT Government's ongoing zero-tolerance policy on feral horses in Namadgi National Park, outlined in the *Namadgi National Park Feral Horse Management Plan 2020*, which includes integrated best practices such as trapping, mustering, removal and aerial control management;



- (b) ongoing detection and control action by the ACT Government to protect Namadgi National Park and other reserves from feral horses;
- (c) the ACT Government position that there remains a misalignment of policy between the ACT Government and the NSW Government about the management of feral horses in the Australian Alps as described in the *NSW 2021 Kosciuszko National Park Wild Horse Heritage Management Plan*;
- (d) the ACT Government position that these sensitivities must be addressed and that the ACT and NSW must continue to work towards achieving a coordinated and cohesive approach to feral horse management between the two regions; and
- (e) that the Australian Government has significant powers and responsibilities to protect matters of national environment significance under the *Environment Protection and Biodiversity Conservation Act 1999* and has an important leadership role to ensure that state and territory initiatives to control feral horses are consistent with this Act.

**MR DAVIS** (Brindabella) (11.29): Firstly, I would like to commend Minister Vassarotti for her work in this important area. The negative ecological impacts of feral horses in our national parks are clear and well documented. Their hard hooves cause erosion, damage vegetation, reduce biodiversity and can affect catchment health, water quality and water flow.

I would like to take this opportunity to highlight the impacts of feral horses on our water catchments and on water quality. The Australian Alps are ecologically diverse. They are home to a range of life forms and support networks of fragile wetlands, bogs and fens. They are also an important water source: the head waters of the Murrumbidgee River. From its source high in the Australian Alps, the Murrumbidgee River winds through the alpine regions of Kosciuszko National Park and the Monaro High Plains, and then through the Australian Capital Territory, with Canberra being in the upper water catchment area.

The small area of the Alps yield around 9,600 gigalitres of water per year. Winter low pressure systems generate snow, which slowly melts in spring and summer. Combined with the water storage and release of the alpine moss bogs, this sustains the volume and quality of base flows in the rivers of the alpine and sub-alpine areas and feeds the ACT's water catchments. Snow melt and rainfall flowing from the Australian Alps contributes to more than 30 per cent of inflows into the Murray-Darling system, and even more in dry years, despite the Australian Alps covering just 0.2 per cent of the continent.

Protecting, retaining and restoring water catchments in the Alps is critical for ensuring a healthy water supply for the ACT and for protection of the alpine and sub-alpine environment and ecosystems. These catchments are also the primary source of water for electricity generation, drinking water and low-lands irrigation for all of eastern Australia. Undertaking appropriate feral horse management and removal is vital for protecting our water catchments. Feral horses are not just a problem for environmentalists; they are an issue of national significance in that they are degrading this important water supply.

Alpine catchments are already being impacted by climate change. Addressing the impacts of feral horses is particularly important in the context of climate change, to avoid multiple stresses that have a combined impact. Climate change is projected to result in more winter precipitation occurring as rain rather than snow, which would make its way more quickly through the catchment instead of undergoing the slow melting that keeps flow levels more even and allows them to persist through summer. This has implications for river ecosystems, as well as for human water needs, and makes the water-holding capacity of alpine moss bogs even more important. It must be safeguarded.

The number of horses in the Australian Alps, including Kosciuszko National Park, poses a significant threat to biodiversity in Namadgi National Park and to the water supply to the ACT and Queanbeyan by degrading water quality and damaging aquatic ecosystems. This is of particular importance in the Upper Cotter Catchment. The sedimentation caused by the trampling of feral horses poses a high risk of impairing ecosystem function.

The sediment cover and reduction in the water's available oxygen impacts habitats and has adverse effects on the biodiversity and health of water catchment areas. There are also impacts on endangered High Country bogs and associated fens; the Ramsar-listed Ginini Flats Wetland Complex; and other vegetation communities that provide habitat for rare and threatened species and support water catchment for the ACT region. The vulnerability of moss bogs to trampling by feral horses exacerbates peat drying, alters water quality and accelerates water flow. Loss of bogs diminishes water availability and water-holding capacity, as well as increasing sediment run-off. The reduction in water-holding capacity heightens the risk of fires in the region, as well.

We cannot afford to risk these precious alpine ecosystems or our important water catchments. The ACT government supports a zero tolerance policy on feral horses in Namadgi National Park and supports New South Wales efforts to reduce their numbers across the Australian Alps. It is promising that no feral horses have been recorded in the ACT since 2021. With Namadgi National Park bordering on the New South Wales Kosciuszko National Park, the changes in New South Wales to take the feral horse problem more seriously is very welcome news.

Our catchments are already under pressure, as are freshwater sources around the world. Appropriate feral horse management and removal can and must make a real and measurable difference to ecosystems, catchment health and water quality, and security. With that, I am very pleased to support Minister Vassarotti's motion today.

**MR GENTLEMAN** (Brindabella—Manager of Government Business, Minister for Corrections, Minister for Industrial Relations and Workplace Safety, Minister for Planning and Land Management and Minister for Police and Emergency Services) (11.34): I rise to speak in support of the motion put forward by Minister Vassarotti and acknowledge the minister's ongoing commitment to protecting the ACT's environment from the disastrous impact of feral horses.

As the minister responsible for planning and land management, I join with Minister Vassarotti in reaffirming the ACT's zero tolerance approach to feral horses, particularly in our highly sensitive parks and reserves. The effective management of

feral horses is a critical issue that not only impacts the ACT but also has far-reaching implications for our environment and economy. Feral horses, if allowed to enter the ACT, will threaten the ACT's scarce water resources and will affect catchment management, biodiversity and threatened species. As a government and a community, we simply cannot allow feral horses to gain a foothold in the ACT.

Recently, the ACT government submitted a comprehensive response to the parliamentary inquiry into the impact and management of feral horses in the Australian Alps. Minister Vassarotti and officials further prosecuted the ACT government's submission at hearings, and I commend the minister for her advocacy of the ACT's position.

One of the most significant drivers of environmental degradation in our alpine and sub-alpine regions is feral horses. Feral horses pose an imminent threat to our biodiversity and the delicate sub-alpine wetlands, especially in Namadgi National Park and our water catchments. Their presence has dire consequences, including the destruction of sensitive bog and fen environments, impairing waterways and adding further strain to already threatened native species. The detrimental effects of feral horses on our fragile alpine ecosystems cannot be overstated. They damage and obliterate vegetation, compact and trample the soil and compete with our native wildlife for essential resources like food and water.

Additionally, feral horses contribute to the spread of invasive plants and alter waterway systems, negatively impacting our aquatic environments. One of the most significant challenges we face today is the impact of feral horses on the crucial water catchment areas and the rich biodiversity they support. These horses, if left unchecked, have the potential to inflict extensive damage, further emphasising the need for effective management strategies. Climate change compounds our water concerns, as it diminishes precipitation, reduces snow packs and increases erosion, underlining the paramount importance of catchment preservation.

While there have been no resident feral horses recorded in the ACT since 2021, their growing numbers in the Australian Alps pose a grave threat and are concerning. The prospect of feral horses appearing in the ACT raises concerns about increased management activities for our nature reserves and the potential reversal of habitat restoration efforts currently underway in those sensitive areas. The ongoing bushfire recovery work could be hampered by feral horses and other invasive animals, exacerbating soil erosion in fire-affected regions and leading to elevated sediment run-off into waterways, and thereby compromising water quality and aquatic ecosystems.

Another crucial aspect to consider is the disruption of fire-adapted ecosystems. While bushfires are a natural part of many ecosystems, the introduction of pest animals, such as feral horses, can disrupt these systems by altering the composition and structure of the vegetation, making it more challenging for native species and their habitats to recover. To combat these challenges, post-fire recovery efforts often necessitate comprehensive pest animal management strategies. These strategies may evolve and may bring the need for the culling of invasive species, implementing biosecurity measures to prevent their reintroduction and actively restoring habitats to support our native wildlife.

The ACT undertakes an extensive and effective pest management program to ensure that the recovery of ecosystems and native species can proceed smoothly in the aftermath of a bushfire. In the ACT, the potential devastation caused by feral horses to our sensitive sub-alpine wetlands is of significant concern, shared by not only the ACT government but also the entire ACT community. This includes critical areas like the Cotter Catchment, which is a primary water source for Canberra, and the National Heritage-listed Namadgi National Park, which is home to the Ginini Flats Wetland Complex. This complex is the most significant intact sphagnum bog and fen community in the Australian Alps and is listed under the Ramsar Convention on Wetlands. Alarming, the highest density of feral horses in Kosciusko National Park is just west of this precious wetland system, and the presence of feral horses over the border poses a significant ongoing threat to these invaluable systems.

To address these challenges, the ACT has adopted a stringent zero tolerance policy regarding feral horses in our conservation areas. Under the *Namadgi National Park feral horse management plan* of 2020 we employed a range of best practice strategies, including population control methods such as aerial shooting. I commend the work of all ACT Parks and Conservation Service rangers and other conservation officers who monitor for the presence of feral horses. In addition, the ACT government actively monitors for incursions, using remote cameras and on-ground and aerial surveys, ensuring that no feral horse populations establish themselves within the ACT. As a member of the interjurisdictional Australian Alps Liaison Committee, the ACT collaborates closely with the commonwealth, Victoria and New South Wales to safeguard the heritage value of the Alps' numerous parks and reserves.

The ACT government strongly supports the creation of exclusion zones for feral horses in key areas and recognises the significance of habitat restoration and conservation efforts, including the eradication of invasive plants and implementing erosion control measures in areas impacted by feral horses. We also understand the critical role of the headwaters in the region's ecological health and work closely with conservations groups to identify areas of significant environmental importance, using this information to inform our monitoring and management decisions.

Acknowledging the Australian government's responsibility to protect matters of national environmental significance under the Environment Protection and Biodiversity Conservation Act, the EPBC Act, we would endorse a review of options under the act to better protect the Australian Alps from the threat of feral horse populations.

However, we must confront a significant challenge in managing the threats impacting the Australian Alps—that is, the inconsistencies that exist between the feral horse management programs of different states and territories. While some jurisdictions like the ACT have taken significant steps to manage feral horse populations, others have been slower to act. So I support Minister Vassarotti's concerns about the discrepancies between New South Wales, Victoria and the ACT in addressing this important issue. The lack of uniformity in our collective approach has resulted in a concerning increase in feral horse numbers across the Alpine region, further escalating the detrimental impacts on our environment. It is imperative that we strive for consistency, along with those other jurisdictions.

In conclusion, water scarcity, concerns over water quality, biohazard management and the loss of the sensitive alpine environment ecosystems are looming threats for the ACT. Our ability to secure a sustainable water supply is intrinsically tied to the health of these catchment areas, particularly those in the pristine alps. The catchments not only provide for our economic future and communities but also protect the fragile alpine and sub-alpine environments and ecosystems that are unique to our region.

The sedimentation caused by feral horse trampling poses a high risk of impairing ecosystem function, which affects the biodiversity and health of our water catchment areas. To protect and preserve the beauty of our alpine environment, we must prioritise effective feral horse management and catchment restoration. Our future depends on it. I conclude by commending this motion to the Assembly.

**MS VASSAROTTI** (Kurrajong—Minister for the Environment, Minister for Heritage, Minister for Homelessness and Housing Services and Minister for Sustainable Building and Construction) (11.44), in reply: In closing, I would like to thank all members for their contributions to the motion and their support of the work to ensure our biodiversity and ecosystems are protected.

I would like to thank Mr Davis's contribution that particularly raised the issue of this region as a water catchment and the importance of protecting this, not just for our own community but across the whole alpine region.

I would like to thank Minister Gentleman's commitment to this issue and particularly highlight the work that is happening at an operational level to protect our precious ecosystems. Staff working in our Parks and Conservation service are doing great work around operational management, particularly in some of the bushfire recovery work, and they are working closely with interstate colleagues to try to have a coordinated approach to this.

Since the introduction of this motion, the ACT government has continued our work to ensure that feral horses are appropriately managed in the Australian Alps. On the sidelines of the Environment Ministers' Meeting in June, I was pleased to join with fellow federal, New South Wales and Victorian environment ministers to reform the Alps Ministerial Council. This body will allow the four jurisdictions to come together to manage one of Australia's unique areas of biodiversity and heritage value.

As we have noted, the alps span across three states and territories and support a thriving tourism industry. They include Kosciuszko National Park and the site of the Snowy Hydro renewable energy generation. Most importantly, the alps are a unique ecosystem that support a thriving biodiversity and are home to many threatened species. However, we know that the area is at risk from a range of threats, including climate change and invasive species.

Reconstituting the Alps Ministerial Council will allow ministers to come together to discuss shared challenges and opportunities and to work together to protect this truly amazing part of Australia. It will allow a stronger coordination of action against ecological stress and integrate future planning of the alpine region.

At the time, I noted that the ACT welcomes the revitalisation of the Alps Ministerial Council. It will strengthen cross-government coordination to protect this extraordinary part of Australia. I also noted that with many threatened species and communities hanging in the balance in the alps due to the impacts of invasive species and climate change, the leadership from New South Wales to assist in reconstituting the ministerial council has come at a critical time.

Also, since introducing this executive motion, I was pleased to appear as a witness at the federal parliamentary inquiry into the impacts and management of feral horses in the Australian Alps. Here I joined with other jurisdictions. I highlighted our approach and how we have been able to demonstrate the importance of managing invasive species in our precious Alpine National Park. At this appearance, I spoke about the importance of political leadership, collaboration and resourcing to manage the threats we face both here and across the Australian alpine region.

We have also contributed to the New South Wales inquiry that is looking into the management strategies for invasive species in Kosciuszko National Park. I am really heartened to see that the New South Wales government is looking at new ways of managing the significant threat to their neighbours' biodiversity and threatened species.

When introducing this motion, I did note the significant threat posed by feral horses and the detrimental impacts that they have on our environment, including, as everyone has noted, their trampling and damaging of sensitive bog and fen environments, and their effect on waterways, which can put pressure on areas that have already threatened and vulnerable native species. I know that the negative consequences of feral horses in our fragile alpine environment cannot be overstated. They can damage and destroy vegetation; compact and trample soil; and compete with native wildlife for vital resources like food and water. They can also contribute to the spread of invasive species and alter waterways, which in turn impacts aquatic environments.

The ACT will continue to implement a zero tolerance policy for feral horses in conservation areas. As we have noted, under the Namadgi National Park Feral Horse Management Plan 2020, several best practice strategies are employed, including population control through multiple methods that include the use of lethal methods such as ground and aerial shooting—a method preferred by the ACT and endorsed by the RSPCA. The ACT actively monitors for incursions through remote cameras and on-ground and aerial surveys to ensure that no feral horse populations establish in the ACT. Again, I would like to thank Parks and Conservation for this work.

With my colleague Minister Gentleman, the minister for land management and parks and conservation, I will continue to work collaboratively with other jurisdictions to ensure that their management approaches reduce the risk to our park. I will continue to clearly state our position: that any plans or policies to retain populations of feral horses in national parks, including the Australian Alps, are counterproductive to conservation and may jeopardise the survival of many of our fragile ecosystems.

I am really pleased to see that we are moving towards a more collaborative approach. The establishment of the new ministerial forum will enable opportunities to better work together towards harmonisation and stronger collective approaches to protect

these ecosystems. We understand that the success of feral horse management is only as strong as our ability to manage the issue together.

I look forward to progressing discussions and strategies that result in further collaboration and action on this serious environmental issue. Thank you, and I commend the motion to the Assembly.

Question resolved in the affirmative.

**Sitting suspended from 11.51 am to 2 pm.**

## **Ministerial arrangements**

**MR BARR** (Kurrajong—Chief Minister, Treasurer, Minister for Climate Action, Minister for Economic Development and Minister for Tourism) (2.00): Minister Rattenbury is absent from question time today on ministerial business, so I will endeavour to assist members with questions in Minister Rattenbury's portfolios.

## **Questions without notice**

### **Taxation—general practice clinics**

**MS LEE:** Madam Speaker, my question is to the Treasurer. Treasurer, during question time on 12 September, in response to a question asking you to exempt GPs from payroll tax, you said:

No, the government will not be acceding to a request from a particular section of the business community, in the economy, to be not taxed.

You further said:

Tax policy cannot be impacted by sectoral interests like this. You cannot go down that path.

Treasurer, are there any other sectors that receive an exemption under the Payroll Tax Act 2011?

**MR BARR:** Certainly, for charities and not-for-profit entities there are exemptions in relation to the harmonised payroll tax laws.

**MS LEE:** Treasurer, what are your government's criteria for determining sectors that have an exemption under the Payroll Tax Act?

**MR BARR:** I don't think there are broad sectors, but, in relation to business, not-for-profit certainly is an element that would be a justification for either a tax exemption or a lower level of taxation. Our annual tax expenditure statement outlines where those exemptions apply.

**MS CASTLEY:** Treasurer, why are you so hell-bent on imposing this tax, even after all the evidence that shows the serious impact that it will have on primary health care?

**MR BARR:** I do not accept that it will have the level of impact that has been suggested. Payroll tax applies across the entire economy, with exceptions only in relation to the threshold and, in some instances, for not-for-profit entities. To make political decisions to exempt particular areas of activity undermines the tax system. This issue is coming up in every state and territory. The extent that payroll tax laws are harmonised, after decades of campaigning by the business community for that to be the case, is a reflection of the fact that we are trying to have national consistency on this matter. More resources—

**Ms Lee:** What's WA doing? What's Queensland doing?

**MR BARR:** WA is not part of the harmonised arrangements, but New South Wales, Victoria, South Australia and Queensland certainly are. This came about because of a series of individual tax rulings in other jurisdictions. The ACT government have been clear that we are not seeking to go back in time. We are providing an exemption pathway that is tied to free access to health care through bulk-billing. That the Liberal Party oppose that says a lot about their approach—

**Ms Lee:** It's not us. It's the AMA and the RACGP.

**MR BARR:** Oh, it's not; that's right. You are lining up with the AMA and others who are apparently not supporting more bulk-billing.

### **Taxation—general practice clinics**

**MS CASTLEY:** Madam Speaker, my question is to the Treasurer.

Treasurer, in question time last Tuesday you said:

... none of the states and territories are indicating that they are going to exempt a certain section of taxpayers from payroll tax ...

The WA Treasurer has confirmed that they will not be applying this tax, South Australia has provided a one-year unconditional amnesty, New South Wales has paused payroll tax audits for a year, while Queensland has provided a two-year amnesty and has issued a public ruling that patient fees paid directly to a GP will not be subject to payroll tax, thereby minimising its impact.

Treasurer, do you accept that the answer last week was wrong, and that the position is out of step with other jurisdictions, which are either not levying a payroll tax on contractor GPs, minimising its impact, or effectively waiting one or two years to observe what happens here in the ACT?

**MR BARR:** No. Ms Castley fundamentally misunderstands what is happening in the other jurisdictions. I have had the benefit of attending the board of treasurers where I have this discussion directly with every treasurer.

*Opposition members interjecting—*

**MADAM SPEAKER:** Just leave the interjections aside, Mr Barr.



**MR BARR:** So, we have provided a five-year amnesty—larger than any jurisdiction—by not going back to 2018 to collect back payments. That is not the case in other jurisdictions. We have also provided a further two-year amnesty tied to a bulk-billing outcome.

**MS CASTLEY:** I have a supplementary question. Treasurer, will you consider following other jurisdictions by offering an unconditional amnesty, pausing audits and/or ruling that patient fees paid directly to a GP will not be subject to payroll tax?

**MR BARR:** That is seeking an announcement of government policy, but I can confirm that we have done more than most jurisdictions by—up until 30 June 2023—not imposing any obligation in relation to past payroll tax. We have waived five years worth of liability. That is an announced government policy—something that the opposition has not acknowledged.

**MS LEE:** Treasurer, why won't you abandon this tax on patients before it negatively impacts primary care in the ACT and increases the burden on our overstretched emergency departments?

**MR BARR:** Because if I did, then I would also have to accede to the call from pharmacists and the call from any other sector which sought to mount an argument that the application of tax would in some way impact upon service delivery. You simply cannot go, sector by sector, and, every time someone asks for a payroll tax cut or to be exempt from payroll tax, just grant it. You cannot govern like that; it is irresponsible.

### **ACT Emergency Services Agency—volunteers**

**MR PETERSSON:** My question is to the Minister for Emergency Services. Minister, with the high-risk weather season approaching, can you provide an update on the recent record levels of SES volunteer recruitment?

**MR GENTLEMAN:** I thank Mr Pettersson for his interest in our volunteers. The high-risk weather season is, indeed, fast approaching. Last month I had the pleasure to participate in the ACT State Emergency Service 2023 recruit graduate ceremony, along with, of course, many of our wonderful SES recruits.

Let me start by saying that the SES are an intrinsic part of our emergency response capability and they are a key component of the national network of first responders. Here in the ACT, the SES play a vital role in responding to storms, floods and other emergencies, and also contribute important capability in undertaking search operations and supporting our other emergency response agencies.

To that end, the recent SES graduation ceremony saw a record 92 new recruits graduate. They will now join a volunteer team of approximately 360 personnel based across seven locations in the ACT. This is a record number of graduates. It comes off the back of our recent recruitment exercise which led to applications from over 340 prospects. These record numbers demonstrate the high level of community confidence in the SES as well as the very high regard our SES volunteers are held in.

As minister, I want to congratulate our recent recruits on their graduation, and I want to thank all our SES volunteers for the great work they do in serving our community.

**MR PETTERSSON:** Minister, can you provide an overview of the type and level of training SES volunteers undertake?

**MR GENTLEMAN:** In undertaking their role, the SES face very real challenges. That is why we provide extensive training to our volunteers, to ensure that they have the necessary skills and knowledge to undertake these roles whilst also ensuring the safety of themselves, their fellow volunteers and, of course, members of our community.

To become an SES volunteer, recruits undertake around 200 hours of training spread over either 12 weeks part-time or two weeks intensively. The initial SES induction program involves about 36 hours of training, covering communications, client service, team work, working as part of a public safety organisation and work, health and safety policies and procedures. That training involves a combination of e-learning and face-to-face training as well. The induction program is complemented by further, more specific training, including first aid, asbestos awareness, bushfire awareness and operating communications equipment. SES recruits are also trained in stormwater damage operations, testing and maintaining response equipment, maintaining safety at an incident, undertaking storm and water operations, and working at heights.

Together, this package of training represents a significant investment in the safety of our volunteers and a significant investment in the safety of the Canberra community.

**MS ORR:** Minister, can you outline the ongoing training opportunities available to SES volunteers post-graduation?

**MR GENTLEMAN:** I thank Ms Orr for her interest in the safety of Canberrans as well. As members will appreciate, the SES, along with our Rural Fire Service, are primarily volunteer organisations, where our volunteers are motivated by serving their community rather than monetary compensation.

As I said previously, specialist training opportunities play an important role in developing the skills and knowledge of our volunteers. But they also play an important role in helping attract and retaining recruits.

Notable examples of more specialised SES training opportunities include the land search and rescue course, which helps develop skills and knowledge to perform a land search as a member of team while searching for and locating missing persons and/or objects in a range of environments and conditions.

Then there is the ESA Service driver course, which helps develop skills and knowledge to operate emergency service vehicles safely and effectively under a range of operating conditions; and the SES staging area operations course, which provides participants with the skills and knowledge to safely fulfill a role as a member of a staging area management team during operational and non-operational activities.

Although this is only a snapshot of the available training programs, these advanced programs help further develop the skills and knowledge of our volunteers, with the skills and knowledge being transferrable to other occupations and pastimes.

To conclude, the SES undertake very comprehensive training for their volunteers. I encourage Canberrans to take advantage of these programs and actively consider volunteering with our SES as well as our Rural Fire Service.

To those Canberrans who already volunteer with our emergency services, I wish for them to stay safe during the upcoming high-risk weather season, and I thank them for keeping Canberra safe.

### **Disability—Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability**

**MR DAVIS:** My question is to the Minister for Disability. Minister, 80,000 Canberrans are living with disability. As the Minister for Disability, I have no doubt you have been keeping a close eye on the Disability Royal Commission that held its closing ceremony last Friday, ending a 4½-year investigation into the violence, abuse, neglect and exploitation of people living with disability. What did we hear during the final hearing and closing ceremony?

**MS DAVIDSON:** I thank the member for the question, recognising that he not only has many people with disability living in his electorate but also lives in an electorate that experiences a greater proportion of economic inequality, and many people with disability do experience both of those intersecting issues.

During the closing ceremony, we heard from lots of people, including people with disability. We heard excerpts from witnesses who appeared before the hearings and from all the royal commissioners. Out of all the commissioners' reflections on that royal commission, what stood out to me the most were the reflections by two commissioners with disability, Rhonda Galbally and Alastair McEwin. In her reflection, Commissioner Galbally said that she learned that schools are rejecting people with disability and are pushing them into special schools, often due to fears that students with disability could be negatively detrimental to the education of non-disabled students by using up too much teacher time and school resources, despite research showing that there is no basis to this. Commissioner Galbally said that attitudinal change is required to combat this issue, but we know that attitudinal change campaigns on their own are not enough "because the prejudice is too strong". Commissioner Galbally said that "attitudes change when people with disability are visible and meaningfully participating with non-disabled children and adults on a day to day basis, in every setting in the community, starting with the earliest years".

Commissioner Alastair McEwin, the other commissioner with disability, in his reflection, spoke only about education, which I think tells us a bit about what might be in the findings and recommendations of the final report. He said a "recurring theme was the failure of the mainstream education system to include disabled children in their schools" due to structural and attitudinal barriers leading to disabled students

being pushed out of mainstream settings and into segregated settings or told to go to specialist schools. In his closing remarks, he said that he has “a vision of Australia having a fully inclusive education system where there is only one education setting”—a mainstream system that welcomes and is inclusive of students.

**MR DAVIS:** Minister, why has this royal commission been so important, particularly for the 80,000 Canberrans with disability, and their carers, families and friends?

**MS DAVIDSON:** I thank the member for the supplementary question. The royal commission provides all government and our entire community with the opportunity to take action to be more inclusive of people with disability. Hearing from disabled people during the closing provided some really important insights. Gerard Quinn talked about reframing disability by moving away from the medical model of disability and towards the social model and from a deficit based approach to a strengths based approach and a person-centred approach that looks primarily at a person’s humanity and their right to belong, connect and self-actualise.

Nicole Lee said that she was viewed by the things that she cannot do rather than her strengths and that she was viewed for her deficits when living with a violent partner and not how she managed to actively live in a volatile environment. Maria Scharnke said that disability should be accepted as “part of the natural spectrum of human diversity” and that there should be no need to go above and beyond to ensure children with disability have access to an education, because there should not be a system that perpetuates systematic inequities, inequalities and discrimination. And Chloe Hayden said, “I am so proud of being disabled and so proud of who I am as a person” and that disability pride and pride in who you are is so important.

I want to pay tribute to all who have advocated for so long to make this royal commission possible and thank everyone who participated for their courage and generosity. As the ACT Minister for Disability, I will not let your voices go unheard. I am committed to taking real and meaningful action. Through the ACT Disability Strategy, we will be taking that exact kind of action—an inclusion rather than an exclusion approach; a human rights approach, aligning with the UN convention; and a social model of disability based on the principle that society needs to change to remove barriers rather than changing people with disability to accommodate society. *(Time expired.)*

**MR BRADDOCK:** Minister, what happens from here, and what is the ACT government’s role and responsibility going forward?

**MS DAVIDSON:** I thank the member for the supplementary question. The royal commission will deliver its final report to the Australian government by 29 September this year, and tabling and public release of the report is then a matter for the Australian government. But everyone, including all levels of government and all parts of our community, has a role and a responsibility in creating a more inclusive community and better supporting people with disability. I am awaiting that report, and the ACT government will, of course, do its part in responding to the findings and the recommendations, including working with the community sector and other governments around Australia to make sure that we are implementing those recommendations appropriately.

It is really important to recognise that principle of “nothing about us without us”, recognising that people with disability are the experts in their own lives and that any decisions that impact people with disability should be made with people with disability, with all of us working alongside each other. I think it is also a really important opportunity for all of us to watch, listen to or read the closing ceremony remarks, which are on the Disability Royal Commission website. It is not easy to listen to a lot of what was said, but it is absolutely necessarily. That royal commission provides all of us with an opportunity to reflect on and learn about how we can do things better, and it is an opportunity that I would encourage everyone to take.

### **ACT Health—health workforce**

**MS CASTLEY:** Minister, junior doctors are suing Canberra Health Services due to alleged unpaid rostered overtime. The branch secretary of the ANMF told the Inquiry into Recovery Plan for Nursing and Midwifery Workers that a lot of midwives left CHS because of culture. Following these comments, 10 midwives did not transition to Canberra Health Services from Calvary. On Tuesday, *WIN News* reported that 19 radiation therapists have left the ACT in the past three years, and more and more might leave if a pay deal is not reached soon.

In a ministerial statement you said:

Our goal continues to be creating environments where our workforce feels supported, valued and empowered ...

Minister, when did you stop believing in making the workforce feel supported, valued and empowered?

**MS STEPHEN-SMITH:** I continue to support our health services to ensure our workforce is supported, valued and empowered. Unlike Ms Castley, I am not going to spend my time talking down our workforce or its culture. Indeed, I met with the radiation therapy team and a number of those radiation therapists at Canberra Hospital last week and had a good conversation with them about some of the pressures they are under. Of course, Ms Castley talked about 19 radiation therapists having left Canberra Hospital and completely neglected to also add that, in that same period of time, 15 have been recruited to join the team—a team that has a fantastic culture and works with some of the best high-technology equipment in the country.

So, we are working very closely with those radiation therapists and their union, the Health Services Union, through the enterprise bargaining process, and it was very useful for me to have a conversation with them about the national pressures on radiation therapy. There are national shortages of radiation therapists. It is not a course that is taught in the ACT, and so there are very few Canberrans in that team. It means we have to attract people whose families live interstate, and we need to retain them here. This is an environment where Queensland, particularly, is providing some very substantial attraction incentives, which are not only impacting on the ACT but on other jurisdictions as well. That is the context in which we are having this conversation with radiation therapists through the enterprise agreement process, and we are hoping to be able to provide a further offer to those radiation therapists quite soon.

**MS CASTLEY:** Minister, why is this Labor-Greens government forcing our valuable health workers out of the public system?

**MS STEPHEN-SMITH:** We are not.

**MRS KIKKERT:** Minister, what impacts will the further loss of radiation therapists have on cancer patients in our public hospital?

**MS STEPHEN-SMITH:** I thank Mrs Kikkert for the question. Our radiation therapists do an incredible job. They really have gone above and beyond, over recent times, to ensure that their patients get the support they need. That is why we are absolutely committed to ensuring that we continue to work with the radiation therapists and their union, the Health Services Union, through the enterprise agreement negotiations, to ensure that we offer a competitive environment.

I would say, Madam Speaker, that wages for radiation therapists in the ACT are competitive with other jurisdictions. But we do know that, particularly, those who have moved to the ACT from other jurisdictions away from their families—and did not study here, because we do not have an RT course in the ACT—are quite a mobile workforce. We are absolutely bearing that in mind as we go through finalising these negotiations with the RTs and their union.

### **Planning—district strategies**

**MR CAIN:** My question is to the Minister for Planning and Land Management. Minister, “Category 2 – Change areas” refer to change that could happen within zero to 10 years in the district strategy. Areas slated for development in this category include the intended City to Woden light rail corridor and what appears to be parts of a potential Woden to Tuggeranong light rail corridor along Athllon Drive. Minister, does this mean that Tuggeranong residents should realistically expect light rail to be delivered in the next 10 years?

**MR GENTLEMAN:** I thank Mr Cain for the question. The EPSDD does work with Transport Canberra and City Services looking for future opportunities for light rail. Indeed, we have talked about light rail going to Tuggeranong. I am not sure if we will get there in the 10 years, but we can certainly plan for more housing. This is what we are doing at the moment through the new Territory Plan and District Strategies. You would have heard the announcement most recently about better opportunities, particularly along transport corridors. That is our focus in the planning system, to make future housing available for more Canberrans. We know the growth that we see across the ACT will continue well into the future. There is no ebb to that growth and it is appropriate we do the planning to provide for housing opportunities for those people who want to live in those areas.

**MR CAIN:** Minister, are you being disingenuous by categorising these change areas for development spurred by light rail in such a short time frame when we all know that Tuggeranong will not see a tram for decades?

**MR GENTLEMAN:** Not at all. Indeed, as I said, we have been planning along transport corridors and the Athllon Drive corridor is one of those areas that we have been focusing on.

**MR PARTON:** Minister, what advice have you received from the National Capital Authority regarding the proximity of the change areas along the proposed Stage 2B route to NCA land in the inner south district strategy?

**MR GENTLEMAN:** I thank Mr Parton for the question. I have not received direct advice. It has been through the directorate, EPSDD, in the preparation for that District Strategy. NCA have indicated the areas they would like to use for future diplomatic construction and we have allocated areas in the district strategy that we would like to see future opportunities for housing for Canberrans.

### **Planning—district strategies**

**MR CAIN:** Madam Speaker, my question is to the Minister for Planning and Land Management. Minister, in respect of the change areas identified in the district strategies, I note that the Belconnen district strategy lists the former CSIRO Ginninderra site as a category 2 change area, meaning that it will experience change within 10 years. The plan to release land at this site for housing development was first identified in 2018, yet it appears it could take another decade before anything occurs. Minister, why has this site not been identified as a category 1 site and its development expedited?

**MR GENTLEMAN:** I thank Mr Cain for the question. The answer is that we have not yet obtained the land from the commonwealth.

**MR CAIN:** Minister, will you call on the federal government to directly release the CSIRO Ginninderra site for development?

**MR GENTLEMAN:** There are discussions underway between the Chief Minister and our federal colleagues to see how we can go about obtaining that land.

**MR COCKS:** Minister, why have you identified the Melrose Drive roundabout area for development, as part of the Woden north change area, when it is a floodplain for the Yarralumla creek and the site of the deadly 1971 Woden Valley flood?

**MR GENTLEMAN:** I thank Mr Cocks for the question. Indeed, he is correct; I remember that disaster very well. We do plan to have opportunities for housing in that area in the future. Of course, all of that risk would be taken on board to ensure that we could provide housing in a safe manner for future Canberrans.

### **National Multicultural Festival 2024**

**MS ORR:** My question is to the Minister for Multicultural Affairs. Minister, could you provide an update on the progress of preparations for the 2024 National Multicultural Festival.

**MS CHEYNE:** I thank Ms Orr for the question. I am very proud to advise the Assembly that the National Multicultural Festival has won the best community event award at the 2023 Event Awards organised by the Australian Event Awards and Symposium. This is very fitting recognition, particularly in the lead-up to the festival preparations that are already underway in earnest. Can I also advise that the festival was a finalist in the best cultural arts or music event category—again, worthy recognition of a festival which is uniquely community led and brings the community together in a celebration of our biggest and best festival yet, which we had in 2023, when we brought 170 cultures together with 380,000 attendees as part of the three-day festival. We have begun some fantastic planning with our community, and I look forward to telling the Assembly about it in more detail.

**MS ORR:** Minister, how are you engaging with the key community stakeholders to ensure their views and recommendations are including in the planning for the next festival?

**MS CHEYNE:** First of all, we have announced that the 2024 National Multicultural Festival will be held on 16 to 18 February, and we very much look forward to welcoming the Canberra community back. As you might be aware, we have provided record additional investment of over \$3 million over the next two years to ensure that the festival will have the same scale, feel and footprint of this year's record-breaking event.

Since 2021, one of the key ways that we have been engaging with our stakeholders has been through our community panel reference group, which has ensured that community views are very well represented in the design and delivery of the festival. This year the group has expanded from four to eight members, and they are continuing to provide invaluable strategic input.

**DR PATERSON:** I have a supplementary question. Minister, how are residents' concerns about noise raised during this year's festival being factored into planning for next year's festival?

**MS CHEYNE:** Members are aware that the 2023 festival received 12 complaints about noise—the vast majority of these, before the festival began. It is important to note that the festival always operated within the approved Environment Protection Authority standards, with sound managed by industry professional contractors. The National Multicultural Festival team has been meeting with residents, businesses, body corporates and other key stakeholders, including the EPA, to discuss noise management and to ensure that we are well prepared and understand the community's expectations as we head into the 26th anniversary festival. The team is working hard also to ensure that the festival is inclusive and accessible, and takes all needs into account. Accessibility consultants have been engaged to identify and implement strategies to ensure an even more inclusive and accessible festival in 2024, and I look forward to updating the Assembly in due course.

### **Planning—district strategies**

**MR CAIN:** My question is to the Minister for Planning and Land Management. Minister, in question time last week, you said of the Lake Ginninderra category 3



change area that there was “little opportunity to see residential development in the area”. You also said, “Residents of Belconnen want to see Lake Ginninderra as it is.”

Minister, the Belconnen District Strategy notes that the Lake Ginninderra west site can insert new streets and urban blocks with mixed-use buildings, and any investigation of the east site requires reference to vehicle access and street networks, all of which infer residential and commercial development.

Minister, should Belconnen residents expect to see the majority of green space surrounding Lake Ginninderra developed for residential purposes?

**MR GENTLEMAN:** No.

**MR CAIN:** Minister, what consultation have you conducted with the Belconnen Community Council and other relevant groups which an interest in Lake Ginninderra on this slated change area and what have their reactions been?

**MR GENTLEMAN:** I thank Mr Cain for the question. There has been a great deal of community consultation with Belconnen residents and, of course, community councils right across the ACT, including the Belconnen Community Council, and there have been a number of different views put back to EPSDD in the communication they get.

This was, of course, the largest communications exercise that we have done in the YourSay space. There was something like 30,000, I think, for the information across the ACT. Of course, each individual council made representations through the consultation period and to the consultation panel as well.

All of those are available through the YourSay website, which shows the consultation from each particular area. I would encourage members to have a look and note the comments made from those particular groups.

**MR PARTON:** Minister, what impact is the identification of the Tuggeranong Town Centre as a change area for densified development expected to have on its iconic red roofs and unique character?

**MR GENTLEMAN:** More housing is the plan for most of these group centres and local centres. We want to provide more housing across Canberra for our developing population. We have seen commentary come back from particular parts of the territory where people would like to see denser housing as well. They have identified areas like group centres like Tuggeranong, local centres and, of course, transport corridors to do that densification.

### **Kippax—crime**

**MR CAIN:** My question is to the Minister for Police and Emergency Services. Minister, you recently reneged on my invitation to meet with me and Kippax business owners and nearby residents to discuss crime and safety concerns at Kippax which you had indicatively accepted during estimates. Minister, will you commit to increase the number of daily patrols by ACT police at Kippax?

**MR GENTLEMAN:** I thank Mr Cain for the question. I note Mr Cain's campaign across Kippax to talk about the crime levels at Kippax. I can say that crime levels across the ACT have been dropping by around 15 per cent. I am very pleased with the work the ACT police have been doing. It comes down to the investment that this government has been making into our police service. I am very pleased that that investment is showing results in the reduction of crime.

*Opposition members interjecting—*

**MR CAIN:** Minister, why will you not keep your word and meet face to face with me and Kippax shopkeepers and shoppers who are concerned with rapidly increasing crime and safety issues at the centre?

**MR GENTLEMAN:** Because Mr Cain is running a scare campaign in a shopping centre. I can tell you, Madam Speaker, that the Kippax shopping centre is very upset about it. They have asked him to remove his corflutes. They are very upset about the scare campaign. I would urge Mr Cain to think about the messaging that he is providing to his constituents.

**MRS KIKKERT:** Minister, why do you continue to ignore West Belconnen?

**MR GENTLEMAN:** I do not. I visit West Belconnen and Belconnen quite regularly.

### **Public land—usage**

**MR BRADDOCK:** My question is for the Minister for Transport and City Services. Minister, there is a great deal of under-utilised public land in the ACT. I would like to ask: what is the ACT government doing to incentivise not-for-profit groups to utilise this land for the benefit of the community and Canberra?

**MR STEEL:** I thank Mr Braddock for his question. Certainly, the ACT government would like to see some under-utilised public land being utilised with activations and a range of different community activities. Of course, we are always interested in discussing what those opportunities are.

That land is governed under the Public Unleased Land Act. It includes open space, roads, footpaths and other types of unleased land. There are a range of uses that are governed by the act. It includes cafes and restaurants using outdoor dining facilities; markets in parks; and holding events—both by corporate organisations as well as by not-for-profit organisations. It includes developers, potentially, using public land in construction projects, as well as businesses selling goods, and even hawkers.

There are range of different activities, and of course we are always interested in what can be done to improve utilisation of some of that under-utilised land around the place.

*Opposition members interjecting—*

**MR STEEL:** We do have an abundance of open space in Canberra. It is one of the reasons why it is a great place to live. And not all of the unleased ovals and unleased patches of land are used—

*Opposition members interjecting—*

**MR STEEL:** So if there are ideas, then Transport Canberra and City Services is always happy to discuss those with organisations that would like to use them. Of course, we often take the broader view of the community into account as well.

**Mr Braddock:** Madam Speaker, on a point of order, please.

**MADAM SPEAKER:** Resume your seat Mr Steel.

**Mr Braddock:** I am struggling to hear the minister answer my question due to other members in the chamber.

**Ms Lee:** Why doesn't he just send you a copy of his answer!

**MADAM SPEAKER:** Ms Lee, that is not a helpful contribution. Mr Steel, you have 20-odd seconds left.

**MR STEEL:** One of the potential uses of land that we have been discussing—as part of the development led by Minister Vassarotti in the food and fibre strategy—is for community gardens, and even commercial gardening, on public unleased land. That is something we will explore.

**MR BRADDOCK:** Are not-for-profit groups able to access some sort of discounted concession rate for the utilisation of public land?

**MR STEEL:** There are permit fees for the use of public unleased land that are set out under the Public Unleased Land (Fees) Determination. So, if organisations are interested, they should have a look at those fees, which are relatively modest, for the use of public unleased space. Of course, we encourage them to get in touch with Transport Canberra and City Services directly, particularly around finding a suitable space.

We have made some changes, particularly following the COVID-19 pandemic, to make it easier for hawkers to set up, with no fees for hawkers to establish themselves on public unleased land. We will continue to work with other community organisations as well to make better use of land around the ACT.

**MR DAVIS:** Minister, how does the ACT government support and actively encourage community groups, in particular not-for-profit community groups, to make proposals to government to better utilise unleased public land?

**MR STEEL:** I thank the member for his question. We have a place coordinator—a single point of contact for organisations wishing to undertake activities in public spaces. I encourage community organisations to get in touch with the place coordinator if they are interested in undertaking activities. They should get in touch first and have those discussions with Transport Canberra and City Services, and that makes it much easier when they are applying for the permit. They have the full range of information they need to make their event—their activation—possible.

**Transport—Tuggeranong bus services**

**MR PARTON:** My question is to the Minister for Transport and City Services. Minister, we have all seen your government's extensive promotion about the new bus timetables coming into effect from term 4 this year. After numerous committee recommendations, motions and adjournment debates from members of the opposition, services have finally been restored to a usable level across most routes, including the 70 and 71 buses through Kambah. If you live in Kambah and work in Civic—indeed like yourself, Minister—your travel options to Civic are a little limited. You can either walk down to Athllon Drive and pick up the R4 or catch a 70 or 71 to Woden then change onto an R4 or R5 to get into Civic.

Minister, why are you ignoring the public transport needs of Kambah residents?

**MR STEEL:** I am not. I live in Kambah. I understand the transport access that Kambah residents have. As Mr Parton has noted, there are extensive rapid transit options on the eastern side on Athllon Drive. It is a great place to live and a great place to build more housing, along that transport corridor, which of course is the government's planning strategy. Always has been, since the most recent planning strategy. We will continue to make sure there are opportunities for people to live closer to public transport so they can use those rapid options, and of course, make sure we continue to take community feedback as we make improvements to the network for route buses as well; 70 and 71 being just some of those route buses. There is also a peak bus that, of course, makes its way along Drakeford Drive and the Tuggeranong Parkway into the city during peak times as well.

*Opposition members interjecting—*

**MR STEEL:** We are making adjustments based on community feedback on a yearly basis. We have just made the announcement about the adjustments we are making to the timetable which will come in from 9 October. We will continue to make improvements in the future as well.

**MR PARTON:** Minister, was any consultation undertaken with Kambah residents, other than yourself, for the new timetables?

**MR STEEL:** Yes, we take all community feedback onboard in relation to improvements to the network. We hear regularly from Transport Canberra customers about what improvements they would like to see in the network. Indeed, there have been tweaks to the network in Kambah over recent years to make sure that service is efficient and picks up as many people as it can whilst making sure the travel time is reasonable as well. There are good transport options from the Kambah region and we look forward to improving those over time.

**MR DAVIS:** Minister, how will the planning system that encourages more people to live in Kambah, and indeed across Tuggeranong, ensure the viability of the public transport networks?

**MR STEEL:** I thank the member for his question. We do not build housing just to ensure the viability of the transport networks, but certainly transport makes sure that where people do live in Canberra—

*Opposition members interjecting—*

**MR STEEL:** that it is a liveable place; it is a place where they can move around the city easily and efficiently.

Certainly with the growth of the city, we will see improved patronage over time on transport routes, particularly those major transport routes where there is densification. Of course, when we get more patronage it means we can continue to invest in more and better services for the community in terms of public transport. If we have a spread-out city—which is the type of city the Canberra Liberals would like to see, where we are expanding to our nature parks beyond the current urban footprint—well of course, it is very hard to build a transport system that provides adequate frequency, as well as maintaining coverage over such a wide area.

As the city grows there will be further opportunities to start building out a mass transit system for our city where we can move large numbers of people through a mass transit line in light rail, which will provide much better services, higher quality public transport services for the city, integrating with rapid buses and route buses.

### **Development—wombat displacement**

**DR PATERSON:** My question is to the Minister for the Environment. Denman Prospect is seeing quite a substantial number of displaced wombats from the development currently occurring, and there is significant ongoing concern for burrowing animals in the blocks that have been cleared.

Minister, what advice are developers given in respect of what they should do with a burrowing animal or a wombat?

**MS VASSAROTTI:** I thank the member for her question. In relation to the issue of protecting wombats and other burrowing animals, the Conservator for Flora and Fauna have been working particularly with the Wombat Stakeholder Working Group to develop guidelines for reducing the impact of development and related activities on wombats and other burrowing native animals.

The guideline preparations are well underway. Even though they have not yet been finalised, they are still being used to guide the assessment as well as advice to developers about what is required to assess and manage burrowing animals.

Some specific ways in which this is happening include that the construction environment management plans that are required under DA processes are now required to consider the impacts on wombats through their environmental mitigations and controls. Also, where developments impact on wombats, under the Nature Conservation Act licences are being issued that monitor conditions and exclusion

measures to ensure that animals are not harmed and are given the opportunity to move to adjacent habitat.

I understand that, in the circumstance that you have specifically referenced, Dr Paterson, the Conservator have been engaging with stakeholder groups and assessing what is happening on those developments and ensuring that those guidelines are being implemented.

**DR PATERSON:** Minister, wildlife groups have suggested that multiple meetings have come unstuck as to what to do with wombats that are in the direct line of clearing and construction. What evidence is the ACT government bringing to that discussion to guide an evidence-based approach in making decisions between doing nothing, culling wombats or relocating them?

**MS VASSAROTTI:** Thank you very much for the supplementary, Dr Paterson. The directorate is working closely with stakeholder groups such as the ones that you have talked about, drawing on the research and the evidence base in terms of the best mitigation and control methodologies.

This is quite a challenging area. The need to ensure that wombats and other burrowing animals are being protected and, particularly, how they are being given the opportunity to move to adjacent areas is something that is being work on through the guidelines.

With our researchers and ecologists, we will continue to monitor how those guidelines are being implemented, what their impact is and whether they need to be updated as we work through this process.

**MR PETTERSSON:** Minister, has the government considered any relocation sites for the relocation of wombats residing in the path of clearing and development?

**MS VASSAROTTI:** Thank you very much for the supplementary question. Certainly the issue of looking at where wombats could potentially be relocated has been considered. I think the particular opportunities are enabling wombats to move to—

**MR COCKS:** How about Casaurina sands!

**MS VASSAROTTI:** adjacent habitats, in particular, rather than translocating them to significantly new habitats. These are wild animals that do require significant support when their environments are being significantly modified. So our ability to ensure that they are being looked at and that they are able to make their own way to adjacent habitat is seen to be the best way to address this issue.

**Mr Barr:** Further questions can be placed on the notice paper, thank you.

### **Supplementary answer to question without notice Calvary Hospital—acquisition**

**MS STEPHEN-SMITH:** I arose yesterday evening to correct the record in relation to a response I provided in question time last Wednesday, where I indicated that

I understood that a letter from me to the Chief Minister was available under freedom on information. It was drawn to my attention yesterday that that was not the case.

*Opposition members interjecting—*

**MS STEPHEN-SMITH:** I have sought clarification that I am, indeed, able to release that letter. I am tabling a letter dated 23 September 2022 from me to the Chief Minister regarding the removal of the Health Infrastructure Enabling Bill 2022 from the spring 2022 Legislative Assembly sitting program. There is very little new information in this, but for the information of the Assembly, I table the following letter:

Health Infrastructure Enabling Bill 2022—Copy of letter to the ACT Chief Minister from the ACT Minister for Health, dated 23 September 2022

## Papers

**Mr Gentleman** presented the following papers:

Auditor-General Act, pursuant to subsection 21(2)—Auditor-General’s Reports—

No 2/2023—Management of Operation Reboot (Outpatients)—Government Response, dated 21 September 2023.

No 5/2023—Activities of the Government Procurement Board—Government Response, dated 21 September 2023.

Chief Minister Trade Mission to New Zealand 18-20 July 2023, dated September 2023.

*Mr Hanson interjecting—*

*Ms Stephen-Smith interjecting—*

**MADAM SPEAKER:** Mr Hanson and Ms Stephen-Smith, if you want to have a discussion, I suggest you go outside!

## Canberra Hospital—diagnostic imaging

**MS CASTLEY** (Yerrabi) (2.58): I move:

That this Assembly:

(1) notes:

- (a) the Department of Health and Aged Care capital sensitivity guidelines for diagnostic imaging equipment, “ensure equipment is regularly upgraded and replaced so that patients have access to the highest quality services.”;
- (b) question on notice No 1242 revealed that 14 machines at Canberra Hospital are past their end-of-life period, as defined by the manufacturer;

- (c) the Select Committee on Estimates 2023-2024, question taken on notice No 84, revealed that two machines (one being a magnetic resonance imaging (MRI)), no longer qualify for full access to the Medical Benefits Schedule (MBS) as they exceed the “maximum extended life age”;
  - (d) since 12 November 2022, the combined loss of Medicare revenue under the MBS for these two imaging machines at Canberra Hospital is over \$110,000; and
  - (e) all MRI machines in Tasmania and Northern Territory qualify for full reimbursement under the MBS and no machines receive partial reimbursement;
- (2) further notes the:
- (a) 2019-2020 ACT Budget announced, “More public medical imaging equipment for Canberra Hospital,” which was meant to deliver, “An additional interventional radiology suite at the Canberra Hospital and replacing existing MRI devices”. This project was due to be completed in March 2021, with a four-year investment of \$11.2 million; and
  - (b) the 2023-2024 ACT Budget revealed, “More public medical imaging equipment for Canberra Hospital” with an estimated completion date of December 2023 and a revised project value of \$5.7 million; and
- (3) calls on the ACT Government to:
- (a) table in the September 2023 sitting period, a detailed explanation of:
    - (i) why this MRI machine was not installed between March 2021 and August 2023; and
    - (ii) what processes Canberra Health Services has commenced to replace or install new imaging machines, and by what date the new machines will be operational in Canberra Hospital; and
  - (b) fast track the installation of new diagnostic imaging machines in the ACT.

The 2019-20 ACT budget announced that the government would deliver more public medical imaging services for Canberra Hospital, with a physical completion date of March 2021. The budget outlook said this project:

... will provide more public medical imaging services by delivering an additional interventional radiology suite at The Canberra Hospital and replacing existing MRI devices.

If you follow this health infrastructure project through subsequent budget papers, you will see a story which, sadly, is par for the course of many other capital works projects announced by this government. The 2020-21 budget pushed the completion date for the MRI machine out to December 2022. The 2021-22 budget pushed the completion date out again to July 2023. And the 2022-23 budget pushed the completion date out again to December 2023.

Imagine that a family member or loved one is a patient at the Canberra Hospital and has a terrible injury or chronic disease or cancer and needs to use the ACT’s public health system. Members already know that when you bring your loved one to our



emergency department, you will be waiting longer than in any other jurisdiction in the country. If you are admitted to hospital, based on recent statistics, your average length of stay will be longer than the national average. Where the national average is 5.7 days for patients who are not able to be discharged on the same day, our ACT hospitals take an average of 6.7 days. If you are discharged and become an outpatient, then you will join the tens of thousands of patients who are waiting longer than clinically recommended. As of March 2023, if you were part of the 1,000-plus category 3 patients who needed orthopaedic surgery, you would be waiting an average of 1,278 days for your first appointment.

Imagine this friend or family member was in this situation and needed regular scans and appointments at our hospital. They wait and wait; machines are broken; scans need to be redone due to poor image quality; they are sent to private practices to get the scans. Then the ACT government announces, in 2019, that they will install a new MRI machine. The Barr-Rattenbury government says that the machine will improve diagnosis and treatment times for patients, provide clinicians a machine that is easier to use and has increased functionality, and provide greater patient comfort and improved service operating efficiencies.

I am sure, Mr Deputy Speaker, that you would be thinking, “What a great investment for our health system.” But then you would continue to wait, and wait, and wait, while the health minister re-announces the MRI, and then re-announces it again, but still does not deliver this new machine. In the meantime, the current machine becomes so ancient that the Department of Health and Aged Care decide that they are no longer going to reimburse the Canberra Hospital the full MBS amount it normally receives. Wait times for outpatient medical imaging blowout, with almost 2,000 patients waiting for a scan, and CHS briefing the minister that capacity needs to be increased. This scenario is real. My office—and I am sure all other members—receives similar emails about this every week.

After more than a decade of Labor and the Greens in charge, ED, inpatient and outpatient wait times have blown out, while infrastructure projects have been delayed years past when they were promised. This MRI machine has only just been installed, but there are still at least another 13 diagnostic imaging machines that are past their end-of-life age. Last week, during question time, the minister told us that the reason that patients have not have access to this new MRI after four years of announcements was because of COVID. Only this Barr-Rattenbury government could brush off this much neglect of medical infrastructure.

Do not just take my word for it though. I would like to go through what the federal Department of Health and Aged Care thinks state and territory governments should do with their imaging equipment. The federal department uses what it calls capital sensitivity guidelines. According to its website, capital sensitivity guidelines ensure practices regularly upgrade and replace their equipment so that patients have access to the highest possible quality services. This is enforced by the Department of Health either providing partial or full access to MBS subsidies, depending on the age of the machine. As of 8 March 2023, the ACT public health system has one MRI machine with full access to MBS at the Canberra Hospital and two MRI machines that receive partial access. One is at Canberra Hospital and the other is at North Canberra Hospital.

Not only have patients and staff at Canberra Hospital been neglected by the government failing to upgrade these machines, but it has also cost the government more than \$100,000 in forgone subsidies over a short period. What happens in other states and territories? Members would have seen my motion. I am sure everyone has read it word for word! Two similar sized jurisdictions, Tasmania and Northern Territory, have no machines receiving partial access to the MBS. The two jurisdictions who are closest to the ACT in size, follow the capital sensitivity rules and ensure patients have access to the highest possible quality services. However, the ACT lags.

There is more to it than that. Going through the minister's responses to questions on notice, there are other machines that have passed this capital sensitivity guideline. The Canberra Hospital's gamma camera, which is used for diagnosis of cancers, cardiovascular disease and neurological disorders, is almost 19 years old, which means that it is also past the capital sensitivity guideline. Canberra Hospital's angiography unit and single-photon emission computer tomography, or SPECT machine, will pass the capital sensitivity guidelines before the end of this year. I am sure the government will try to draw comfort and says it plans to install new machines and replace these units. What does not fill me with confidence is that for both the gamma camera and SPECT machines, the timelines are unknown.

The minister helpfully says that the process to replace the unit has commenced, but given the government's track record of over-promising and under-delivery, I am not holding my breath. These machines would improve efficiency and quality of services for patients and staff, as well as reduce unnecessary loss of revenue. The minister tells us that two new angiography units will be installed in the new Critical Services Building. This is great, bearing in mind the new Critical Services Building has itself been delayed for years. A further ten medical imaging machines have passed the manufacturer's end-of-life period. This includes the PET scanner at the Canberra Hospital. Since it has passed its end-of-life period, it has had seven repair events in just one year and eight months. As a result, the machine has been out of action for at least 90 hours in less than two years.

I want to share with you a few comments from the Canberra Noticeboard group who are discussing medical imaging in the ACT. One person says:

I have an annual brain MRI every year since the removal of my tumour in 2020 at the Canberra Hospital. They called me this year in May saying their machine was broken and that I had to go private.

Another person said:

I called Canberra Hospital, and they told me to send through a referral and it would be assessed as to whether they would classify it as fully refundable or not. Their machine was out of order due to maintenance, so they approved the scan to be done by an outside private imaging company and it was paid for by CHS.

These are real Canberrans who are impacted by this government's consistent failure to deliver on health projects. These are people's families, loved ones and friends, who are not able to go to the Canberra Hospital because medical imaging machines are

slow, broken down and past the Department of Health's guidelines, and the government have not replaced them.

The minister, in response to one of my questions on notice, pointed us to the 2022-23 budget initiative where the ACT government will spend \$37.5 million to replace some of the machines in this aging fleet. Unfortunately, this infrastructure project is already slipping on its timelines. The 2022-23 budget included funding to deliver new clinical equipment and building services at the Canberra Hospital and that Canberrans could expect a completion date of August 2024. How about that for timing?

However, the 2023-24 budget tells us this project now is expected to be completed in June 2026. We have seen this script before, and I hope this project does not follow the debacle we saw with the new MRI machine. I am not encouraged after receiving answers from the minister during estimates. The government provided CHS \$7 million in funding to be spent on this project and CHS recorded an underspend of more than \$1 million. This occurs for almost every infrastructure project outlined in the Barr-Rattenbury budgets for the last decade.

What is extremely frustrating is that the neglect from this government impacts patients and frontline staff who must use this aging equipment. You only need to read Canberra Health Services' own words highlighting the benefits of the new MRI to see how frustrated they must be with the government. They say:

This new machine has the horsepower to create scans more efficiently than the old 1.5T machine we just removed. The efficiency means that the scanning time can be reduced, which in turn helps with wait times, and its accuracy in supplying such crisp, detailed images, which can potentially reduce the need for additional scans.

This sounds like a winner to me. Almost a year ago, CHS began auditing their medical imaging outpatient wait lists before DHR went live. CHS started contacting patients from oldest to newest to remove people who no longer required a scan or to send patients to private practices. This still left thousands of outpatients waiting for medical imaging at the Canberra Hospital. As of 30 September 2022, there were 556 outpatients waiting for an ultrasound; 552 outpatients waiting for a CT scan; and 793 outpatients waiting for an MRI.

A brief to the minister signed by the deputy CEO said in response to the failure of the wait list audit in reducing the number of outpatients waiting for imaging:

This approach alone is not sufficient in the long run. Accordingly, under the guidance of the Executive Director, Medical Services, the service will: complete clinical service planning to match supply and demand or where this is not possible, to present a case for future investment in capacity.

It still took the government almost a year to implement the new MRI machine in the Canberra Hospital even though CHS were telling the minister they needed more machines. She knew there was a capacity issue and that new machines were more efficient. Yet still when wages were blowing out it took almost a year to install the machine.

My motion today asks for simple answers from the government. Firstly, to explain why the MRI machine was not installed between March 2021 and August 2023. Money has been allocated to install this new MRI machine and not spent, and Canberrans should know why there was a delay.

It also asks the government to be clearer about the processes CHS have begun to replace or install new imaging machines, especially given that timelines have already been pushed out from August 2024 to June 2026. The minister identified 16 new machines that may be installed, with no dates or timeline when patients will actually be able to realise the benefits of these new machines.

Finally, my motion calls on the government to fast track the installation of these new diagnostic imaging machines. With two more expected to reach their maximum end-of-life age in the next few months, it is crucial that this government prioritises installing these machines for all of the reasons that I have outlined in their many press releases.

**MS STEPHEN-SMITH** (Kurrajong—Minister for Aboriginal and Torres Strait Islander Affairs, Minister for Families and Community Services and Minister for Health) (3.03): I move:

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

“(1) notes:

- (a) in 2020 the global COVID-19 pandemic began having an overwhelming impact on health services, health workers, supply chains and businesses that has lasted for several years, with staff and patient safety prioritised during this time;
- (b) the installation and replacement of major medical equipment must account for the operation of live clinical environments, safety, staff consultation, advancements in technology and health infrastructure developments;
- (c) when the recommended end of life of an imaging machine is reached, it does not mean the machine can no longer be functional and there are variations to the definition of ‘effective life age’ under the Medicare Benefits Scheme for the purposes of Medicare payable benefits;
- (d) Canberra Health Services has undertaken work to better track equipment assets to identify replacement needs and upgrade key assets on an ongoing basis;
- (e) the ACT Government has made significant investments in the replacement and upgrade of equipment, and expansion to medical imaging services across successive budgets, including:
  - (i) \$10.8 million in the new Weston Creek Community Medical Imaging Service that opened in May 2023;
  - (ii) more than \$42 million in the 2023-2024 ACT Budget to upgrade, replace and enhance equipment across the ACT’s public hospitals; and
  - (iii) \$3.9 million for a new Angio-CT machine in a hybrid theatre in the Critical Services Building that will also include a range of new major medical equipment; and

- (2) calls on the ACT Government to:
  - (a) continue supporting Canberra Health Services to deliver new state-of-the-art imaging equipment in the ACT's public health services, including as part of the Critical Services Building opening in 2024; and
  - (b) provide an update to the Assembly in Quarter 1 2024.”.

I would like to thank Ms Castley for the opportunity to talk about ACT government investments and the excellent work of Canberra Health Services staff to deliver upgraded equipment and enhance services across the ACT. Across multiple budgets the ACT government has invested in new equipment and services to support high quality medical imaging now and into the future across our public health services. For example, in the 2022-23 budget the ACT government committed \$37.4 million to deliver new state of the art diagnostic imaging equipment at the Canberra Hospital. These include the replacement and upgrade of a single-photon emission CT, a nuclear medicine gamma camera and a positron emission tomography CT. These machines are due to be installed in 2024.

In addition the ACT government provided funding to further boost diagnostic capabilities at the Canberra Hospital in response to population growth, technology developments and advances in clinical practice. This included an additional CT scanner that was installed in January 2023 and a replacement fluoroscopy unit installed in April 2023. We invested \$4.6 million in the 2022-23 budget to upgrade, replace and enhance critical equipment at what is now North Canberra Hospital. This funding ensured we could provide new ultrasound and mobile X-ray to the North Canberra Hospital.

As part of the more than \$660 million Canberra Hospital expansion project, of course, the new Critical Services Building will include state of the art facilities and equipment as part of the 22 new theatres and medical imaging services. This means we will be using the latest advances in medical technology. The new Critical Services Building will add to the medical imaging facilities available at Canberra Hospital with four X-ray rooms, three CT scanners, two ultrasound rooms, one ultrasound procedure room and another new MRI.

As part of the 2022-23 budget review the government also invested an additional \$3.9 million to the Canberra Hospital expansion project for a state-of-the-art angio CT in the new hybrid theatre. This investment continues our commitment to providing the latest medical technology for patients and our teams, with the new equipment enabling imaging of critically unwell patients in the operating theatre in real time. This improves efficiency in theatres and patient safety outcomes.

There are two MRI machines currently in operation at the Canberra Hospital, both providing Medicare eligible services and within their effective life age in accordance with the Medicare Benefits Scheme. In the 2019-20 budget the ACT government committed funding over four years for the replacement and upgrade of one MRI machine with the latest medical technology at the Canberra Hospital and an additional interventional angiography suite. Funding for the new MRI was allocated to the 2020-21 financial year.

As I have indicated in my amendments, in 2020 everything changed for our health services. The COVID-19 pandemic response became the priority. Teams working on installation of new equipment across infrastructure, support services and medical imaging had to focus on establishing vaccine and testing facilities and responding to testing and then vaccine facilities and responding to a significantly changed clinical environment. The Canberra Liberals would have us all forget the COVID-19 pandemic in order to make their political points. But the reality for the Canberra Health Services staff, who needed to keep their community and colleagues safe, is that the pandemic response took priority over the procurement and installation of equipment that was working and functional. When our hardworking staff were able to recommence work on installing this equipment, that is exactly what they did. The replacement and upgrade of the MRI machine at the Canberra Hospital commenced in May 2023 and it became operational on 11 September 2023.

Following preliminary planning for the new Critical Services Building, it also became clear the additional interventional angiography suite was no longer required in the existing building following consultation with departmental radiologists. Health services changes and government investment mean our planning consistently develops over time to ensure our improvements are going to provide the best outcomes for the community. It would be poor policy decision-making to ignore a global pandemic or the advice of our clinicians just to avoid a misguided gotcha moment from the Canberra Liberals. To say the ACT government is not taking seriously the replacement and upgrade of clinical equipment is simply incorrect. Indeed, our team is working hard to ensure we have the best equipment in our public hospitals to provide the best outcomes for consumers.

But we have not stopped there. We are also ensuring there is even more access to diagnostic imaging across our public health services. In May 2023, the new public medical imaging service at Weston Creek opened. The Weston Creek Community Medical Imaging Service provides new diagnostic imaging equipment, a CT scanner, X-ray and ultrasound for non-urgent patients to access imaging services closer to home. This was supported by a \$10.8 million investment in the 2020-21 ACT budget to purchase these machines and staff the facility. In the 2021-22 ACT budget \$15.8 million was also invested in expanding critical public hospital services at what is now the North Canberra Hospital. This investment supported expansion of medical imaging services at the hospital to operate 24/7, which has meant better support for the emergency department to access medical imaging services around the clock.

As we approach the opening of the new Critical Services Building in 2024 we have invested more than \$122 million to operationalise our new and expanded services, including our enhanced medical imaging services. This investment supports additional medical imaging workforce and the operation of new medical imaging equipment, providing even more services to the ACT community.

To address Ms Castley's motion for a moment, anyone reading the amendment will have noted that the entirety of (1)(a) has been replaced. Partly that is because of the number of errors and clarifications that are required. I note that Ms Castley has not said this, but others have implied it from what she has said, so to be very clear, Medicare-eligible patients do not incur out-of-pocket expenses for medical imaging procedures at Canberra Hospital. For clarity, the age of any machine does not mean

patients are now paying for public health services outside of those already listed in the Health Fees Determination. For those who are Medicare ineligible or non-eligible, the Health Services can work with them on a payment plan if they were to have difficulty making the payment.

Ms Castley is actually completely incorrect at paragraph (1)(c) that one of the two machines that have exceeded maximum extended life for MBS purposes is an MRI machine. These two machines are a single-photon emission computed tomography, CET machine, and a nuclear medicine gamma camera, both of which I note that Ms Castley did mention, which resulted in a loss of Medicare revenue of approximately \$111,000 since 12 November 2022, as provided in my response to a question on notice.

Our dedicated health teams are currently working to replace these machines, and I am confident they are also ensuring the best possible care is still being delivered to all Canberrans needing these services. Ms Castley is not correct to conflate the age of machines with the quality of care provided by our dedicated medical imaging teams, or the wait times that she has indicated. Indeed, you just need to take one look at the responses to questions on notice to see that machines that are of the same age may require very, very different amounts of servicing and supports. When you look at all of those machines and the age and the number of hours for which they have been serviced, there is actually very little correlation between the age and the need for the servicing.

Regarding MRI Medicare eligibility and the comparison that Ms Castley has so cleverly drawn in paragraph (1)(e), I can advise Ms Castley that this difference is not in any way related to the age of the equipment. It relates, rather, to whether the health service is in a city, rural or remote area. The commonwealth government determined in November 2022 that all Modified Monash 2 to 7 areas, that is those in rural and remote areas, could have all MRI machines fully eligible for Medicare services. That is why you see the Northern Territory and Tasmania with fully eligible machines. In Modified Monash 1 areas, that is in metropolitan areas such as Canberra, there is a limit on the number of fully eligible MRI machines that can be accredited to an individual organisation. So in line with the commonwealth rules, Canberra Hospital has one fully eligible MRI machine, and any further MRIs are partially eligible, no matter their age, which you will see is consistent with every other city in Australia. The North Canberra Hospital Qscan service is also partially eligible because that is a private organisation that was contracted by Calvary and is subject to the same commonwealth limitations.

In July 2023, the medical imaging department at Canberra Hospital identified 14 medical imaging machines that have reached or exceeded their recommended end-of-life as defined by the manufacturer. When the recommended end-of-life is reached, it does not mean the machine can no longer be functional. There are also variations of the definition of effective life age under the Medicare Benefits Schedule for purposes of Medicare payable benefits.

In recent years, Canberra Health Services has put in place strong asset management processes to ensure the team is tracking equipment, identifying replacement needs in a timely way and ensuring these upgrades can occur across Canberra Hospital. I have

already outlined the significant work that they have been doing to replace and upgrade equipment across our ACT public health services.

Ms Castley, I would say, if you brought this motion maybe a decade ago you might have been correct in that ACT Health, as it was then, did not have the kinds of processes it now has in place for strategic asset management. I recognise that neither of us were here a decade ago, but in recent years, Canberra Health Services has been very diligent in putting in place strong asset management processes that have then informed budget decisions year-on-year about which I have spoken earlier and gone into detail about the substantial investments that have been made, and the equipment that has either already been procured and implemented, or is in the process of being procured and implemented.

Canberra Health Services also has comprehensive contracts in place to minimise equipment downtime, with scheduled preventive maintenance and efficient response to unplanned downtime where possible. There are currently two medical imaging machines at Canberra Hospital that have exceeded their effective life age, as I have said, and I talked about those earlier.

So overall, I think it is really a disservice to our health workers and to the community to denigrate and ignore the hard work and advice that they have been providing and for Ms Castley to mislead Canberrans so egregiously about the equipment that is available, its quality and the timeliness of care that our teams provide. Yes, there are wait times for some of these services. Those wait times generally relate to the demand that is there and the availability of staffing and supports, but Ms Castley has conflated a number of matters in her motion.

So I commend my amendment to the Assembly which answers some of the questions that Ms Castley has asked in relation to some of the reasons for delay, particularly around the COVID-19 pandemic. It also provides some further information for the Assembly about the substantial investments that have, indeed been made which, of course, Ms Castley completely ignored.

**MR DAVIS** (Brindabella) (3.16): I rise to speak to Ms Castley's motion on diagnostic imaging equipment and the amendment circulated by Minister Stephen-Smith, which the Greens will support.

Firstly, I do want to acknowledge and thank Ms Castley for bringing this issue to the Assembly's attention. I think everybody in here can agree that we want and should expect nothing but the very best quality technology and services in our hospitals and in our community healthcare centres. Anyone who needs imaging must be able to get it in a timely way and in a high quality way.

That is why I must admit that I was concerned by some of the details of Ms Castley's motion, including that quite a number of the imaging machines at the Canberra Hospital are past their end-of-life which is defined by the manufacturer as 10 years following operation. I was particularly concerned that two machines had passed their maximum extended life age, which is longer than the manufacturer's end-of-life period and that once past this maximum they no longer qualify for the full Medicare Benefits Schedule. For the two machines that are past this maximum, this has resulted



in a loss revenue of over \$110,000 for the ACT government. Of the 14 machines noted in Ms Castley's motion that are past their end-of-life period, it is worth noting that all but one of those machines has undergone repairs since the shorter manufacturer's end-of-life period has passed. This is to ensure that the machines are able to continue functioning beyond this period.

For all the machines discussed in this motion, I have been reassured by the Health Minister that they are still functional and capable of providing the necessary services to the community. Indeed, I spent more time than I care to tell you at the MRI section of the Canberra Public Hospital over recent months and can speak to the high quality of service provided by our public healthcare workers.

Importantly, I have been assured by the minister's office that there have been no complaints identified by Canberra Health Services from staff, patients, or any external medical practitioners, about the quality of imaging services Canberra Health Services provides.

The Health and Community Wellbeing Committee discovered during its Inquiry into Abortion and Reproductive Choice in the ACT that there is a critical lack of ultrasound equipment in the ACT which does risk limiting pregnant people's access to necessary imaging that may be required before undergoing abortion or other reproductive healthcare. I was pleased to see the ACT government agree in principle to the recommendations made by that committee to increase access to ultrasounds throughout the territory.

Of course, nobody can deny, not even Ms Castley, that the COVID-19 pandemic has had real and lasting impacts on the operation of all industries and their ability to continue to deliver services as usual. Our hospitals and our health centres were at the forefront of this challenge. The installation and replacement of major medical equipment was not considered unimportant; it was merely overtaken by the critical situation that we all found ourselves in—a situation in which we had no choice but to dedicate every possible resource to supporting our community through the pandemic, particularly our most vulnerable.

I think it would be unrealistic to assume that all health services could have continued operating over the past three years at the same pace and trajectory as they did before the pandemic uninterrupted. However, it is important to state that I absolutely expect the ACT government to deliver upgrades to services and new machinery as soon as possible and as soon as is necessary.

I have been informed by the minister that Canberra Health Services has undertaken work to better track equipment assets to inform replacement and upgrade needs on an ongoing basis. This is essential, particularly as we purchase and install new equipment like the services listed in Minister Stephen-Smith's amendment to Ms Castley's motion. I commend the ACT government on the new services that have been provided to our community.

The new Weston Creek MRI service that opened in May this year will provide an excellent and much needed service for Canberrans needing diagnostic imaging and ensure they can access those services outside of a hospital setting. The service is

located at the Weston Creek Community Health Centre, ensuring easy access for people who have visited the walk-in centre next door. This aligns with the ACT Greens' long-held view that the best hospital is an empty one. We want as much investment as possible in health services and preventative health care in community to keep people out of hospitals and being cared for closer to home where it is appropriate. We have heard a lot in this chamber about the huge demands that our hospitals face and high-quality community health services are essential to easing that demand.

The ACT government has been investing considerably in healthcare infrastructure and in particular diagnostic machines. I note that the last budget does commit more than \$42 million to upgrade and replace equipment across our now two public hospitals. I also welcome the delivery of the new MRI machine at the Canberra Hospital that has been announced in recent weeks. The new Critical Services Building, as part of the Canberra Hospital's expansion, will also include a number of new imaging machines. I am sure the ACT government's new North Canberra Hospital will also provide ample opportunity for better integration and expansion of these much-needed imaging services on the northside of the city. I look forward to the update on imaging machines that the minister has committed to making in quarter 1 of next year.

I would like to thank Ms Castley for her ongoing efforts to improve the quality of our medical technology and health services. I commend Minister Stephen-Smith for taking the opportunity of Ms Castley's motion to update the Assembly on the work that the government is doing. While there might be difference of opinion on how we get there, I am pleased that at least there seems to be a united front that these are necessary investments for all Canberrans. It was a shame that the Canberra Liberals could not vote for the budget that funded them.

**MS CASTLEY (Yerrabi) (3.21):** We will not be supporting the amendment today. The last decade has seen a decline in the ACT health system because of the inability of the Barr-Rattenbury government to adequately fund primary care in our hospitals.

Installing a new MRI machine would have the benefit of increasing the quality of medical imaging, allowing staff to have more detailed images and reducing the need for additional scans. It would have reduced wait times for outpatients and inpatients when waitlists have clearly been blowing out for years because of the aging fleet. It would also have prevented Canberra Hospital losing revenue on MBS subsidies—already, as we have discussed, more than \$100,000 over a short period, with more machines soon reaching the end of the federal department's capital sensitivity guidelines. Instead this government has done what it does best and announced new machines but delivered less and later than originally announced.

I would like to share with the Assembly some further comments from the minister regarding the medical imaging equipment, which further highlight why our medical imaging equipment should have been replaced long ago. A brief to the minister, on 25 March 2022, makes for some really interesting reading. The minister was briefed by the Infrastructure and Health Support Services about replacing the CT scanner at the Canberra Hospital. The brief says:

The existing CT scanner is past its useful life. We are seeing high failure rates and components no longer supported.

Past its useful life. This is not me saying this. This is the experts, the executives.

It is also worth noting at this point that answers to my questions on notice tell us how many times each machine has had to be repaired. Now I spoke about the PET scanner earlier, but you could examine the failure rates of multiple machines. There are two general X-ray machines which are four years and three months past their end-of-life period as of 7 August 2023. One machine had eight repair events since it passed the manufacturers end-of-life period. This has resulted in a total time of repaired hours of 45.25 hours. The other had nine repair events since passing its end-of-life and has taken over 32 hours to repair. It is not clear if total time taken to repair includes the time that the machine was out of order, but I suspect not.

As I also mentioned earlier, it seems that a number of patients have been referred to private practice due to machines being repaired at the Canberra Hospital. The March 2022 brief to the health minister about the CT scanner continues:

These recurring failures and lack of reliability impact on positive patient outcomes and flow across the Canberra Hospital campus. They increase pressure on the health system.

This is the part that I find really interesting:

They increase pressure on the health system which is already under immense strain and result in the inability to manage any major failures.

This is a brief to the minister. It seems that CHS executives do not share the minister's self-serving insistence that the diagnostic imaging in the ACT is as good as it gets.

Now I note that this brief was at the end of quite a busy COVID period, which I also find interesting because almost nine months later—just nine months, a new CT scanner was installed at the Canberra Hospital. So I would like to know why the MRI machine could not have been replaced much sooner as well. I know that in an incoming brief to Minister Stephen-Smith she was told about the benefits of a new MRI machine, the same machine that she spruiked over the past four years while the project had not been delivered. It seems very convenient to revert to the tired excuses like COVID. But why was the MRI not replaced at the same time as the CT scanner?

If the minister was told by the department in a brief that recurring failures and lack of reliability impact on positive patient outcomes and flow across the Canberra Hospital, then why did she not replace these 14 machines that were past their end-of-life? Under the “Benefits and sensitivity” section, the brief goes on to say,:

Medical imaging department equipment requires significant investment to improve service reliability and improve team morale. It is anticipated that this early investment in new CT scanner will generate a positive cultural outcome.

It is curious that there can be so much advocacy from CHS executives and medical imaging staff, yet the minister did not provide the MRI machine when it was first promised in 2019-20.

I would like to go over that line again. It said:

It is anticipated that this early investment in new CT scanner will generate a positive cultural outcome.

Why does the minister not listen to her executives? These are the experts. It is disappointing that the Labor health minister and the Greens spokesperson are here just trying to reduce my motion to not much at all, no action. It is clear that lack of infrastructure is impacting staff culture. I am not sure what the retention and attraction has been in the medical imaging department, but I have spoken to stakeholders before lodging this motion who told me that the fight to get new equipment has been going on for five years, at least.

How do you think staff feel when they read the following lines from the ministers press release from earlier this year? It says:

This significant upgrade, combined with the recent installation of a new CT scanner into the Canberra Hospital's Imaging Department, reflects the ACT Government's commitment to investing in modern, state-of-the art infrastructure and equipment across the ACT health system. Investing in new technology is also an investment in the workforce. By providing access to modern technology and investing in innovative model of care, we are growing the knowledge and experience of the workforce in the ACT.

How would you feel as an employee?

The minister is out there trying to score political points, trying to cover up the Labor-Greens failure to invest in our hospital infrastructure and suggesting that the ACT government has been committed to providing modern equipment to the ACT health system, when the opposite is being true. They told us. It has been going on for years. It is disappointing that this government has not been more honest and transparent about the significant delays in the MRI project.

That is part of my motion: to ask the minister to explain why it was not installed when she said it would be in 2021? What processes have CHS commenced to replace the new machines? We are just asking for transparency here. Instead they have completely amended the motion to say that they will continue doing a wonderful job, when the executives are outlining the fact that they are not. The amendment weakens my motion, my "calls on", with no commitment to deliver anything other than another report.

The government have a culture of secrecy. They are arrogant and it is unacceptable.

*Members interjecting—*

**MR DEPUTY SPEAKER:** Ms Stephen-Smith. Mr Hanson. Mr Hanson! Let us let Ms Castley finish.

**MS CASTLEY:** It is unacceptable that the minister is unwilling to inform the public when each imaging machine will be available at the Canberra Hospital. In particular, it is insulting to Canberrans and frontline workers that this government will not fast

track new medical imaging machines that have already been delayed by this Labor-Greens government. We will not be accepting the amendment.

Question put:

That the amendment be agreed to.

The Assembly voted—

Ayes 14

Noes 7

Mr Barr

Ms Berry

Mr Braddock

Ms Burch

Ms Cheyne

Ms Davidson

Mr Davis

Mr Gentleman

Ms Orr

Dr Paterson

Mr Pettersson

Mr Steel

Ms Stephen-Smith

Ms Vassarotti

Mr Cain

Ms Castley

Mr Cocks

Mr Hanson

Mrs Kikkert

Mr Milligan

Mr Parton

Question resolved in the affirmative.

Original question, as amended, resolved in the affirmative.

## Electoral Amendment Bill 2021

Debate resumed from 2 December 2021, on motion by **Mr Davis** and **Mr Braddock**:

That this bill be agreed to in principle.

**MR STEEL** (Murrumbidgee—Minister for Skills, Minister for Transport and City Services and Special Minister of State) (3.34): I rise today on behalf of the Australian Labor Party in the ACT on the Electoral Amendment Bill 2021, which seeks to lower the voting age.

The Labor Party fundamentally disagrees with the Greens' bill as introduced. The reason is clear and simple: the bill unfairly penalises minors who do not vote. Reducing the involvement of young people in the justice system is one of our government's priorities.

Compulsory voting, by its very nature, comes with a penalty. This is how it has been introduced in every jurisdiction in Australia since 1924. That makes the impact of extending the vote to young people here fundamentally different compared with overseas jurisdictions where voting is voluntary that have extended the franchise to young people.

While we think that a majority of young people would vote if the franchise were extended to 16-year-olds, a significant number would not and therefore would be issued a fine. If they do not pay the fine, they would be put before the court and would have to pay \$288 in court fees and lawyer fees on top of that. Many minors do not have an income and the last thing that we want to do is to send a significant number of

young people into the justice system for not voting. Having more young people in the justice system is an inevitable consequence of the bill as introduced, and that is why we cannot agree to it in principle.

When this concern was raised with Greens' members proposing the bill, they attempted to address Labor's concerns through the amendment circulated to the Assembly. While I appreciate Mr Braddock and Mr Davis's attempts to address the problem that the Labor Party has raised about unfairly penalising minors, the amendments instead create another problem: they undermine compulsory voting.

A strong democracy depends on all citizens being able to participate equally. That is why our nation has a deeply held principle of compulsory voting. Labor believe it is a cornerstone of Australian democracy, and it is why we have fiercely protected our system of compulsory voting that has existed since 1924 in this country. That principle is that, if you have the right and privilege to vote, it is your responsibility to do so.

Compulsory voting has been enacted in every jurisdiction—commonwealth, state and territory—through a fine for not voting. The Greens' proposal to issue warnings for not voting, not just for young voters but for all voters in their first election, would effectively introduce a system of voluntary voting in the ACT. It would create two classes of voters with different rules: an unequal system where most voters have to vote and some people do not have to. We think that fundamentally undermines equality in our voting system and the objective of compulsory voting to ensure representation and participation in democracy.

With no penalties applying, young people's participation would likely be lower than other age groups, undermining the objective of compulsory voting of achieving greater participation, but it would also undermine the objective of ensuring that elected representatives and their policies reflect the mandate of as great a populace as possible of eligible voters. If only one section of young people votes, that is unequal. It does not reflect the whole group of young people. For example, it is probable that a greater proportion of vulnerable young people will not vote compared to young people who are less vulnerable. This would undermine the equal representation of eligible voters in our parliament.

The Australian Labor Party has had a longstanding and strongly held view that voting should reflect the whole community of eligible voters through compulsory voting, and that is why we also cannot support the amendments to this bill. Labor's position on this bill is one of principle. I know that members have raised one of the technical issues in relation to this bill, in that it may infringe the Hare-Clark entrenchment provisions, but the Labor Party is not supporting the amendments because of legal or technical reasons. We do not support them because they undermine the principle of compulsory voting, as introducing warnings effectively introduces voluntary voting.

The Labor Party has considered the issue of extending the franchise to younger voters deeply, which we committed to do and consider as part of our Labor Party platform. However, we have come to the view that this bill has failed to recognise some competing values. You cannot say that this bill will give young people the vote and, at the same time, claim that this bill will not increase young people's involvement in the justice system.

The attempts that have been made through the amendments to address this issue by pretending that penalty-free voting is compulsory is also not a real solution. That introduces a new, separate class of voters, and that goes against our democratic value that all voters should be equal and participate equally, which is also a fundamental part of Labor's platform. Labor is committed to encouraging more young people to take part in our democracy and our democratic processes without sending the disengaged to court.

Elections are an important part of democracy, but there are many great ways for young people to be engaged in our democracy between elections and, indeed, during elections. My Labor colleagues have joined young Canberrans as they fight for action on climate change or as they fight for fair conditions for young workers in hospitality and retail. Labor will continue to support civics education, whether that is through our school system or through other great institutions like this Assembly, or many others in our nation's capital. Indeed, I encourage every young person that I know who is interested in becoming politically active to join a movement, to join a political party or to join a union. These are great ways for those who are engaged and are interested in the political process and want to help shape the future of our territory and our country by getting involved.

Labor cannot support a bill either that exposes young people to the justice system or, with the amendments, that could undermine the fundamental democratic principle of compulsory voting. I commend our position to the Assembly.

**MS VASSAROTTI** (Kurrajong—Minister for the Environment, Minister for Heritage, Minister for Homelessness and Housing Services and Minister for Sustainable Building and Construction) (3.41): I want to make some observations on this on behalf of the Attorney-General, who could not be here today. This bill has sat on the notice paper for almost two years, and it has done so because legal and political questions needed to be considered and resolved. The question has been: how do we find a way to lower the voting age in a way that suitably extends the franchise, preserves the important principle of compulsory voting, but does not expose young people to a punitive fine that they may not have the capacity or the facility to pay? This raises an interesting question about what legally constitutes compulsory voting.

Members will know that voting needs to be compulsory in the ACT in accordance with the proportional representation Hare-Clark entrenchment act of 1994. Mr Braddock and Mr Davis's bill, through the proposed amendments, proposes that a new voter would be considered to have had a valid and sufficient reason for failing to vote if they have not voted at their first election, and they will receive a warning notice from the Electoral Commission rather than a default notice. As we have heard the Attorney-General say in question time this week, that is a sound and valid way to solve the challenge of maintaining compulsory voting without imposing fines on young people. There is no legal impediment to supporting this bill and supporting these amendments based on an argument that it undermines compulsory voting.

The Electoral Act already imposes a duty on voters to enrol and to vote. It is not necessary to also impose a sanction for failure to vote. The concerns raised by the Labor Party in their opposition to the bill and the value they have put on the concept

of compulsory voting are policy and political positions. There are not actual legal impediments to supporting this bill to lower the voting age.

I would add that the government regularly uses warnings and educational responses to improve compliance with the law without actively pursuing penalties in the case of minor offences. This approach is supported through extensive research on how to improve compliance. This does not make the laws of the ACT optional. It is all part of how we enforce them to encourage compliance efficiently and effectively.

Regarding the legal issues that arise in relation to this bill, I would cite the fact that the ACT has a Human Rights Act and, through that act and accompanying policies and statements, the government is committed to realising and advancing human rights in the ACT. In fact, to quote the position recently expressed by the ACT government, the ACT is a leading human rights jurisdiction and the ACT sets the example for the rest of Australia. This is a chance to make good on that commitment.

The Human Rights Act embeds rights from the International Covenant on Civil and Political Rights and some economic, social and cultural rights. It requires legislators to consider human rights in the framing of new policies and legislation. Australia, as a nation, is also party to the Convention on the Rights of the Child. These two international agreements obligate Australia to ensure its domestic laws and practices conform with the principles and the provisions of the convention. Allowing 16 and 17 year olds to vote is in line with the requirements in these human rights treaties. As the Human Rights Law Centre said:

A minimum voting age of 16 years of age is an appropriate way to meet Australia's obligations with the ICCPR—

the International Covenant on Civil and Political Rights—

and CROC—

the Convention on the Rights of the Child—

consistent with contemporary understandings of maturity and cognitive development.

Likewise, the Australian Human Rights Commission has said:

Lowering the minimum ... voting age in Australian federal elections from 18 to 16 years would provide opportunities of genuine civic participation to children under the age of 18 years. It would directly involve young people in the democratic process, and would be a measurable way for Australia to demonstrate its commitment to children's participation rights and meet its obligations pursuant to Article 12 of—

the Convention on the Rights of the Child.

Various other jurisdictions, like Scotland, Argentina, Norway, Germany, Switzerland, Austria and Brazil, already have the voting age of 16 for federal or certain municipal elections. New Zealand is about to join them. If the ACT is the leading light in human



rights that it claims to be, it should recognise the importance of empowering and including young people in the democratic process and take steps to achieve this, including allowing 16 and 17 year olds to vote in territory elections.

We cannot languish on this topic forever. Indeed, we need to have the courage to move forward on this issue. The ACT's young people are active and engaged more than adults give them credit for. They work, they drive and they are affected by government decisions and regulations, not to mention the fact that they will inherit the planet we leave them—a planet currently under enormous threat from catastrophic climate change.

On that note, I would like to reference a report released yesterday by the Climate Council, *Mission zero*. That report shows how Australia's climate is heading for catastrophe unless urgent action is taken to reach net zero emissions by 2035. It says we are headed for deadlier heatwaves, more extreme fire days and large-scale ecosystem collapse without intervention. The report says that, without urgent intervention, by the century's end Australia will be completely unrecognisable and we will lose much of what we cherish about our beautiful country.

These are the future issues facing our young people, yet these decisions remain out of their hands. They cannot even have a say in the most basic or fundamental of ways by being able to vote for their local representatives. We should give them the chance. Again, I would assert that, if the ACT is the leading light in human rights that it claims to be, it would recognise the importance of empowering and including young people in the democratic process and take steps to achieve this, including allowing 16 and 17 year olds to vote in territory elections.

**MR HANSON** (Murrumbidgee) (3.48): The Canberra Liberals will be opposing this bill. It is, as a subject, something that has been canvassed quite significantly in committee inquiries. I was chair of the JACS committee inquiry into the latest election, and we did look at the issues around this. I agree with much of what has been said by Minister Steel—unusually, I agree with him.

I want to speak on this issue from a slightly different perspective, and that is as a father, from experience and through concern for young people. I have two sons, and they are the great joy of my life. They are what I am most proud of. They are both funny, intelligent, inquisitive and empathetic. They are interested in world affairs and current debates. Indeed, I had a chat to my younger boy, who is 17, this morning, on the way to school, about nuclear energy and its potential for Australia. I was speaking with my older boy, who is 24 and lives in Sydney, yesterday about the Voice. There is no question that young people are engaged, to a greater or lesser extent, in various debates.

I look at my 17 year old, and I am aware of a lot of the issues that he and his friends face. I have watched them all grow up together. His friends are a circle of really great mates, boys and girls; they are just fantastic people. There is no question that a lot of younger people, 16 and 17 year olds, are at a difficult time of life. We all remember that age, being angst-ridden teenagers sometimes, and it is a difficult stage. A lot of kids, more than ever—and you can read up on this; you can google it—are suffering from anxiety and other mental health issues at record rates. There is no question that that is something that affects a lot of young people.

It affects them because it is a time of great change in life. There is a lot of complexity, a lot of challenges, and they are affected significantly by social pressure. They are going through a period of experimentation. They are subject, sadly, to bullying. I am aware of this through that peer group that my son exists with, who I know very, very well. They suffer from bullying and cyberbullying, and disappointing incidents that occur. We have all heard about these, either anecdotally or through being in that environment.

Younger people tend to be affected more by social media. There is no doubt that they are on social media. We just talked about that this week, in relation to the Voice debate. It can be a cesspool, an absolute cesspool! There is a lot of stress facing 16 and 17 year olds, as they are in years 11 and 12 or that stage of their schooling. There is a lot of pressure on them academically and concerns about where they are going in life.

The problem is that political campaigns—and we are seeing it with the Voice; a lot of members in this place spoke about it this week—can bring out the worst. This is not a go at the left or the right. At the fringes of the debate there is a cesspool. Young people who are in that stage of life, with those anxieties that are a risk, have the potential, in my view, to be further impacted by those sorts of debates, and we do not want them in the schoolyard. We do not want that peer pressure in the schoolyard. We do not want campaign activities occurring in those spaces ever, and we certainly do not want the effects on social media. We have seen some of the heightened emotions, the exploitation in the political campaigns. I do not want to see my son and his friends impacted by that sort of behaviour at that time of life, when they are still growing and still developing.

That is not to say that we do not encourage young people, as Mr Steel said, to be involved in political discourse. The Young Liberals movement is one that is very active. A lot of people are involved in it. I am sure there is a strong Young Labor movement, and Young Greens, involved in the debate. Indeed, Madam Speaker, when I was 14 I wrote to Maggie Thatcher and said, “I think you are doing a wonderful job.” If you want to come and see the photo that she sent me, it sits on the mantelpiece in my office. I encourage you to come and have a look at it. In 1981 I wrote to Maggie.

We can all be so politically active at a young age, on different sides of the political divide. You can have political heroes when you are 14, and she was one of mine. I wrote to her because she had taken over the stewardship of the UK, where I lived at that time, after what was called “the winter of discontent”, a decade of despair from the Labour Party there, and Maggie shone a light and restored so much. Those opposite are laughing. Just imagine a young person at school who came out and said their political hero was Maggie Thatcher. Imagine what would happen to them in the schoolyard—nothing pleasant, I can tell you. Do we really want to expose our younger people to that? I will not say it is improper, but Mr Gentleman has just shown a photo of the Iron Lady herself.

These are debates that we can have in good spirit, but, as we know, they are not necessarily things that we want to put into the schoolyard, where people are already exposed to potentially difficult debates and bullying, cyberbullying and peer pressure. If you do not go with what is the cool thing of the day or where the general discourse

goes, it can be a very difficult place to be, whichever side of the political debate you are on. I think that there is a real risk in this that needs to be considered. I think that we should not be risking it and exposing our young people to additional burdens in what is already a difficult period of their life.

You have got to say, “Why are the Greens doing this? What is their motive?” I think it is pretty well understood why the Greens want to do this. We all get that their message is targeted at the younger vote. They have got their little fear campaigns and their policies to try to get the younger vote, and they see this as an opportunity to increase the vote. There is no doubt that that is what this is about: that the Greens engineer their little fear campaigns and their policies designed to exploit a younger vote. I think it is pretty rank, to be frank.

In my view, what the Greens are trying to do is say, “Let’s engineer policies to get younger voters.” They do not really care that there is going to be a negative impact, as I have just articulated. There is a real negative impact, potentially, from doing this. They do not care because, let me be very clear, what the Greens want to do here is try to increase their vote. I do not think that that is well intentioned. They all come in here, with their noble words about trying to increase youth engagement and have a franchise for young people and so on, but I call bullsh\*t. I will tell you what the Greens are actually trying to do. They are trying to increase the numbers of people they can get voting for them, and they are prepared to do everything it takes to do that. There is nothing noble about what the Greens are doing here today. It is exploitative; it puts younger people at potential risk of harm. As a result, the Canberra Liberals will not be supporting it.

**MR PETTERSSON** (Yerrabi) (3.57): I respect the spirit and intentions in which this bill has been brought to this place, but I rise today to the share concerns I hold about the practical implications of the bill. I know that young people care about the world they live in, I know that young people are more informed now than ever before, and I know that young people are constantly finding new ways to be politically active. I was honoured to have met recently with representatives of the Make It 16 campaign, who were passionate, informed and quick to answer all my questions, and I am pleased that they are here today.

I think it is reasonable for 16 and 17 year olds to seek enfranchisement. Heck, if you had asked me when I was 16 if I wanted to vote, I would have said yes, because the most exciting election in my lifetime that I can remember was the 2007 federal election, and I was 16½ at the time. I wished that I could have voted in that election.

I joined the Australian Labor Party when I was 17 years of age, before I could vote, and I got really involved in politics from a very early age. Whether it is in the workplace, at school or university, or even through electoral politics, young people matter. They matter right now, and you will find no bigger supporter of young people getting involved in politics than me. If you are a young person listening to this debate and you want to get more involved in politics, please do.

Mr Steel previously listed some great examples, and I will repeat some of them: join a political party, join a trade union, get involved in a student association, get involved in a religious organisation, find a charity that aligns with your values, sign a petition, go

to a community meeting, create political content on social media, talk to your elected representatives and last, but not least, run for public office. Overwhelmingly, this list of valuable and effective ways to make change in your community has no age test. I have done pretty much everything on that list myself, including running for public office, and I was elected to this place as a 25-year-old, so I think I have some credibility to speak to young people getting involved in politics.

This bill seeks to address what I agree is a real issue: the disenfranchisement of 16 and 17 year olds. I believe that our parliaments are better when they are representative of the communities they represent. I believe we get more representative parliaments when the voters who elect them are representative of the community, so I see real value in more people participating in our elections, not fewer.

This bill, however, does not address, and neither do the proposed amendments address, the consequential risks to the cornerstone of the Australian political system—that is, real compulsory voting; not in-name compulsory voting but real compulsory voting. In considering this bill, I think the fair and considered starting point is that most young people will want to vote. They will do so in a considered way, and our system would be more representative and, thus, better as a result of it.

But—and this is the big “but”—it is impossible to ignore the other side of the equation: the young people who will not vote. How should they be treated? Should the penalty be in alignment with that of other voters, and, if not, why not? As the bill stands, 16-year-olds who do not vote will be issued a fine, and, if they do not pay the fine, they would go before the court. That would then require them to seek legal representation. This sequence of events is hugely consequential for anyone, but it is a lot to ask of any young person, and more so of those who are most likely not to vote. There is no guarantee that young people will have an income or even income support from the government to pay a fine and avoid this chain of events.

The Greens have made an attempt at addressing this issue by proposing a warning system. However, this effectively makes the first time an enrolled voter votes optional. While people who are already enrolled to vote are compelled to do so, a second class of people will be granted an exemption that allows them to receive a warning. I fundamentally disagree that our electoral system should have different tiers of voters. All voters should be equal before the law. Yes, this bill will give young people the right to vote, but it fails to enforce that responsibility fairly, evenly and comparatively to existing enrolled voters.

Please do not get me wrong: I so strongly support young people having their voices heard, and I hope that in the future we are positioned to extend enfranchisement and the associated responsibilities to 16 and 17 year olds in a considered and appropriate manner that does not open the door to the erosion of compulsory voting in this country.

I do not support the bill as presented, but I genuinely thank the movers for bringing it forward and allowing us to consider this very important issue.

**MS DAVIDSON** (Murrumbidgee—Assistant Minister for Families and Community Services, Minister for Disability, Minister for Justice Health, Minister for Mental

Health and Minister for Veterans and Seniors) (4.03): A couple of weeks ago, a group of high school students visited the Assembly and asked some questions. My favourite one was: “Why is the government spending so much money on defence?” That is a very important question to ask a political representative, and I am glad that they asked. I had the pleasure of being visited by 6 News founder, Leo Puglisi, earlier this year—another teenager who Labor and the Liberals do not think should get a vote. He asked me more insightful questions in a 10-minute interview than the Canberra Liberals have asked this whole term.

As much I want to spend my allotted minutes listing teenagers with better politics than members of both major parties, this is actually a really serious issue. I would like to thank Make It 16 for their advocacy on behalf of Gen Z. Please know that the Greens care. We are listening, and we have got your six. We support lowering the voting age across the country, but the federal Labor minister for youth, when asked about lowering the voting age to 16, said, “It’s not a priority for us,” before going on to justify the expansion of fossil fuels, which evidently is a priority for them. I thought that, maybe here in the ACT, Labor might be a little more receptive to the idea.

I thank my crossbench Greens colleagues Andrew Braddock and Johnathan Davis for presenting this bill, but it has been made clear now that ACT Labor, just like their federal colleagues, are also opposed to lowering the voting age. Labor and the Liberals, the old establishment parties, are going down with their two-party system ship. Meanwhile, we Greens are here offering a life raft to a generation of young people who demand better because they deserve better.

You have 100,000 students walking out of school and demanding an end to new coal and gas projects, but they are not able to vote, while politicians with an average age over 50 are accepting dodgy political donations from the fossil fuel industry, then voting to subsidise new coal and gas projects and are using taxpayer money that 16-year-olds are obligated to pay—pouring petrol on the fire, knowing they will be fine with their parliamentary pensions and their complete lack of ethics, all the while locking in a global catastrophe, unliveable cities and unimaginable suffering for the next generation before they even have a chance to exercise what should be their democratic right to vote out these climate-neglecting, fossil fuel-captured, sociopathic politicians from both major parties.

Imagine sitting in this place or on the hill deliberately rigging the property market for the advantage of developer and property speculator profits and talking about what used to be described in the Labor Party policy platform as “a right” and turning it into an investment commodity, and locking out millions of young people from entering the property market before they even have a chance to vote for the Greens, who are the only party fighting to scrap unfair tax concessions, build more public housing and give renters better rights, because housing is a human right.

We have 16-year-olds sitting down with their careers counsellors in high school and signing up for university degrees for tens of thousands of dollars of debt, while politicians who went to uni for free get away with leading a federal Labor government making more money from student debt indexation this year than they do from the petroleum resource rent tax.

I think we all know why the old parties do not want to support the Greens' calls to lower the voting age, because young people would force the old parties to listen. If young people could vote, they would not be voting for stage 3 tax cuts, they would not be supporting out-of-control university fees, they would not be supporting the deliberate rigging of the housing sector, and they would eat their voting ballot before they vote for any party accepting fossil fuel donations and opening new coal and gas projects.

I am sure that the young people who are campaigning to lower the voting age have already found that trying to win over the Liberal Party is a waste of time. All we really need to do is convince our Labor comrades that, with the Greens in government here and the balance of power in the Senate, we can get this done. We can.

I cannot help but mention how strange I find the Canberra Liberal Party's contradictory positions on a lot of things, but especially on youth. We have had the Canberra Liberals coming into this place absolutely furious about us legislating to ensure that 10-year-olds are not incarcerated before they have even had a chance to lose their baby teeth. We have had the Canberra Liberals coming into this place professing to be the party of lower taxes, but they have no problem with getting income tax and GST from children and teenagers, and they do not want to let them have a vote.

Young people are paying attention. They are watching what politicians say and do. Anyone here who thinks for one second that they will not take our jobs if we do not fight for their future is wrong.

**MS BERRY** (Ginninderra—Deputy Chief Minister, Minister for Early Childhood Development, Minister for Education and Youth Affairs, Minister for Housing and Suburban Development, Minister for the Prevention of Domestic and Family Violence, Minister for Sport and Recreation and Minister for Women) (4.09): I, too, want to acknowledge the young folk and the Make It 16 people who are in the Assembly today listening to this debate. I hope they have found it informative so far, and that it gives them a good understanding of why the Labor Party will not be supporting this bill today.

Mr Steel has outlined some of the reasons why the Labor Party will not be supporting this bill; however, that does not mean that the government does not care about and does not listen to young people. What I want to do today is to take the chance to outline some of the ways that the ACT government engages with young people in this city. Young people have many opportunities to have their voices heard by me and this government. In all of the portfolios that I manage, I always try to ensure that there are opportunities for young people to have their say and that they feel empowered that their voices and views have been heard.

One of the main bodies that provides both the government and me with input from young people is the Youth Advisory Council, and I recognise one of the members of the YAC here today. The YAC, as they are known, consists of young people between the ages of 12 and 25. They meet regularly and write submissions to government on policy issues, amongst other activities. The YAC co-chairs appear before committee hearings of the Assembly quite regularly, and I often attend the start of their meetings to have a chat and to hear directly from them. They are a great bunch of young people with diverse backgrounds who do a great service to their community. I very much

value the diversity of their views and experiences, which always inform the work that I do in the education and youth space.

Additionally, the YAC organises and runs a biennial Youth Assembly. This Assembly brings together a large number of young people from around the community to discuss trending issues of importance to young people, and it provides a report on these issues to their government. The 2023 Youth Assembly report is currently being developed. It includes the issues that have been identified by the Youth Advisory Council that affect young people and for discussion at the Assembly. Once the report is developed and completed, I am then required to provide a response and bring the report to the Assembly.

In the education space, many ACT public schools have student parliaments and governments. In fact, according to the national civics and citizens report in 2019, our students here in the ACT have the highest level of civics and citizenship knowledge of anyone in the country; that is at both the year 6 and year 10 level. Students are leaps and bounds ahead—across the city. That does not mean to say we cannot do more, and that is what I have been hearing from young people when I am talking to them across the schools—that is something that they want to learn more about. Certainly, that is something I will be working on with the Education Directorate.

At the territory level, though, these individual school processes feed into the Minister's Student Congress. The congress is a meeting between students from ACT public schools and me as the Minister for Education and Youth Affairs. This congress provides an opportunity for students to discuss issues of importance to them and their education. The congress has been running since 2012 and is led by peer-elected student executive teams and facilitated by Youth Advisory Council members. This team and the YAC facilitate the congress and represent the wider student body.

As Minister for Education I, along with ACT public schools and their teachers, support students to attend organised protest events or demonstrations, providing they have their parents' permission. In fact, we have seen this more recently with the climate protests before parliament, and we want to make sure that young people do have the chance to be able to participate in those protests. The information that allows young people to attend those protests is provided to ACT public schools to ensure a consistent understanding of how students may exercise their civic rights with existing attendance policies.

As I said, this was admirably demonstrated during the School Strike 4 Climate protest at the beginning of the 2019-20 summer fire season. This big week of action occurred exactly four years ago today. I could not have been more proud of our young people in the ACT who attended and stood up to be counted to protect our planet.

Madam Speaker, when I developed the education strategy five years ago, over 2,700 young people were consulted on the strategy's development—over 5,000 consultations all up. A big recommendation that came from that consultation was to develop a financial assistance scheme to help young people in our community who did not have the same equal chance to a great education. Equality amongst young people was one of the main issues that students wanted the government to address, and we did, Madam Speaker.

We funded and launched the Future of Education Equity Fund, which provides funding for children and families who are facing financial difficulties. These funds can be obtained for school supplies, sporting activities and other needs. I know this fund is making a huge difference to students and their families to ensure that they can participate in their school equally with their peers.

Additionally, there was feedback through these consultations that some students would seriously benefit from legal aid being available to young people and that it should be available where they are. Madam Speaker, we did that too. We have embedded in ACT public schools access to legal advice for those young people who need it.

On the Future of Education Strategy, it is five years on now, and we are beginning a review to look at where we came from, what we have achieved and what else we need to do. I look forward to hearing from thousands more young people, because their perspectives will have an input into the way we reshape the strategy for the future.

Some of you may have also heard that we are currently undertaking consultation on the policies on mobile phones in schools. I know that adults and others have some pretty strong views about mobile phones. But you will see, looking around this place, people are using their mobile phones and devices whilst they are very busily listening and paying close attention to my speech! So, it is important to me that I hear the views of young people about the mobile phone policies in our public schools. I am encouraging students—as many as possible—to participate, firstly, in the YourSay survey and then in discussions within their own school communities about the mobile phone policies as they exist now and how they could change—to ensure that they continue to get a great education.

Finally, with my Minister for Sport and Recreation hat on, many of the policies that have been implemented during this term, and the previous term of government, have come out of direct consultation with young people: from the need for community pavilions to be upgraded to be female friendly and for more women to be on the club boards, to the need for lighting and support for elite women athletes.

These were all issues raised with me in forums like the Youth Advisory Council and through our schools. These issues, in particular, were raised especially by young women directly. I listened carefully, and then I implemented changes to policies and priorities based on this feedback. All of these issues that I have identified now are being worked on: we are upgrading pavilions; we are expanding and upgrading sporting fields' lighting; we are ensuring that 40 per cent of club board members are made up of women; and we are providing more support for elite women athletes.

Madam Speaker, I would like to say to the young people who are here in the chamber today: I encourage you to continue your advocacy; and I encourage you to continue to engage with politics in forums with the government and in the community in the ways that Minister Pettersson and Minister Steel have provided examples of today. I know you have not seen the change and outcome you would have like today; however do not be discouraged. Continue all your advocacy and your activity. I will leave you with a quote from Emma Watson:



Don't expect change to happen overnight. Even if it's not always visible it's making more impact than you think.

Keep going, and we look forward to continuing to hear from you in your advocacy around this issue. Thank you.

**MADAM SPEAKER:** Members, before I put the question I have just been reflecting on the contribution by Ms Davidson, and I will be looking at *Hansard* to identify who you were making reference to to being psychopaths. If it was to members in this place, it will be ruled out of order. But I will come back to you and check that. It is unparliamentary if you were reflecting on members in this place.

Resume your seat, Ms Davidson, unless you want to withdraw right now.

**Ms Davidson:** I was going to provide you with some helpful information for your reflection, but—

**MADAM SPEAKER:** Thank you, Ms Davidson.

**DR PATERSON** (Murrumbidgee) (4.19): Firstly, I would like to thank Mr Braddock and Mr Davis for their advocacy on this issue of lowering the voting age. I would like to acknowledge those in the chamber who have advocated hard for this change. I strongly believe as an ACT Labor member in fostering a strong and vibrant democracy.

I would first like to say before I go on that I cannot go on and turn my back on what Ms Davidson said. I found it very offensive. Everyone in this chamber except for you gives speeches for the people of the ACT not for social media. Members here actually care about matters in the ACT not populous campaigns in other jurisdictions. I am incredibly proud of our ACT Labor members, who actually focus on their own portfolios and work daily to improve and progress our community.

Minister, you are Minister for Justice Health, Minister for Mental Health and Minister for Disability. I fundamentally think you need to look at those very significant areas and issues facing people in your own portfolios. Ask them what they think of you deflecting to federal politics and not being able to provide a straight answer to any question. This does a major disservice to the people of the ACT who your portfolios impact. Shame on you, Minister.

Now back to the actual debate. While I stand here in agreement with the premise that we need to look to continually support and enfranchise young people to engage in politics, to have their say on important issues that affect our whole community and to advocate for the changes that they see needing to happen in this community, unfortunately today I cannot get past the fundamental aspect of this bill that either fines under 16 and 17 year olds or the alternative amendments that weaken compulsory voting.

Compulsory voting is a vital and core component of our Australian democracy. Our voter turnout per population would arguably be the highest in the world. Only 23

countries in the world have compulsory voting. It is an aspect of our democracy that I hold as completely fundamental to our success as a nation.

The past five years or so have seen some pretty disturbing circumstances play out in democracies around the world. Just look at America. It is quite horrifying to watch what I would describe as a steady unravelling of their democracy. I think there has never been a more important time to hold onto and strengthen our democracy, not to weaken it, as I believe this bill does.

The ACT is a shiny example of voter turnout, recording the second-highest voter participation in Australia, an impressive 89.3 per cent, with Tasmania only just edging us out.

The examples of Scotland and New Zealand that Minister Vassarotti pointed to often come up in this discussion around lowering the voting age. However, they are not compulsory voting systems. For example, in Scotland, at their last elections there was a 63.5 per cent voter turnout. It is not something that we really should be aspiring to.

I was a member of the JACS committee that inquired into this bill, which made the recommendation that it not be passed in its current form. The concerns were over levying a fine on young voters. We heard a substantial amount of evidence that raised insurmountable concerns.

I would like to acknowledge the work of Mr Davis and Mr Braddock. But I think the current proposal that was presented is inconsistent, is an unequal approach to voting and could undermine the respect for the electoral process and ultimately erode community support.

I feel compelled to say that I value young people's views and perspectives and concern just as much as I value those who are over 18. In my role as a member for Murrumbidgee, I frequently receive emails from young constituents. Earlier this year, Beatrix, a year 5 student from Yarralumla Primary, contacted my office regarding a bus stop near her school that needed some TLC. She believed it needed an upgrade in a mural. I brought Beatrix's idea to Minister Steel, and Minister Steel welcomed this idea, and Beatrix is working with TCCS to see this happen.

I have young constituents who have written and visited my office to talk about their concerns around climate change. I have done fundraising activities with young people in my electorate, including swimming five kilometres with Amelia to support her passion in raising money for young people's mental health.

I have supported young entrepreneurs in my community, including nine-year-old, Levi, who cares so much about koalas that he created a now best-selling card game. Levi and his dad Evan approached me about supporting their idea, which they came up with during the COVID-19 lockdowns.

Levi's cheeky card game, Go Bum, is a parody of the classic Go Fish. It is a card game involving matching bums of everything from robots to cats. Today the game can be found on the shelves of Harry Hartog in Tuggeranong and Woden and Ronin Games in Woden, where it has skyrocketed as a best-selling family game.

I worked recently with young people in the Labor Party who are highly engaged on issues that affect them most, around healthcare access, mental health access and homelessness.

I have worked with young people who have approached me about very serious issues of mental health orders that they have been the recipient of. And I have been approached by and worked with a young person that was in and out of our healthcare system experiencing great challenges due to anorexia.

I have supported a petition by year six Garran Primary students to see the deconstruction of the COVID Surge Centre and the oval returned to the students in its former glory. I have had multiple people do work experience in my office, and I read June's speech in this Assembly.

During the COVID lockdowns I was concerned about young people in our community and the world was in a state of despair. So we ran a scarecrow competition, with 52 young people, children, submitting scarecrows, which then had about 600 people vote on them.

These are some of the engagements that I have had with young people in our community. I do not pretend to know what it is like to be a 16- or 17-year-old person; however, I do have teenagers myself who are approaching these ages. I hope that young people of any age feel that they can write or approach me about any issue that they have and know that I will advocate for them with equal standing as any other citizen of my electorate.

I fundamentally believe in preserving the integrity of our democracy and the foundations of compulsory voting. Young people should not be subjected to fines or considered a separate block of voters from their adult counterparts. I believe there are alternative methods in encouraging young people's involvement in politics without compromising the foundations of our democratic principles.

**MR CAIN** (Ginninderra) (4.26): I certainly had a very positive aspect to this whole experience that we are going through now. But I must clear up my first real concern, and that is the really disgraceful rhetoric from Ms Davidson. I am sure that we will all be looking at *Hansard* later to see just what was said and about whom.

It is not a very good example, Minister, for the young people who come here to see parliamentary debate done well and done appropriately. I am tempted to say that it does seem out of character, but perhaps we do not know each other as well as I thought we did.

I certainly do support the Canberra Liberals position on this and thank Mr Hanson for explaining why this is not the change that we need at the moment. But, on a positive note, I do want to encourage all young people in our city to find out about how our system of government works. I encourage them to find out how this place works, how these 25 MLAs got here and what they are on about and learn about their political and party affiliations and why each one perhaps is connected to that.

It was a real delight to talk with Make It 16 in my office just a few months ago. I acknowledge Izzy Calder and all of her friends from Make It 16. I think this happened before that meeting, but it was great to see Amelia Condon-Cernovs here as well. Amelia, I think, was already lined up to be an intern in my office for a week and then of course she came to the office with the Make It 16 team.

So welcome to you young folk. I encourage you on your journey to educate yourselves about how our system of government works. And, through you, Madam Speaker, I want to commend them for showing an interest in finding their role in this society.

One thing that I want to throw in as an extra as well is the importance of civics education in our schools. I want to throw a challenge to the Minister for Education here. I would love to see a stronger emphasis on civics education in our schools from senior primary, in particular, onwards. There are so many things about the systems of government around the world, let alone ours, that I must admit many members of our community do not feel they know enough about. They have not been informed enough about how our system of government works.

So I think there are some positives to come out of this. A positive is that it is great to see young people engage with our system of government, wanting to learn about it and educate themselves. That is commendable. I would love to see a stronger theme within our education system of a civics driven education program.

Obviously, I want to thank again our Deputy Leader, Mr Hanson, for his thoughts as to why the Canberra Liberals cannot support this bill.

**MR BRADDOCK** (Yerrabi) (4.30): This has been a long journey. In 1996, former Greens MLA Kerrie Tucker introduced an electoral amendment bill to lower the voting age in ACT elections from 18 to 16. My colleague Mr Davis, if you will pardon the shade, was a mere four years old at the time. That bill was never voted on. It sat on the notice paper until the end of the 3rd Assembly.

In 2006, Greens MLA Deb Foskey gave it another go and moved a motion asking the sixth Assembly to support a scheme that would allow 16 and 17 year olds to vote and conduct an investigation into how it might happen. The government of the day dulled down the language to “noting some support” and it was referred to a committee.

That committee, which included Mr Gentleman, conducted an inquiry that reported back with 10 recommendations but refrained from taking a view on whether the voting age should be lowered. They suggested that the matter be revisited before 2010, during the 7th Assembly. It was not.

In 2016, a select committee inquired into the 2016 ACT election. The committee’s findings set the parameters for what would come next: an affirmation that lowering the voting age was possible but there were logistical challenges as well as potential problems if it were made voluntary.

On that basis, the committee recommended that the voting age be retained at 18. Greens MLA Caroline Le Couteur suggested in her additional and dissenting

comments that this would be a useful topic for a citizen's jury or for further investigation, but that did not go anywhere either.

Coming finally to the 10th Assembly, the Greens made sure that lowering the voting age once again formed a part of the terms of reference for the review into the 2020 election. The conclusions reached by the JACS committee were broadly similar to those from the last time round. But, as Ms Clay pointed out in her dissenting report, all of the material opposing a lowering the voting age dealt with operational or legislative challenges. These are all secondary issues compared to the fundamental question of whether 16 and 17 year olds should have the right to vote.

Going through this history, the common themes are hesitation and indecision. No-one outside of the Greens is prepared to say that they support the idea of 16 and 17 year olds having the right to vote.

The Liberal Party has been content to show doubt and scepticism about the capability or capacity of young people to fill out the ballot paper, rolling out all of the condescending tropes that you can imagine. But Labor has tried to keep as far away from this key question as possible, never answering the question as to why 16 and 17 year olds should be denied the right to vote.

So be it. We decided that we needed to proceed on our own terms. We introduced this bill and resolved to push it through the legislative process so that young people would know where each party stands on the question of whether they should be denied the vote.

Our objective was to give the Assembly every possible opportunity to find the solutions to these logistical problems, handle every objection and land in a place where finally, after 27 years of delay and indecision, to expand our voting franchise to 16 and 17 year olds.

If the government wanted to gazump us and bring in their own bill on their terms, that would have been fine. If there needed to be amendments to make it more acceptable, that would also have been fine—whatever it would take to get this question seriously considered in an actual vote in the Assembly. And here we are.

I have circulated amendments to this bill together with a revised explanatory statement which also incorporates updates in response to the comments from the scrutiny committee. While I will move the amendments once we hopefully get to the in-detail stage of the debate, I will table the revised explanatory statement now. I table:

A revised explanatory statement to the Bill

First and foremost, this bill lowers the voting age from 18 to 16 years of age. Commensurately, it lowers the age for being eligible to enrol from 16 to 14 years of age, thereby ensuring that the administrative processes of government do not form a barrier to enrolling to vote.

Consistent with the advice of the Human Rights Commission, the penalty for failing to enrol has been halved for people under the age of 18. That said, such a penalty is

almost never issued, as the Electoral Commission is in the habit of simply enrolling any such person who comes to their attention.

The bill as currently before the Assembly includes automatic fines for young people who fail to vote. If Labor vote against this bill at the in-principle stage, they are voting down the bill on the basis that young people may receive a fine of just \$10 if they fail to vote. I am sorry, but this Assembly fines young people all the time.

Let us put it into perspective. As an Assembly, we see fit to approve legislation that includes a dazzling array of fines with far larger penalties that apply to young people, whether it be for littering, \$60; failing to tap on to the train, \$75; or a parking fine just for parking in the school zone, \$125. Yet we have people here saying today that they do not want to see us fining young people.

If Labor are so uncomfortable if a young person incurs a \$10 fine, then why are they comfortable with far larger fines in other pieces of legislation? Should Labor be so brave as to support the bill in-principle, saying they agree that young people should have the right to vote?

I will move the amendments circulated during the detailed debate stage, but I do want to talk to a couple of key points of those amendments concerning the fines, since they have been the subject of discussion here. Importantly—and I will point this out in detail—my amendment to section 11 of the bill will retain a duty to vote on a compulsory basis. That is contained in section 129 of the act. Compulsory voting is preserved.

The section is then expanded to identify the circumstances in which someone who appears to have failed to vote is considered to have a valid and sufficient reason for not voting. This is important because such a status determines whether potential penalties are applied for failure to vote and whether a person has to go through the default process with the Electoral Commission.

Right now, there are two ways to be found to have a valid and sufficient reason for appearing to fail to vote. The first is by making a claim that it is part of your religious duty to refrain from voting. We already have an exemption there. We already have two classes of voters.

I have not heard anyone suggesting today that that exemption should be removed from the legislation. Does that exemption erode the compulsory nature of voting any more so or any less so than an exemption for the new voters, as we propose? This has been accepted since Federation as not limiting the principle of compulsory voting.

The second way of not being fined is by effectively making an appeal to the Electoral Commissioner through the default notice process through which the commissioner makes a judgement about whatever reason is provided. If the commissioner is not satisfied, the reason is not established, the penalty for not voting applies.

What my amendment does is add an additional reason for having a valid and sufficient reason for appearing to fail to vote, much in the same manner as someone who has

expressed a religious belief—that is, if they are a new elector, defined as someone who has not previously been eligible to vote at a commonwealth or territory election.

The provision will cover everyone who has not previously been eligible to vote, whether it be from coming of age or people who have been newly conferred as Australian citizens. As the Greens spokesperson for anti-racism and multicultural affairs, I know why this is also important for our new citizens. This proposed response would then be one based on experience with the electoral system and would support multiple groups to learn their democratic responsibilities.

This solution is based on the scientific evidence that engaging and educating are far more effective at increasing compliance rather than automatic and default punitive fines. If this is the approach that is adopted as a matter of course by the ACT government in order to increase compliance, it would be far more effective to engage and educate rather than just simply have an automatic fine.

The duty to vote will continue to exist, but we are accepting that someone who messes up on their first time around deserves the benefit of the doubt. They deserve an educational response rather than an automatic punitive one.

Police and Access Canberra already do this with many minor infringements. They issue warnings. They engage with people to help them understand their legal obligations. They do this because it is demonstrated to be the most effective way of improving compliance. We Greens believe the ACT Electoral Commissioner should be empowered to do the exact same.

My amendments will also introduce an alternative response from the ACT Electoral Commission to new electors. Where they appear to fail to vote, they will not be automatically penalised but they will still receive a warning notice—one which points out how voting is compulsory and that they need to do so in future. It is an educational response.

There remains a compliance response from the government—a response that is more likely to shift behaviour than an automatic fine. Compulsory voting is preserved, and people who are under the age of 18 who mess up will not be burdened with the fine or the risk of a summons.

We found the solution. We answered the question. We overcame the logistical hurdles. We have found a way to make it work. The objections are resolved.

At this point, anyone who votes against this bill is saying that 16 and 17 year olds should be denied the right to vote. They cannot claim there are too many logistical hurdles to cross. They cannot claim it would erode compulsory voting. They cannot claim it will create two classes of voters. And, if they disagree with me on that front, I challenge them to support this bill in principle and then we can work through the issue at the detailed stage of debate.

This is a chance for this Assembly to give a vote of confidence in our youth and to send a message that they matter and that their voice is being heard—not just plaintive

statements saying, “These are the alternative ways you can get involved in the political fabric of our community.” Give them a chance to have a say. Let their voice be heard.

During the process of preparing this bill, I have had the opportunity to speak to many young people who are actively engaged in politics, who have been advocating for the opportunity to vote and are incredibly excited to be able to have a genuine say in our democratic process. One of these young people that I had the opportunity to meet was Isabelle Calder, who has been working with the group Make It 16 and is here today.

We in the Greens want to ensure that the Legislative Assembly represents all voices in our Canberra community. As a result, I want to take this opportunity to read some words that Isabelle has provided. She says:

My message to our elected representatives is that as someone who is nearing the end of Year 12 and looking towards my future, it can feel incredibly disheartening to experience the consequences of policy decisions that my generation has had no part in deciding. Young people have so many responsibilities including driving, working, and paying taxes. I was even considered a frontline worker during Covid-19 when I was 16 years old. Young people now more than ever are engaged in politics through campaigns and protests and have proven that we are ready and deserving of this responsibility!

Thank you, Isabelle. I commend my bill to the Assembly.

**MR DAVIS** (Brindabella) (4.43), in reply: Thank you to the young people who have advocated in their interests. Thank you to the young people here today. Thank you to the organisations like Make It 16, the Foundation for Young Australians, Run for It and the Youth Coalition of the ACT that have advocated so well, so hard and for so long to try and secure this reform.

It does not look like it is our day, and that is a real shame. Can I tell you, though, as a Green in modern Australian politics, I am very used to losing, and then losing, and then losing and then winning. It is a lesson that we have all had to learn the hard way today: that you can work really hard and be right, and still not win; but there you go.

**Mr Hanson:** I’m used to that!

**MR DAVIS:** That is a fair point from Mr Hanson!

Madam Speaker, we have made decisions as a community about the things that people are able to do at age 16. We have decided that you can work and contribute to our economy. We have decided we can take some of your wages in the form of taxes to fund government services that you use. We have decided that you can consent to your own medical procedures. We have decided that you can consent to sex. We have decided that you can get a driver’s licence—and, if poorly used, operate a deadly weapon in the form of a motor vehicle.

I cannot see any good reason why 16 and 17 year olds are able to do all of those things, but they are not able to decide the 25 people that sit in this place. I am yet to hear a good reason. I wanted to hear one, because I wanted one day when I was not



hopeful but inevitably disappointed in the great Australian Labor Party. I wanted to hear a good reason to block this sensible reform. I did not hear one.

As Mr Braddock has so aptly explained, he and I tabled this bill in this Assembly almost two years ago, which has meant that every single member in this place has had an opportunity to reach out to us—we are not hard to find—or all of the stakeholders advocating in this space, to try to find a way through, if they had concerns. Indeed, it would be incumbent upon every single member of the Labor caucus to do that to honour their own policy platform, which says, right here, Madam Speaker, at point 27:

Support compulsory voting and consider allowing people between 16 and 18 years of age to vote.

They have had two years to consider it.

Madam Speaker, you are the only one that has had a conversation with me, in the form of a conversation on social media, and I have had many conversations with Minister Steel. I have seen some members meet with Make It 16. I certainly hope it was not lip-service. I certainly hope active consideration was given to their case.

The Labor Party's platform says they will consider this reform. They have had two years to do so. We are about to move to the detail stage of this debate. If you have got a better way to bring 16 and 17 year olds into the vote, now is your opportunity to tell us how you would do that.

I suspect all 10 members of the Labor caucus have come very unprepared to this debate today and do not have an alternative approach. This is in contradiction to their own platform; in rejection of the hard work of other members of their governing coalition, who have brought a bill in good faith and given two years to work on it; and in rejection of the hardworking advocates who have clearly articulated a way forward.

In fact, we Greens wanted this reform so badly—and we perhaps naively believed the ACT Labor Party when they said they would engage with us in good faith—we reformed our entire party platform. It is fair to observe that since 1996, when Kerrie Tucker was a member of this place, the ACT Greens have advocated for voluntary voting for 16 and 17 year olds.

When ACT Labor made the case to us about how strongly they maintain a commitment to the compulsory voting system, we understood that; we came to agree. We reformed our platform to try to find a way through and to try to build consensus. I have not heard an alternative from Labor today. From that, I can only deduce that their platform is not serious and that their consideration to expand the vote to 16 and 17 year olds is not serious. I am sure that that is the impression all the advocates have been given today.

I want to also acknowledge the Assembly committee that looked into this bill, as it is often cited in the media as the justification for not supporting the amendments today. Madam Speaker, you know that I am a prolific supporter of the Assembly's committee process. I encourage people to participate in the committee process. I think it is a largely misunderstood and underrated way that this Assembly operates and

conducts its business. So, imagine my surprise when reading all of the submissions to the inquiry into this bill that the overwhelming majority of submitters not only supported lowering the voting age but made a very good case for lowering the voting age, and that somehow that committee, with the two old-party majority, resolved to reject the bill.

I encourage Canberrans interested in this debate to go and have a look at those submissions. They are still available on the parliament's website. Have a look at that committee's report and see if you can make sense of how the two relate to each other; I am yet to be able to.

I want to touch on a few points that have been raised by members in this debate—a little bit of myth busting. I will touch on some points that Mr Hanson made first. To be fair, I thought he made a really valuable contribution to this debate. Though we clearly do not agree, he made a really good point; your sons sound like great men, Mr Hanson. The Green “vote grab”, though, is the point that I am really interested in. What an own goal from the two old parties. We even have an admission here from the Liberal Party, subtly, that the Greens have a policy platform that best represents young people. Imagine how much better and richer our body politic would be if we brought 16 and 17 year olds into the vote and all members of this Assembly and their respective political parties had to design a policy platform that responded to the expectations and ambitions of young people. Maybe, just maybe, in the court of public opinion, Mr Hanson and the Canberra Liberals could convince, persuade and talk a number of young people to their side of politics—were their platform relevant to the hopes and aspirations of young people.

It is fair to say that I do not care if you are 18 or 80, if you are on the electoral roll I am going to try to convince you to vote Green. That is fair to deduce. But I have met a lot of young people over the past two years who would not vote Green in a red fit—who want to vote for the Labor Party and who want to vote for the Liberal Party.

**Mr Hanson:** Hear, hear!

*Members interjecting—*

**MR DAVIS:** But, unfortunately, the Labor and Liberal members “hear-hearing” do not want to hear here from those young people. They do not want to hear them in the vote. I will tell you where they do want to hear from them, though—in the form of their political parties. We have heard Mr Pettersson, in particular, pretty aptly speaking on the role that young people can have engaging in respective political parties. I note, on the ACT Labor Party website right now, if you are under the age of 18 you can pay \$33 and join ACT Labor—much more than the fine you might pay for not voting. If you jump on to the Canberra Liberals website, you can pay a discounted \$25 to join the Canberra Liberals if you are under the age of 18—still lower than the fine, we have been told is the big bogeyman in this debate.

Our political parties in this place have also made a couple of decisions. ACT Labor and the Canberra Liberals have made these decisions. They have said, “If you are 16 and 17 years old, you can join our party”—

**Ms Berry:** You know the Greens are a political party too!

**MR DAVIS:** Yes, the Australian Greens are a political party. I hear it from you all the time, Deputy Chief Minister! The Australian Greens political party: I will say it; I am not afraid to say it. Sixteen and 17 year olds are welcome to join our three respective political parties; they are welcome to give us money for the purposes of joining our respective political parties.

**Mr Hanson:** Are they sociopaths as well!

**MR DAVIS:** I will take Mr Hanson's interjection, as maybe I have hit a sore point here! I will keep going. They are invited to participate in the policy deliberations within our three respective political parties. In fact, I would hazard a guess that every single member in this place, including me, has benefited from the free labour of 16 and 17 year olds—whacking up your corflutes, delivering fliers with your faces on them, and standing out at the shops with you and talking to other Canberrans about the virtues of voting for you. Does no-one else see the rank hypocrisy of letting those young people participate in the political parties and develop the platforms which are taken to the electorate to try and win government? They give up their free volunteer hours to help you get elected and are then given a litany of the ways they can get involved from the Minister for Youth Affairs, none of which, I might add, directly relate to this bill and none of which is voting.

I simply do not understand how you can drive, consent to medical care, pay taxes, get a job, join these political parties, design the policy platforms, volunteer for candidates—

**Mr Hanson:** Can you go to war?

**MR DAVIS:** You can enlist in the Army Reserve, Mr Hanson. I think you would agree with that. I have given you a full list of things that—

**Mr Hanson:** Can you go to war?

**MADAM SPEAKER:** Members!

**MR DAVIS:** I think Madam Speaker, it is interesting that Mr Hanson would interject. Nobody should be going to war.

*Mr Hanson interjecting—*

**MADAM SPEAKER:** Members! Most people have been heard in relative silence.

**MR DAVIS:** Last Friday afternoon—at 5.05 pm, for anyone who wants to go and have a listen—I was on 2CC with Leon Delaney, and I had a good long conversation with Leon about this reform. It was really interesting, because Leon managed to explain to me a type of conversation I have had with many Canberrans over the last two years. I do not mean to paraphrase Mr Delaney, but this was broadly how the conversation went: “Mr Davis, I did not agree with this reform when it was first

proposed, but there has been two years, you have come on the show regularly, I have read some of the submissions, I have met with some of the young people; I am convinced.” Let it be said that, at the moment, we currently have 2CC Talking Canberra taking a more progressive position than ACT Labor, which is not something we would have ever suspected! I have not been able to convince Mr Cenatiempo yet, but I will give it a whirl next Thursday!

That point also goes to the time, the two years, that we put into this—the two years working with the community; the two years of talking with the community; the two years of hearing concerns from the community, the two years of amending our bill to reflect the concerns from the community; the two years of trying to work with individual members of ACT Labor, in particular the Special Minister of State. I note that it has been very difficult to get the Minister for Education and Youth Affairs on this issue, who I thought would have had the strongest interest in the Labor caucus on an issue pertaining to young people. Yet, we are here today, and we are not going to lower the voting age to 16. We are not going to lower the voting age, despite the fact that you have all campaigned so hard; this Assembly has worked hard; the committee has done its work.

The Greens have tried to seek consensus with the Labor Party—largely guided by the Labor Party’s own platform, which says this is an issue they would be willing to consider. Either one of two things has happened today: either the ACT Labor Party have not considered this bill and they have ignored it on the notice paper for the last two years in direct contradiction to their own party platform; or they have cynically misinterpreted the amendments and the hard work of Mr Braddock and me to try and achieve this reform. We worked really hard to try and seek a consensus, we worked really hard to try and convince them, and we have given them more than enough time.

ACT Labor’s inability to support this bill today shows this was not a reform that was ever genuinely taken seriously by their caucus. The engagement of 16 and 17 year olds in our democratic institutions and in the vote was never a genuine consideration for ACT Labor. The progressive members of ACT Labor have come in here today and paid lip-service to Canberra’s young people who are 16 and 17 years old—unless someone wants to shock me with an amendment in the detail stage that counters your concerns and finds a way through. Silence! I suspect we will not have a surprise, Madam Speaker. I suspect a decision was made a long time ago. But my message to Canberra’s young people is this: join the Greens; join the Labor Party; join the Liberal Party. Convince them and change them. Make them better, because they are not very good at the moment.

To the young people in the public gallery, through you, Madam Speaker, these two major political parties need you, because they are hopeless at the moment. They need you. They need you to get involved. They need your money and your membership fees. They need your free labour to help them get re-elected, and they need you to reform their policy platform, and if they will not have you, we will.

Question put:

That this bill be agreed to in principle.

The Assembly voted—

Ayes 4

Mr Braddock  
Ms Davidson  
Mr Davis  
Ms Vassarotti

Noes 17

Mr Barr  
Ms Berry  
Ms Burch  
Mr Cain  
Ms Castley  
Ms Cheyne  
Mr Cocks  
Mr Gentleman  
Mr Hanson  
Mrs Kikkert  
Mr Milligan  
Ms Orr  
Mr Parton  
Dr Paterson  
Mr Pettersson  
Mr Steel  
Ms Stephen-Smith

Question resolved in the negative.

## Adjournment

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

That the Assembly do now adjourn.

## Gungahlin—community facilities

**MS ORR** (Yerrabi) (5.02): I rise today to talk about my excitement for the upcoming Gungahlin Community Centre. This community centre was something I worked very hard for last term and proudly secured as an ACT Labor election commitment leading up to the 2020 election.

As a reminder, I moved a motion in this chamber on 20 February 2019 calling for the ACT government to engage directly with the Gungahlin community, taking into consideration the region's diverse needs and the potential for a centre to enliven our region. A new, dedicated community centre would play a crucial role in expanding and developing the wide range of festivals, arts activities and cultural events that locals already enjoy. With Gungahlin being one of the fastest growing regions in the country, a new community centre will be a great addition to our community.

Over the next three years, a new community centre will be built on the corner of The Valley Avenue and Gungahlin Place in Gungahlin Town Centre. The centre will cater for Gungahlin's multicultural community, with spaces for all ages. The community centre will enable many community activities and events, including art exhibitions; cultural performances and celebrations; safe spaces for youth; and working groups. The possibilities are limitless.

As Minister Gentleman mentioned in his speech, the 2023/24 budget provides total funding of \$28.4 million to enable the delivery of a new community centre in Gungahlin over the next three years. Recognising the existing need for community facilities, the budget also includes \$1.021 million to lease vacant commercial space in the Gungahlin Town Centre to serve as a temporary community facility while the new centre is delivered.

Throughout my time campaigning for the Gungahlin Community Centre, I have sought input and feedback from the Gungahlin community. After all, they are the ones who will be using this centre, so it is important that the centre caters for their needs. At the start of 2022 I met with a number of community organisations and service providers, including Barnados, Belco Arts, Northside Community Service, the Multicultural Hub Canberra, Youth Coalition and Canberra PCYC.

We discussed what design features would meet their needs and ensure a centre that will allow for a range of activities. I used this feedback to develop a stakeholder design brief that was endorsed by a number of these stakeholders and presented to the Chief Minister to help inform the design process.

The Gungahlin Community Centre will include a dedicated youth centre with an outdoor activity area; workshops for visual arts organisations; a commercial-scale kitchen; two multipurpose halls for meetings and community-run activities such as dance, gymnastics and yoga classes; a community pantry; and facilities for people needing assistance, with office spaces and counselling rooms for not-for-profit organisations providing support services to the Gungahlin community.

The Gungahlin Community Centre is something pretty great, in my humble opinion, and it will be very much welcomed by the community. The centre is in a prime location with access to light rail. It will complement the existing shops and community hubs. As you can tell from my speech today and through my advocacy for a community centre, I am very passionate about this and cannot wait to join the community in using this centre.

I am confident, with the design brief I provided and my ongoing advocacy, that we have helped to ensure that we end up with a community centre that will cater for the community's needs and reflect the community's needs for many more years to come. I am glad to see this project progressing and look forward to attending many future events with the community at this centre.

### **Environment—varroa mite**

**MS VASSAROTTI** (Kurrajong—Minister for the Environment, Minister for Heritage, Minister for Homelessness and Housing Services and Minister for Sustainable Building and Construction) (5.05): I would like to take the opportunity to make some statements regarding some very recent developments with the management of one of Australia's greatest threats to honey-bee-pollination plant industries, the varroa mite.

While varroa mites are a huge threat to industry and to our food sources, it is important to note that they do not pose a risk to human health or food safety. The varroa mite is a parasitic mite the size of a pinhead that effects the European honey bee. The parasitic varroa mite attaches to bees and weakens them. It feeds on a bee's haemolymph, the bee's equivalent to blood, exposing them to more viruses. It is passed down through the hive.

Since the detection of this pest in the Newcastle region last year, jurisdictions across Australia have been working together to try to eradicate this pest. I would like to

thank everyone who has been involved in this effort, including our amazing EPSDD staff who have been directly involved in the effort.

This week, the national management group for exotic plant pest and animal disease eradication came to the conclusion that it is no longer technically feasible to eradicate varroa mite from Australia. The ACT was part of, and supports, this national decision to transition from aiming to eradicate the varroa mite to ongoing management.

This decision has been made to slow the spread, build industry resilience to the parasite and provide options for ongoing management. I know that this announcement will come as bittersweet news to many of the agriculturalists and beekeepers in the ACT. I recognise that the failure to protect Australia's borders against this invasive and destructive species has already led to the destruction of tens of thousands of beehives across the nation.

I would like to note that there are currently no known occurrences of varroa mite in the ACT. Whilst there is currently no reason to suspect that varroa mite is present in the ACT, the government has taken proportionate actions, including introducing restrictions on the movement of European honey bees, hives and apiary equipment that have been in New South Wales into the ACT.

These restrictions will remain in place until it is considered that it does not pose a threat to the ACT. Local beekeepers have been encouraged to register their hives through Access Canberra, and beekeeper registration in the ACT has steadily increased since the start of the varroa mite incursion.

Biosecurity officials remain engaged with ACT beekeepers to undertake proactive surveillance for varroa mite. All tests conducted to date have come back negative. Similar surveillance will be undertaken in the spring and summer of 2023. A revised national response plan is currently being developed by government and industry technical experts which will guide the transition to a management phase. The ACT will be active members of this discussion.

The incursion of varroa mite into Australia, and the decision to transition to a management plan, is a stark reminder of the real and elevated biosecurity risks that we face as a nation. Invasive species pose a threat to both our agricultural sector and our native plants and animals.

This is one of a number of threats we are managing, with another key incursion being managed with imported red fire ants. This is another potentially devastating pest which, nationally, we are still committed to aiming to eradicate. This needs political will, coordination and resourcing.

Over recent years, climate change has compounded the impact of invasive species incursions by increasing their range and their ability to survive. This is yet another sobering reminder of the ongoing extinction crisis taking hold across our nation. We need governments nationwide to be vigilant and prepared to protect our agriculture industries and natural environment from these biosecurity threats. I would like to recognise the work of the federal minister Murray Watt, who has elevated the importance of these issues to national cabinet.

I would like to assure members of the community that the ACT government will continue to engage with our jurisdictional colleagues to do everything we can to protect our pollinators. I will continue to update the community of the path moving forward as we finalise the management plan.

### **Hawker Community Repair Cafe**

**MR CAIN** (Ginninderra) (5.10): I want to give a massive shout out to the Hawker Community Repair Cafe, out at the Hawker International Softball Centre. I visited this quarterly repair cafe last Sunday and I was just so impressed at how far it has come as a repair cafe for items such as clothing, furnishings, toys, leather goods, electrical appliances, shed tools, garden equipment, mowers, small-motored bikes, bicycles, tool and knife sharpening. It started with this vision to provide a facility where skilled volunteers could repair household, gardening and outdoor goods for no cost. I thought what a great idea that is. That is really the genesis of it all.

But it has become so much more. Now when they release their media for their events, it is Hawker Community Repair Cafe and Made Local Markets, because it really has turned into a community market event. Just last Sunday we had, for example, arts and crafts; locally made honey; we had soft toys made locally; we had garden sculptures, metal garden sculptures for display; the Country Women's Association of New South Wales had a stall; there was a free hand massage. I am sure my fellow Ginninderra members know all about this as well! And I think for the first time they had a JP on duty.

It has turned into something really, really special and something that reflects so much of the creativity and service orientation from our local community. You can get a possum or a bird box there. You could buy pre-loved tools. I only noticed this on Sunday, but perhaps it has been going for a little while, you could even take your Apple device in there and get that looked at and possibly repaired. There was electrical tag and testing for a small fee. For a gold coin, you can walk in; you can enjoy the canteen; you can enjoy the barbecue; you can enjoy the live music that was there—three young fellows in a little band together entertaining us. All power to them. I certainly commend the members of this Assembly to go and have a look; go and encourage them.

It came out of the Hawker Men's Shed. I want to give a special shout out to Jon Wells, who is the president of the Hawker Men's Shed and the convenor of the Repair Cafe, Jill Whittaker. Thank you as well to Frank Curcio, who is president of ACT Softball, which allow all this to happen on their premise.

The next event is 10 December. Subject to other things preventing me, I will certainly be making it a priority to get there; to support, encourage and thank them for the service they provide to our community.

### **Veterans—Invictus Games 2023**

**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) (5.14): I am once again asking for a moment of your time to talk about sports, but I promise this time it is not about sports facilities in my electorate of Murrumbidgee; it is about something much bigger.

The sixth Invictus Games were held in Dusseldorf, Germany from 9 to 16 September. Five hundred competitors from 21 nations took part, all of them either current or previously serving Defence Force veterans with injuries or health conditions.

Co-captaining Team Australia was Able Seaman Taryn Dickens, a Canberran. This was her first time competing in the Invictus Games and she came home with a gold medal in seated rowing, a gold medal in cycling and put in an impressive performance in powerlifting. I was very excited to meet Taryn before she departed for Germany. She talked about how exciting it is for the competitors and their families to be able to enjoy the experience together. It was also great to hear Taryn talk about some of the winter sports she loves outside of the summer Invictus Games, like alpine skiing and biathlon.

There were also a couple of really big moments in some of the team sports in these games. Australia versus Ukraine in wheelchair basketball was a touching example of the way that sports can bring us together and remind us of our strengths and our abilities in the face of so much difficulty. Team Australia's Wheeling Diggers came home with bronze in the wheelchair rugby, which happens to be one of my favourite para sports.

The Invictus Games are a wonderful example of what people with disabilities, mental health conditions and chronic health conditions can do when they are supported and when we can adapt sports to accommodate the diversity of ways that bodies and minds work. Invictus, which means undefeated, provides some really fun, challenging, and healthy opportunities for veterans in our local community to connect with people who understand their experience, to build skills and to just get out there and play. As Prince Harry said at the opening of the games:

There are endless opportunities to have your lives touched and hearts opened. The energy alone is palpable and contagious. Lean into it and keep it close. Let it inspire the limitless in you.

One thing that Invictus tell me would help make these opportunities available to more people, particularly in Canberra where they have a growing presence, is having access to community sports facilities. I think multi-use indoor sports courts in Woden could be really helpful there. So to all 31 of Team Australia's members, and especially to our own Taryn Dickens: congratulations on another amazing Invictus Games and welcome home.

### **Medal of the Order of Australia—honours**

**MRS KIKKERT** (Ginninderra) (5.16): I rise today to acknowledge truly remarkable individuals. It is with the utmost pleasure that I extend my warmest congratulations again to Dr Sunita Dhindsa, Nishi Puri and Dean Sahu Khan, on receiving the Order of Australia Medal, or OAM, a recognition that is so richly deserved.

The OAM is not just an accolade; it is a symbol of a lifetime of dedication, commitment and selfless service. It is awarded to individuals who have made exceptional contributions to our community and our nation.

Dr Sunita Dhindsa, Nishi Puri and Dean Sahu Khan have been an inspiration to many of us, tirelessly working towards making our community a better place. Their unwavering dedication to the community has touched the lives of countless people and left an indelible mark on our community. But it is not just the magnitude of their achievements that sets Sunita, Nishi and Dean apart. It is also the way they lead by example; their passion, humility and unrelenting pursuit of a better community, serve as a beacon of hope and an example for us all.

This prestigious recognition is not just a testament to their hard work but also a reminder of the power of one individual to bring about meaningful change. Sunita, Nishi and Dean have demonstrated that one person can indeed make a difference, and in doing so, they have enriched our lives and our community.

Thank you again, Nishi Puri, Dr Sunita Dhindsa and Dean Sahu Khan, for making a positive impact in the work that you do. I hope your stories inspire us to reach out and help others always.

### **Women—She Shapes History walking tour**

**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) (5.18): I rise to speak briefly about local social enterprise She Shapes History.

She Shapes History is a walking tour, beginning in 2021 after its founders, who loved Canberra, became increasingly aware that the stories of women in our capital's history were not receiving the attention that they could, and especially should, be. The walking tour was formed. Two hours over a flat three kilometres where the women in those places, their stories, their contributions, and how they have shaped history in the national triangle, is brought to life.

The first tour was on 31 July 2021, just 12 days before we entered lockdown. I am just so delighted that the founders persevered. It has been such a pleasure to watch it grow, expanding the numbers and types of tours offered and with even more tour leaders. I have loved engaging with She Shapes History online, including their regular historical trivia on Instagram, where I have learned a thing or two.

I finally was able to join the Badass Women of Canberra tour on 10 September, led by founder Sita Sargeant herself. It was even better than I had imagined. I thought I knew a thing or two about the women who have had a hand in history in the capital, but I learned stacks of new things. It is accessible, entertaining and engaging. It is not surprising that the tours regularly sell out.

Sita was recently announced as one of the winners of Out for Australia's 30 under 30 awards, recognising her activism and the value of She Shapes History. It is fantastic acknowledgement of Sita's gumption and sheer hard work.

We know that women are underrepresented throughout our city in a number of ways and our government is working to rectify this, including through our public art collection. As Sita has rightly recognised, women's place in history is also underrepresented. She Shapes History is such a welcome addition to this city, reclaiming history for women, literally one step at a time.

I highly recommend to all members, and indeed the Canberra community and anyone visiting, to give these fantastic tours their time.

Question resolved in the affirmative.

**The Assembly adjourned at 5.20 pm until Tuesday, 24 October at 10 am.**

## Questions without notice taken on notice

### Sport and recreation—international events

**Mr Barr** (*in reply to a question and a supplementary question by Ms Lee and Ms Berry on Tuesday, 19 September 2023*):

Rugby Australia officially launched its Host City and Venue Selection Process for the Rugby World Cup 2027 (RWC27) on 1 April 2021.

A formal Expression of Interest (EOI) was submitted by the ACT Government to Rugby Australia 25 June 2021. It sought to secure four (4) RWC27 matches at Canberra Stadium. These were a combination of Category B and Category C matches, which were the only match categories available to Canberra through the Process.

On 11 July 2022, Rugby Australia wrote to the ACT Government confirming that Australia had been selected to host the Rugby World Cups in 2027 (Men's) and 2029 (Women's). It also stated that World Rugby was to undertake an assessment as to whether the RWC27 would be expanded from 20 to 24 teams, which would require a temporary pause on current discussions and negotiations with the State/Territory Governments regarding the RWC27. This correspondence indicated that Rugby Australia would keep ACT Government representatives updated on a revised timeline for concluding this process.

To date, no further written correspondence from Rugby Australia has been received regarding RWC27.

Rugby Australia has not yet approached the ACT Government about the possibility of hosting matches as part of Rugby World Cup 2029. We expect this to occur in due course.

### Kippax—parking

**Mr Steel** (*in reply to a question and a supplementary question by Mr Cain and Ms Kikkert on Wednesday, 20 September 2023*):

There are currently 19 disabled parking spaces available at Kippax Shopping Centre. There are nine along Hardwick Crescent and 10 located within the surface carparks. The 19 disability parking spaces equates to over four percent of all parking spaces, which is higher than the ACT standard of three percent.

### Roads—maintenance

**Mr Steel** (*in reply to a question and a supplementary question by Ms Lawder and Mr Parton on Wednesday, 20 September 2023*):

In 2023, 440 claims were submitted. Of the 705 claims submitted between 1 January 2022 and 31 December 2022, 234 are still pending. TCCS are continuing to work through those claims.

Roads ACT currently has 446 pending claims that are over the 60 working day target.

**Sport and recreation—Kambah playing fields**

**Mr Steel** (*in reply to a question and a supplementary question by Mr Parton and Ms Lawder on Wednesday, 20 September 2023*):

The potholes in the carpark have recently been repaired.

I have also requested TCCS to review and look to reinstate the ‘keep clear’ zone near the ambulance access at the northern end of the carpark.

**Municipal services—footpaths**

**Mr Steel** (*in reply to a question by Mr Milligan on Wednesday, 20 September 2023*):

There were 938 footpath repair requests logged in 2022, and 727 year to date in 2023.

**Municipal services—footpaths**

**Mr Steel** (*in reply to a question and a supplementary question by Mr Milligan and Ms Castley on Wednesday, 20 September 2023*):

Once the appropriate TCCS business unit receives a Fix My Street request for community paths, the request will be inspected and assessed within 10 business days.

If the inspection identifies repairs are required, the operational plan for community paths has the following service standards:

- Extreme risk – Repair within 3 business days.
- High Risk – Repair within 10 business days.
- Medium Risk – Repair within 30 business days.
- Low Risk or replacement of the above repairs – Repair or replace within 18 months. However, Roads ACT typically completes this work within 9-12 months, depending on complexity. The upcoming strategic path maintenance program will aim to further reduce the time taken to complete low risk repairs or panel replacements.

**Municipal services—Fix My Street**

**Mr Steel** (*in reply to a question by Mr Milligan on Wednesday, 20 September 2023*):

Fix My Street asks citizens to either lodge a request anonymously or using contact details, select a designated category (for example; roads, parking and vehicles; parks and public spaces; grass, trees and shrubs), and enter relevant fields relating to the nature of the request. Often requests from the community can be multifaceted or contain an issue that requires collaboration across many business units in the Transport Canberra and City Services Directorate and across other ACT Government agencies.

Most requests that take more than six months to be considered resolved in the Fix My Street system include multi-facet requests, complex or low-priority tree maintenance, capital works, and larger infrastructure projects. Often, they are projects which require the engagement of a contractor or need deeper investigation before remediation can occur.

In the 2022-23 financial year, the ACT Government received a total of 8,834 requests in the Yerrabi electorate. The total number of requests with an outstanding status is 1,978.

### **Yerrabi Pond—parking**

**Mr Steel** (*in reply to a question by Ms Castley on Wednesday, 20 September 2023*):

- TCCS commissioned a parking utilisation survey within Gungahlin Town Centre in 2022. The total cost for this survey (which also surveyed other town and group centres across Canberra) was \$112,198.90.
- In 2022, TCCS undertook planning and design work for Yerrabi Pond parking. The value of the parking feasibility component was approximately \$8,000.
- Other parking studies in 2014, 2015 and 2019 were undertaken by EPSDD and not commissioned by TCCS.