



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

**DAILY HANSARD**

Edited proof transcript

25 October 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, 9 November 2023**.

## Wednesday, 25 October 2023

Legislative Assembly—Questions without notice (Statement by Speaker) .....	3307
Christiaan Adriaan Roodt—coronial inquest (Ministerial statement) .....	3307
Education—National Skills Agreement (Ministerial statement) .....	3308
Animals—snakes—protection and education programs (Ministerial statement) ....	3312
Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability (Ministerial statement) .....	3316
Health—eating disorders support services—update (Ministerial statement) .....	3318
Administration and Procedure—Standing Committee .....	3321
Urban Forest (Consequential Amendments) Bill 2023.....	3322
Territory Plan 2023 .....	3323
Questions without notice:	
Economy—credit rating .....	3344
Economy—credit rating .....	3345
Homelessness—government funding .....	3347
Taxation—general practice clinics .....	3348
Public and social housing—construction .....	3349
Hospitals—emergency department waiting times .....	3350
Health—nurse-led walk-in centres .....	3351
Parks and conservation—urban rangers .....	3352
Hospitals—outpatient waiting times .....	3353
Legislation—voluntary assisted dying .....	3354
Calvary Hospital—acquisition .....	3355
Health—dental services .....	3356
Public and social housing—refugees.....	3357
Mental health facilities—security.....	3358
Mental health services—Gungahlin .....	3359
Supplementary answers to question without notice:	
Hospitals—outpatient waiting times .....	3361
Calvary Hospital—acquisition .....	3361
Agriculture—urban agriculture.....	3361
Canberra Health Services—staffing .....	3370
Sentencing (Drug and Alcohol Treatment Orders) Legislation Amendment Bill 2023 .....	3384
Statements by members	
Speaker’s new citizens welcome night.....	3389
Education—specialist schools .....	3389
NATA Women Inspiration Network .....	3390
Work health and safety—silica dust.....	3390
Drugs of Dependence (Personal Use) Amendment Act 2022 .....	3391
Community councils—government support.....	3392
Education—inclusivity .....	3392
Adjournment:	
Environment—Mount Ainslie Nature Reserve and Callum Brae Nature Reserve.....	3392
Environment—climate change .....	3394
Government—transparency .....	3396
Schools—toilets.....	3396
Animals—snakes .....	3397

Health—Perinatal Wellbeing Centre .....	3398
Animals—snakes .....	3399
Arts—festivals and events .....	3400

**Wednesday, 25 October 2023**

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

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

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

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

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

### **Legislative Assembly—Questions without notice Statement by Speaker**

**MADAM SPEAKER:** I have spent some time reflecting on yesterday’s question time. I have been considering the application of standing order 117(b)(vi), which stipulates that questions shall not contain hypothetical matters. A number of the questions that were asked yesterday contained words such as “may result in increase in drug use”, “further potential increase in workload” and “possible increase in violence”.

It is absolutely, entirely legitimate for members to query ministers as to whether the government is indeed prepared for such a significant change in law of the territory, but I remind members to consider how they frame their questions in future. I will leave it at that.

### **Christiaan Adriaan Roodt—coronial inquest 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) (10.02): I rise today to present the ACT government response to the coroner’s inquiry into the death of Adriaan Roodt.

I begin today by acknowledging the life of Adriaan Roodt. Adriaan’s passing on 18 October 2018, while playing “capture the flag” with friends at school, was an unnecessary tragedy. He was 17 years old. Last week Adriaan’s family, friends and loved ones commemorated the five-year anniversary of his death. Then, today, and at many other times during the past five years, my thoughts have been with Adriaan’s mother, father and sister. I extend to them my deepest condolences. I know that Adriaan’s death has had a lasting impact on their lives, as well as the lives of every

member of the school community who knew Adriaan and loved him—his friends, fellow students, teachers and school staff.

I acknowledge that this has been a difficult process for the many people who participated in this inquest, and I thank everyone who was involved. You have helped to inform the improvements that will continue to strengthen the safety and wellbeing of children and young people in our public schools, because nothing is more important than keeping our children and young people safe at school.

Coroner Stewart handed down his report into this inquest on 17 March 2023. The report found that there were inadequacies in the policies, procedures and guidance materials provided to school staff on physical education, outdoor education and excursions at the time of Adriaan's death in October 2018. Coroner Stewart found that these inadequate processes and procedures as at October 2018 constituted a matter of public safety, and he made six recommendations. These recommendations relate to professional development, physical activity policies, and work health and safety training and compliance. These recommendations are welcomed and supported by the ACT government. The wellbeing and safety of children, staff and young people across the ACT public school system is paramount.

Since 2018, the Education Directorate has undertaken extensive work to address the failings that led to Adriaan's death. This has included a comprehensive review of policies and procedures in relation to physical education, outdoor education and excursions. There have been significant changes since 2018 to these policies, resulting in improved guidance and training for school staff in ACT public schools.

The Education Directorate is undertaking a post-implementation review of these changes, which will identify any further opportunities to strengthen policies, practices and staff training. The ACT government remains committed to the protection and safety of students at ACT public schools and will continue to work to build on this.

In accordance with the Coroners Act 1997, I present the following papers:

Coroners Act, pursuant to subsection 57(4)—Report of Coroner—Inquest into the death of Christiaan Adriaan Roodt—

Report, dated 17 March 2023.

Government response, dated October 2023.

Ministerial statement, 25 October 2023.

I move:

That the Assembly take note of the ministerial statement.

Question resolved in the affirmative.

## **Education—National Skills Agreement Ministerial statement**

**MR STEEL** (Murrumbidgee—Minister for Skills, Minister for Transport and City Services and Special Minister of State) (10.06): I am very pleased today to provide

some information about the National Skills Agreement. The ACT government and Australian governments are working together to invest in the skills that are needed to support our economy. I am pleased to announce that the ACT has signed a new five-year National Skills Agreement with the commonwealth government.

This is the first National Skills Agreement in over 10 years. I would like to thank the Minister for Skills and Training, the Hon Brendan O'Connor MP, and the Australian government for working together to get this important agreement finalised. This is in stark contrast with the previous federal Liberal government that failed to negotiate in good faith with the states and territories, and failed to deliver any agreement which would support the sustainability and growth of the vocational education and training sector at a time when we need these skills the most.

Today I would like to update the Assembly on this important agreement and our ambitious plans for the ACT skills sector. Historically, the ACT has invested significantly in VET and has demonstrated a strong commitment to the Canberra Institute of Technology as the public provider of VET in the ACT. This commitment has been recognised in this agreement. The ACT government has high ambitions for Canberra—for the growth of our economy, the wellbeing of our community, the capability of our workforce and the great jobs that thriving local industries can offer.

Our ambition for the ACT is to grow the territory's workforce to 300,000 by 2030. From 1 January 2024, the ACT will enter a five-year National Skills Agreement with the commonwealth government that will contribute to additional funding for investment in skills in the ACT. This landmark agreement between the commonwealth and all of the states and territories will deliver one of the biggest investments ever into building a more resilient and diverse workforce. The agreement has an ambitious reform agenda.

Based on a new stewardship model, the National Skills Agreement will see skills ministers across the country collectively overseeing the identification, implementation and monitoring of agreed priorities in vocational education and training. This includes Closing the Gap initiatives, new TAFE centres of excellence, work to improve trainee and apprenticeship completion rates, and programs in foundation skills. The ACT will direct more than \$29 million to support these initiatives, particularly focusing on improving completions, supporting CIT and Closing the Gap priorities.

The agreement includes a strong commitment to placing TAFE at the centre of VET delivery. Through the agreement, the ACT commits to providing at least 70 per cent of the commonwealth's funding to TAFE and maintaining the ACT's funding effort across the ACT VET sector. I am pleased to say that we are already surpassing this. The government has committed to providing at least 75 per cent of VET funding to the Canberra Institute of Technology as part of the 10th parliamentary agreement.

In addition to this level of investment, we are also investing in the future of CIT, with more than \$300 million dedicated to delivering the new CIT Woden campus, public transport interchange and youth foyer. This once-in-a-generation renewal will ensure CIT continues to support quality skills training and industry into the future, while transforming Woden town centre. This project also includes the construction of a new CIT Yurauna to support our First Nations students. Yurauna is CIT's dedicated

Aboriginal and Torres Strait Islander educational student support centre. It provides tailored courses, study support and cultural advice to grow knowledge, abilities and confidence.

Closing the Gap is an important priority for the commonwealth and ACT governments, and it forms a critical part of the National Skills Agreement. The ACT government will match the commonwealth funding provided under the National Skills Agreement for Closing the Gap, bringing total matched funding to \$6.5 million, and will work closely with our First Nations community to promote and support training and employment outcomes for our Aboriginal and Torres Strait Islander community.

In the ACT we are ahead of the national projected targets for Closing the Gap outcomes related to VET education. The 2021 trajectory target for the percentage of First Nations people between 20 and 24 who have attained year 12 or equivalent was 74.1 per cent. In 2021 the ACT's achievement was 82.1 per cent. Similarly, the percentage of First Nations people who have completed a certificate II and above has reached 64.7 per cent, above the 51.5 per cent trajectory target. The percentage of First Nations people between 15 and 24 in employment, education or training is similarly above the national trajectory target of 60.5 per cent in 2021. The ACT achieved 74.4 per cent. I am proud of the work we have done, but we know there is still more that we need to do to improve outcomes and close the gap in the ACT, and this new agreement will help to achieve that.

Under the National Skills Agreement, all governments have committed to improving completion rates and supporting students to achieve their full qualifications. The agreement includes \$14 million in matched funding to improve VET and apprentice completion rates, with a focus on groups such as First Nations students, women and other vulnerable cohorts.

Across Australia, completion rates are lower than ideal, particularly in apprenticeships and traineeships, considering the critical skills and workforce shortages we are experiencing. Recently, a South Australia-led task force began to examine reasons for low completion rates. The ACT will use this evidence base and analysis of completions in the ACT to design pilot initiatives using funding from the agreement that will provide wraparound and tailored support for students to gain the qualifications needed to achieve meaningful employment.

Through the agreement, the ACT will also seek to establish centres of excellence at CIT to build expertise and knowledge, with over \$24 million in matched funding. These centres of excellence will strengthen collaboration between CIT, other TAFEs, universities, government and private industry to deliver on the skills and workforce needs of our economy. I look forward to sharing more information with the Assembly about these centres of excellence once proposals are further developed with CIT and the commonwealth.

This is only a snapshot of some of the new policy initiatives under the agreement, with funding also being secured for foundation skills programs, measures to support, grow and retain the VET workforce, improving VET data capability, and increasing collaboration between CIT and other TAFEs through a new national TAFE leadership network.

A core element of the National Skills Agreement is the flexible funding it provides to the ACT to support areas of critical skills shortage, including priority sectors such as the care sector, building and construction, technology, experience and renewable sectors, as outlined in *Skilled to Succeed*, the ACT's VET strategy. Work has already commenced on improving access to training, particularly for vulnerable groups, including Aboriginal and Torres Strait Islander people, women facing economic disadvantage or in non-traditional trades, unpaid carers, people with a disability and veterans.

Last year, the ACT entered into an interim 12-month federation funding agreement, which saw the introduction of fee-free TAFE in the ACT. The commonwealth committed \$8.85 million in funding, matched by the ACT government, which saw more than 2,500 training places converted to fee-free training opportunities at CIT. These training places were prioritised for vulnerable members of our community, and offered employment pathways into industries and sectors experiencing critical skills shortages.

As of 30 September 2023, the ACT had achieved more than 2,500 enrolments under the fee-free TAFE agreement, exceeding our initial target ahead of schedule. Recognising the transformative potential of this program, the ACT has secured a three-year extension of the fee-free TAFE program. The commonwealth will provide an additional \$7.36 million to the ACT for fee-free TAFE tranche 2, which will remove student tuition fees for up to 3,000 existing CIT training places. While still prioritising vulnerable Canberrans as per the current program, fee-free TAFE tranche 2 will also expand eligibility to all Canberrans looking to upskill or transition to a new industry.

This is the first National Skills Agreement in more than 10 years. This landmark agreement says that our government is getting on with the job of supporting Canberra's strong and diverse workforce. We are all about creating the right policy settings to support future demand for jobs in emerging industries, making sure that our city's most vulnerable have access to free education and training, and working with sectors to fill skills gaps that have emerged following the policy void from more than a decade of neglect.

The ACT government believes in a strong public provider. It is the backbone for accessible technical education in our city and supports the delivery of the skills that students need with a name that Canberrans can trust. That is why we are continuing to invest in CIT, with thousands more training places in areas of skills need like renewable energy, cybersecurity, construction and the care sectors.

But we are only just getting started. Construction is underway on the brand new, state-of-the-art CIT campus in the heart of Woden. This new precinct will link students, commuters, businesses and residents with a new, integrated public transport interchange, and accommodation for disadvantaged young people who want to undergo training.

I am proud to be part of a government that supports our public provider, and fundamentally believes that skills training should be easily accessible and of high quality. We will support our teachers to deliver this training, and we will make sure that our public provider has the investment it needs to get on with the job.



This is the start of a five-year journey for the ACT government. We will be working closely with the commonwealth over the next few months to finalise implementation plans, design strong initiatives and ensure we are meeting the skills and workforce needs of our community and economy.

In coming months, I will release industry action plans for consultation. These plans have been developed under the Skilled to Succeed strategy and agenda following significant stakeholder consultation, including across industry. I expect that these plans will continue to include actions that will benefit our key industries, as well as to establish mechanisms that will support improved collaboration to support a future-focused skills sector which is agile and can adapt to new challenges as they emerge.

I am highly ambitious for Canberra's skills sector, and I look forward to its evolution and growth to meet the changing needs of our economy, students and businesses. From sustainable trades to cyber, caring professions and more, there is so much opportunity for close collaboration to build the skilled workforce that we need to secure Canberra's prosperity.

I look forward to continuing to update the Assembly as we progress the implementation of this landmark National Skills Agreement. I present the following paper:

National Skills Agreement—Ministerial statement, 25 October 2023.

I move:

That the Assembly take note of the paper.

Question resolved in the affirmative.

## **Animals—snakes—protection and education programs Ministerial statement**

**MS VASSAROTTI** (Kurrajong—Minister for the Environment, Minister for Heritage, Minister for Homelessness and Housing Services and Minister for Sustainable Building and Construction) (10.18): I rise to address the Assembly's agreed motion of 28 March 2023 about the licensing, ownership and use of venomous snakes in the ACT for education purposes.

I welcomed this motion as it brought to the attention of the Assembly one of the most misunderstood native animals that we have in the ACT. It came at a time when I was on a personal journey to address my own fear of snakes. Through the generosity and, it is fair to say, the tenacity of Gavin Smith, despite my deep phobia of snakes, I had been venturing out in the field with Gavin to learn more about our fascinating snake species here in the ACT, the critical role they play in our ecosystems and their importance to our First Nations people, and to try and conquer my own fears.

As part of those times out in the field with Gavin, he also brought me up to speed on some of the challenges of safely managing human-snake interactions in the ACT, and his aspirations, shared by many, to build community understanding and appreciation of snakes. This motion was therefore very timely.

The motion calls upon the ACT government to explore the possibility of extending the 48-hour window that licensed snake catchers can care for an injured snake that has been caught, to allow them to be cared for for as long as they need veterinary supervision; to explore the potential for allowing licensed snake-catchers to register ownership of venomous snakes for education purposes, in line with other jurisdictions; to support snake education programs run in the ACT, including education programs for new migrants and refugees that experience heightened fear of snakes; and to report back to the Assembly by 30 November 2023.

As I have already alluded to, snakes are native wildlife and perform an important role as a predator in the ACT's ecosystems. Eight species of snakes are known to inhabit the ACT, with five considered potentially dangerous to humans. However, snakes are shy, non-aggressive creatures that will quickly retreat if not provoked—something that it has been good for me to remind myself about. Snake bites in the ACT are very rare and there is an increasing community appreciation of snakes as fascinating and important wildlife. But there is still a strong need to educate the community about their ecological importance, and how to avoid and mitigate the chances of a dangerous interaction.

I would like both the rarity of snake-bite incidents and the increasingly positive community interest in snakes to continue to be the case, and to do this by supporting a regulatory framework that exists to protect the community from venomous snakes and to increase community education. This motion was a welcome opportunity to focus on these goals.

Decisions about the keeping of native animals such as snakes is a responsibility of the Conservator of Flora and Fauna, which is a statutory position established under the Nature Conservation Act 2014. Under the act, the conservator has made the Nature Conservation (Licensing of Non-Exempt Animals) Conservator Guidelines 2021. These guidelines provide information on keeping wildlife for rehabilitation and release in the ACT. This document is a notifiable instrument under the Nature Conservation Act 2014, and has been endorsed by an independent scientific committee. Any change to the licensing arrangements of snakes is a statutory matter for the conservator under the act.

The conservator's guidelines stipulate that a licence must be obtained to keep non-exempt wildlife for rehabilitation and release, and such a licence will only be issued to an incorporated association which demonstrates that they possess the appropriate facilities, skills, knowledge and experience to provide care to sick and injured wildlife. In addition, such an association is expected to monitor member compliance with standards and the ongoing competencies of their carers, thus helping to ensure high standards of animal welfare and best practice.

I will now provide the government response to each element of the motion. In relation to the 48-hour window, the first call was a request to explore the possibility of extending the 48-hour window in which licensed snake catchers can care for an injured snake that has been caught to allow them to be cared for for as long as they need veterinary supervision. The 48-hour window exists to ensure timely decisions and action are taken by snake catchers to manage captured snakes and either return

them to the wild, euthanise or transfer them to veterinary care. It would be unacceptable if unnecessary delays occurred in returning captured snakes to the wild or taking an injured snake to a veterinarian for a qualified assessment and care. Such delays threaten the welfare and potentially the life of a captured snake.

It is recognised, however, that snake catchers may experience special or extenuating circumstances that may require captured venomous snakes to be kept for longer than 48 hours. To address this issue, the conservator will look to amend existing licences and the conservator guidelines as necessary to allow the conservator to consider agreeing on a case-by-case basis to care beyond 48 hours.

Conditions that are likely to apply to this change include that the injured snake must be assessed by a qualified veterinarian; the veterinarian must have prescribed in writing that the snake requires care for a specific time frame beyond the 48-hour window; the snake catcher has safe and suitable enclosures as per the ACT code of practice for keeping reptiles to manage and house the injured snake for the prescribed time; and the snake is returned to the wild as soon as the prescribed period of care is completed.

The next part of the motion was about registering venomous snakes for education purposes. The desire of certain individuals and groups to use venomous snakes for display purposes is acknowledged. The conservator's guidelines do not currently support allowing licensed snake catchers to register ownership of venomous snakes for education purposes.

Allowing people to keep venomous snakes is unnecessary. It increases safety risk, and it is contrary to the Australian code for care and use of animals for scientific purposes. The code has been adopted under the Animal Welfare Act 1992, an ACT act, and emphasises the need to include strategies that minimise adverse impact on animals. One such strategy enshrined in the code for care and use of animals for scientific purposes is “replacement”—that is, substitution. These are methods that permit a given purpose or activity to be achieved without the use of animals.

Native venomous snakes have an unpredictable nature, potent venom and hunting instincts, making them unsuitable for domestication or keeping outside specialised facilities. Keeping venomous snakes for education purposes does pose significant threats to public safety. Accidents may occur even with strict precautions, endangering educators, students and bystanders, leading to harm. Not all educators possess the expertise necessary to impart information about snakes effectively. This could lead to misinformation or increased risk during educational sessions. The ACT system to assess trainer competency would come at a significant cost.

It is also important that the health and wellbeing of native animals is foremost in our mind. Put simply, our animal welfare settings are framed on this principle: if we do not need to put an animal through unnecessary stress to achieve an outcome, we should not. It should be kept in mind that the ACT has some of the strongest animal welfare laws in the country, and these protections must be equally extended to snakes. This is the reason our laws do not align with those of other jurisdictions.

The conservator therefore remains of the view that it is inappropriate and unnecessarily risky for venomous snakes to be used for education purposes in anything other than zoo conditions. The government supports the conservator's position.

The final part of the motion also focused on raising awareness and providing education on snakes and safety, particularly to new migrant communities in Canberra. Communicating on snake awareness continues to be an important issue for the ACT government. In preparing for the warmer summer ahead, when snake activity might be heightened in and around our city, we will be proactively promoting snake awareness to our broader community.

Snake awareness is important for all members of our community, particularly those who visit our parks and reserves or who live close to green spaces in our urban areas, where snakes might move through. The ACT government already has a program of signage to alert people in our urban areas that snakes routinely use areas. This work will continue in areas that snakes are known to use or move through.

In addition, the ACT government will proactively target our communications to the multicultural community and to those who may be new migrants to Australia. This includes education and awareness communications through existing platforms such as the ACT multicultural community e-newsletter.

The ACT government will also reach out through community radio such as 2XX and 1RPH, and through engagement with our multicultural representative groups over the summer months to promote snake awareness and actions to take if you see a snake in your garden or around your property. While the response for all members of our community should be the same, it is important that the ACT government actively works with our multicultural community on raising awareness of snakes in our city.

The ACT government is also pleased to support education programs about snakes in the ACT. In addition to information made available on the [environment.act.gov.au](http://environment.act.gov.au) website, the government has provided a \$35,000 grant through the ACT Environmental Grants Program to facilitate research and to develop "living with snakes" information products to help Canberrans to become familiar with snakes.

The process of responding to this motion has been helpful in highlighting some of the complexities and challenges regarding our relationship with snakes, and ensuring that there is sufficient support for education, awareness-raising and safe snake removals where they are needed. In the Bush Capital it is not surprising that human-snake interactions are a part of our lives and they must be given attention to ensure care for our wildlife and care for our people. The conservator has therefore informed me that he expects there will be ongoing work on matters that responding to this motion has raised, such as exploring ways to support safe and ethical training of snake handlers and considering government support for safe snake catching and removal.

As always, the ACT government, through the conservator, will continue to engage with snake catchers about their specific circumstances and how guidelines and licence conditions can best balance the various competing interests. There will also be ongoing engagement with the broader Canberra community to support understanding,

care and appreciation of our snakes. I will continue on that journey myself, and I thank Gavin and the many other members of our community who champion the beauty and importance of snakes to our beautiful natural environment here in the ACT. I present the following paper:

Snakes—Protection and education programs—Assembly resolution of 28 March 2023—Government response—Ministerial statement, 25 October 2023.

I move:

That the Assembly take note of the paper.

Question resolved in the affirmative.

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

**MS DAVIDSON** (Murrumbidgee—Assistant Minister for Families and Community Services, Minister for Disability, Minister for Justice Health and Minister for Mental Health) (10.32): I rise to acknowledge and reflect on the release of the final report of the Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability. The final report was handed to the Australian government on 28 September this year and released the following day, on 29 September.

The report provides harrowing evidence of abuse, violence and neglect experienced by people with disability, and the extent of systemic failures in our society to be truly inclusive of all people with disability in all aspects and settings, including in education, housing, child protection, employment, health and in society more generally.

The final report sets out a vision for a more inclusive Australia in which people with disability live free from violence, abuse, neglect and exploitation, where human rights are protected, and individuals live with dignity, equality and respect and can fulfil their potential.

The report contains 222 recommendations focusing on improvements to laws, policies, structures and practices across all of our settings. The royal commission emphasises the need to adopt a social model of disability in all that we do, and a move away from the medical model of disability. A social model of disability is based on the principle that people with disability face physical, environmental and attitudinal barriers to inclusion and participation, and seeks to change society to be more inclusive.

Another key theme in the report, informing the recommendations, is the recognition that people with disability have the right to full and equal enjoyment of all human rights and fundamental freedoms, including respect for their inherent dignity and individual autonomy. The report emphasises the need to embed a human rights approach in our response to the recommendations of the disability royal commission to ensure all people with disability are treated with dignity and respect and have equal opportunities.

The recommendations also focus on enabling people with disability to be and feel included in all areas of society and alongside people without disability. “Nothing about us without us” highlights the importance of inclusion in every aspect of political, social, economic and cultural life, and will guide our future work. This is a key message that I have heard in my time as Minister for Disability, and one that I remain committed to.

The ACT government is currently in the process of considering the findings and recommendations in the final report. Given how wide-ranging and expansive the recommendations are, we need to take the time to do this properly. Disability is everyone’s responsibility. We will take a whole-of-society and whole-of-government approach to responding to the royal commission. We will take a holistic, practical and systemic approach to responding to the recommendations, working in partnership with the disability community and stakeholders.

Many recommendations require joint effort between governments across the country, and coordination between federal and state and territory governments. I will work closely with my ministerial colleagues, both within the ACT and across governments, as we consider the recommendations. This will ensure a response that is genuinely transformative and supports better equality, access, opportunity and inclusion for people with disability.

We have, however, not been waiting for the royal commission report to be finalised before taking action. We have been progressing a range of measures to better support people with disability and to embed the social model of disability. As a signatory to Australia’s Disability Strategy, the ACT government is committed to a Canberra where every single person with disability, whether they are a child or an adult, can participate in all aspects of our community.

Critically, we are also in the final stages of developing a 10-year ACT disability strategy. The strategy will outline the ACT government’s commitment to creating a more inclusive society and improving the lives of the more than 80,000 Canberrans who identify as people with disability. The consultation for the strategy was co-designed and led by the ACT Disability Reference Group. The voices of people with disability were at the forefront of all activities. It will be supported by action plans which will step out tangible commitments to achieving change.

At the same time, the ACT knows we need to make all parts of our society more inclusive. All portfolios and services are responsible for addressing barriers that prevent people with disability from accessing the support they need and achieving the outcomes they want.

The Disability Justice Strategy 2019-29 addresses unequal access to justice in the ACT. The Disability Justice Strategy aims to achieve equity and inclusion for people with disability in the justice system.

I am pleased that the disability health strategy to drive better health outcomes for people with disabilities, their families and carers, is also under development. The ACT is also developing an inclusive education strategy, to ensure students with disability can access and participate in education on the same basis as their peers.

In closing, I would like to acknowledge and thank the disability community for their contributions to the commission. The royal commission was the result of many years of advocacy by the community, who called for an investigation into violence, abuse, neglect and exploitation of people with disability. Members of the community, and their families and support networks, bravely shared their experiences. These experiences were hard to hear. As hard as it was to hear, I recognise that this is only a fraction of the pain of those who lived them. Time and again, we heard of systemic failures that meant the rights of people with disability were not respected, and resulted in experiences that have no place in our society.

I want to express my thanks to all those who shared their stories with grace and integrity. As we develop the ACT government response, we will seek to honour those who gave testimony to the royal commission. As the ACT Minister for Disability, I will ensure that your voices are heard. I am committed to taking real and meaningful action.

As we reflect on the royal commission's findings, we must consider our collective responsibility to prevent such things from ever happening again and support all people with disability to participate fully in our community, free from abuse, neglect and exploitation. I present the following paper:

Closing of the Disability Royal Commission 2023—Ministerial statement, 25 October 2023.

I move:

That the Assembly take note of the paper.

Question resolved in the affirmative.

## **Health—eating disorders support services—update Ministerial statement**

**MS DAVIDSON** (Murrumbidgee-Assistant Minister for Families and Community Services, Minister for Disability, Minister for Justice Health and Minister for Mental Health) (10.38): I rise again to present the following paper:

ACT Government Position Statement on Eating Disorders—2023 Update—  
Ministerial statement, 25 October 2023.

I would first like to acknowledge and thank those with a lived experience of an eating disorder and their families and carers who have bravely shared their experience with us to support the ongoing work of the ACT government and health services to improve the awareness of, and services available for, eating disorders in the ACT. The ACT government is committed to improving eating disorders services in the ACT across the full spectrum of care so that we can provide the best treatment and care for people with eating disorders when they need it and where they need it.

Eating disorders are serious illnesses that can have significant impacts on the physical, psychological and social-emotional wellbeing of the individuals and families affected.

A person with an eating disorder has increased risks of developing long-term mental and physical illnesses, an increased risk of premature death due to medical complications, and an increased risk of suicide. Although the incidence peaks nationally between the ages of 12 and 25, eating disorders can occur at any stage of life.

A 2012 report by the Butterfly Foundation titled *Paying the price* estimated that around four per cent of the Australian population is affected by eating disorders at a clinical level. The report summarises the personal costs of eating disorders to individuals, their families and support networks. In addition to the large personal costs, the report also highlights significant lost productivity incurred through premature death and an impaired ability to work.

In 2018, the ACT government published its *ACT eating disorders position statement* to demonstrate its commitment to strengthening the eating disorders services system in the ACT. This position statement communicated the guiding principles that outline the government's approach to the development of eating disorders services in the ACT. It is grounded on the premise that the most effective eating disorders service system enables seamless treatment and transitions across the continuum of health services. This is supported by evidence from eating disorders research and clinical guidelines. The position statement proposed the development of a broader range of system-wide eating disorders services that can focus more on health promotion, early intervention and outpatient services rather than emphasising a solution focused solely on acute services.

People with eating disorders often present with symptoms that can vary in severity, acuity, complexity and risk. As a result, managing eating disorders can be extremely complex. There is a need for a system-wide integrated eating disorders service spectrum that is developmentally appropriate and flexible across the entire continuum of care, from early engagement to ongoing treatment, addressing fluctuations in risk and condition. This approach is presented in the 2018 position statement as a stepped care model which emphasises four key pillars that should work together to allow for patients to flexibly step up and step down into appropriate services according to their needs. These are generalist mental health services, including primary care and community programs; specialist eating disorders interventions, including day programs and outpatient clinics; local hospital interventions, including management of cases in general medicine and paediatric wards; and intensive tertiary supports, including multidisciplinary teams and models of care to support evidence based treatment in emergency department and hospital wards.

In 2020, an update was provided on the position statement in response to recommendation 48 of the inquiry into youth mental health in the ACT. Following this update, in 2021 the ACT government agreed to recommendation 22 of the Standing Committee on Health and Community Wellbeing's *Annual and financial reports 2019-2020—Report 1*, which committed the ACT government to continue to provide an annual update to the Legislative Assembly on the position statement.

In 2022, an update was provided on the position statement in response to Dr Marisa Paterson's tabling of the petition *Starving for Services—Lack of Eating Disorder Services in the ACT*, in the Legislative Assembly in November of 2021. I would now



like to provide the Legislative Assembly with the 2023 update on the ACT government eating disorders position statement.

Since the 2022 update, the ACT government has developed and published a territory-wide model of care for eating disorders, established the Early Intervention Service for Eating Disorders, commenced construction on the residential treatment centre for eating disorders, and announced that Canberra Health Services will be the service provider for this residential centre.

To expand on these achievements, the territory-wide model of care for eating disorders was published at the end of June 2023 to support clients, their families and carers, and clinicians to ensure that the best possible care is provided for those seeking and receiving treatment for an eating disorder in the ACT public health system. This model of care provides an evidence based framework for delivering the right care at the right time by the right person or team and in the right location. It outlines the aims, principles and elements of care and provides the basis for how we deliver evidence based care to every patient every day through integrated clinical practice, education and research. The territory-wide model of care for eating disorders provides an overview of the integrated stepped model of care for all public eating disorders services in the ACT, which aligns with the National Eating Disorders Collaboration's stepped system of care in the *National eating disorders strategy 2023-2033*, launched on 30 August 2023.

In the update I provided last year, I noted that the clinical hub was launched in January 2022. The clinical hub has become a major component of the stepped system of care for eating disorders in the ACT. The coordination and support provided by the clinical hub and access to the STRIDE Program and parenting groups has continued to provide clients with access to timely interventions, in addition to enabling the eating disorders program to increase its capacity to see clients and provide ongoing therapy for clients who require longer-term therapy or present with more complex needs.

The next significant achievement made this year is the introduction of the Early Intervention Service for Eating Disorders. Following a successful procurement process, the Early Intervention Service for Eating Disorders was launched by Marymead CatholicCare in collaboration with the clinical hub and the ACT Health Directorate on 20 February 2023. It is now known as the Supporting Early Intervention for Eating Disorders, SEED, program.

SEED offers a rapid early intervention service providing innovative, evidence based treatment for people 16 years and over with an eating disorder of up to three years duration or no previous treatment, with referrals being accepted through the clinical hub or directly to the SEED program. The SEED program provides a holistic, proactive approach using early access to the right treatment at the right time to provide an early pathway to recovery from an eating disorder. The SEED program service model includes a rapid response to referrals and a holistic and non-stigmatising assessment, followed quickly by an evidence based treatment plan tailored to the individual.

Lastly, I present the achievements made towards the development of the residential treatment centre for eating disorders. Supported by funding from the commonwealth

under the Community Health and Hospitals Program Agreement, the centre will fill a critical gap between inpatient hospitalisation and outpatient programs to provide an opportunity for a more intensive psychological recovery and improved integration of services.

Since the last update on the government's *ACT eating disorders position statement*, architects Collard Clarke Jackson have developed the designs for the centre and are now working in collaboration with the local construction company Icon to construct the centre. The ACT government has determined that Canberra Health Services will be the primary service provider for the centre and has begun detailed planning to deliver a workforce profile to support the opening of the centre in mid-2024.

The achievements I have presented today would not have been possible without the passionate commitment shown by the Canberra Health Services Eating Disorders Clinical Hub team and Eating Disorders Program. I would like to take this moment to extend my sincere thanks to the clinicians, administrative staff and students who work in these teams and express my gratitude for all that they do to support our community.

In closing, I am grateful for the chance to update the Legislative Assembly and the ACT community on the work being done and the achievements made since 2022 for the improvement of services and raising the awareness of eating disorders in the ACT.

I move:

That the Assembly take note of the paper.

Question resolved in the affirmative.

## **Administration and Procedure—Standing Committee Statement by chair**

**MS BURCH** (Brindabella) (10.48): Pursuant to standing order 246A, I wish to make a statement on behalf of the Standing Committee on Administration and Procedure. On 31 August this year, the Assembly adopted the recommendations of the committee in relation to the amendment of a number of standing orders and continuing resolutions. In the process of updating the standing orders for printing and publication, a small number of minor oversights were discovered. They are mainly editorial and have no impact on the operation or the interpretation of the standing orders. The committee considered these amendments and endorsed the Clerk, through the authority provided in standing order 147A, to make the necessary changes.

Two references to matters of public importance were deleted in the chapter 7 description and in standing order 206. Two references to the Queen were substituted with “Sovereign” and “King”, in the chapter 25 description and continuing resolution 4A at paragraph 39, respectively. Standing order 214 was reformatted to comply with the style of the standing orders. In continuing resolution 5A, the terms of the resolution of the Assembly of 30 July 2019 relating to respectful dialogue were reinserted. These small changes are reflected in the standing orders that you now have in the chamber.

For the information of members, I present the following paper:

Administration and Procedure—Standing Committee—Editorial amendments to the standing orders as a result of the implementation of Report 10—Review of standing orders and continuing resolutions of the Legislative Assembly for the Australian Capital Territory, undated.

## **Urban Forest (Consequential Amendments) Bill 2023**

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

Title read by Clerk.

**MR STEEL** (Murrumbidgee—Minister for Skills, Minister for Transport and City Services and Special Minister of State) (10.50): I move:

That this bill be agreed to in principle.

This bill is the next step forward in implementing a tree protection system that values and protects Canberra's urban forest. The Assembly passed the Urban Forest Act 2023 in March 2023, which will commence on 1 January 2024. This bill contains consequential amendments that support the Urban Forest Act by updating existing ACT legislation to ensure full effect is given to the new legislation.

Together, the Urban Forest Act and this consequential bill deliver on the ACT government's commitment in the Parliamentary and Governing Agreement for the Tenth Legislative Assembly to work towards reaching a 30 per cent urban tree canopy across Canberra by changing the Tree Protection Act 2005 and the planning system to protect and save our mature trees and make room for trees during development.

To ensure that all ACT laws align with the incoming tree protection system, this bill progresses a range of updates as well as minor and technical amendments to 14 pieces of ACT legislation. This includes replacing references to the Tree Protection Act with the Urban Forest Act; replacing references to the Conservator of Flora and Fauna for urban tree related matters in other legislation with references to the decisionmaker under the Urban Forest Act, which is the Director-General of Transport Canberra and City Services for public trees and the conservator for all other trees; clarifying the interaction between public land laws and the Urban Forest Act, since the Urban Forest Act extends protections to trees on public land; updating sections, references, notes, examples and definitions across various acts and regulations to correspond to the terminology in the Urban Forest Act; updating sections, references, notes and definitions in the Urban Forest Act to correspond to the terminology in the Planning Act; and updating referral requirements under planning, heritage and utilities legislation to ensure that impacts to protected trees are assessed as required under the Urban Forest Act.

There have been significant changes to both tree protection and planning laws over the past year, with the Assembly passing substantial legislation in both of these areas. Consequential amendments are now required to ensure that the legislation for both of

these areas works together, references are current, and referral processes are clear. This contributes to the ACT having clear and accurate legislation. Beyond this, legislation changes will support the community, businesses and government to understand and comply with the processes that we are implementing.

Clear referral processes will ensure that every time a development or other works may impact a protected tree, the application will be referred for assessment so that a decision can be made with all the facts. Tree referral processes throughout ACT legislation include referrals of Aboriginal cultural trees to the ACT Heritage Council and our local traditional custodians, referral of public land works in the protection zone of protected trees, and referral of non-urgent utilities work that may impact significant protected trees so that alternative access options may be considered.

In all these circumstances, referral focuses on consideration of whether the impacts to trees can be managed based on the applicant proposing a tree management plan. Where the decision is made to remove protected trees, either through the Urban Forest Act or through the Planning Act, conditions will require that these trees be replaced via a canopy contribution agreement.

The consequential amendments in this bill will also update references to exemptions. This will make it clear where referral is not required, such as where works are required to public trees to maintain utilities infrastructure safely and where works are permitted. For example, work to prune a native tree that has been approved under the Urban Forest Act will not count as a tree damaging offence under the Nature Conservation Act.

The Assembly has already debated and passed these policy changes. However, the technical updates progressed by this bill remain important as they will ensure clarity around the interaction between our laws. These amendments create consistency and will help inform all those who interact with our legislation of the processes that they must follow. This will be supported by public guidance as the Urban Forest Act comes into force in January.

In supporting the smooth implementation of the Urban Forest Act, the consequential amendments bill will contribute to the protection of trees for a sustainable ACT urban forest—an urban forest that helps to make Canberra a great place to live. I commend the bill to the Assembly.

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

## **Territory Plan 2023**

Debate resumed from 12 September 2023 on motion by **Mr Gentleman**:

That this Assembly:

(1) notes that:

- (a) the Territory Plan sets out a statutory framework for the future development of the ACT and is primarily used to decide development applications and to make other planning related decisions;

- (b) pursuant to section 46 of the *Planning Act 2023* the object of the Territory Plan is to ensure, in a manner not inconsistent with the National Capital Plan, that the planning and development of the ACT provides the people of the ACT with an attractive, safe and efficient environment in which to live, work and have their recreation;
  - (c) a draft Territory Plan has been made in accordance with Part 20.3, Transitional—territory plan of the *Planning Act 2023*;
  - (d) the draft Territory Plan, as notified under the *Legislation Act 2001*, is being provided to the Assembly for approval as an interim Territory Plan under section 609 of the *Planning Act 2023*;
  - (e) if the draft interim Territory Plan is approved by the Assembly, in accordance with section 609 of the *Planning Act 2023*, it will commence on a day fixed by the Minister for Planning and Land Management by written notice; and
  - (f) the draft Territory Plan has also been provided to the Standing Committee on Planning, Transport and City Services for a decision on whether to conduct an inquiry in accordance with section 608 of the *Planning Act 2023*; and
- (2) approves the draft Territory Plan as an interim Territory Plan under section 609 of the *Planning Act 2023*.

**MS VASSAROTTI** (Kurrajong—Minister for the Environment, Minister for Heritage, Minister for Homelessness and Housing Services and Minister for Sustainable Building and Construction) (10.55): I rise today to support the motion to approve the draft Territory Plan as the interim Territory Plan. Planning is important. It shapes where and how we live; it shapes how we move through our streets, suburbs, city and beyond; it can impact on our health and wellbeing; and it can help or hinder the connections we have and our sense of belonging to place and community.

Planning expresses our past and is also fundamental to our future. It is central to how we are responding to the challenges of our time: climate change, biodiversity loss, inequality and the housing crisis. For some of us, in one of the most planned cities in the world, it can feel like we talk about planning a great deal. However, for many members of the community, planning becomes a flashpoint where things happen on our street or in our suburb that do not meet our expectations, seem to work against the aspirations we have as a community, and are counter to our understanding of how we want to see the city evolve.

Planning is complex and made with many connected parts. For those of us not trained in planning's technical language, it can be intimidating and bamboozling, but it matters, and we need to ensure that we have a shared understanding and expectation of what we are trying to achieve through the planning system and how the process will work to get us there. While incremental change in the planning system is constant, foundational review to the planning system is a once-in-a-couple-of-decades exercise. It is hard work that requires commitment, attention to detail and engagement with a vast array of professions and iterations.

The debate today is a culmination of an extraordinary amount of work. The ACT Greens would like to acknowledge the significant work and effort of Minister Gentleman and his staff and those in the Environment, Planning and Sustainable

Development Directorate who have been involved in the planning system. This is a massive system change to the planning of the ACT, and the briefings, information and advice provided has been appreciated. The ACT Greens believe that it is important that the community is involved in the development of the planning system and is heard, and that the issues raised are considered.

When tabling the interim Territory Plan, Minister Gentleman provided information that suggested the planning system in the ACT is subject to considerable interest from the community, with some 400 written submissions being received. It is important to seek the views of the community on planning issues and seek innovative ways of talking to people so they are engaged about matters that affect their communities. I thank everyone who has contributed and participated in the journey. Today we reach a milestone when we start the new planning system.

The ACT Greens entered this term of parliament recognising the need for a new vision of planning. At the time, we noted that Canberra is changing—and not always for the better. We know that too often we have seen community voices ignored, leading to poor design and unsustainable, low-quality development. We noted our alarm that planning was failing to protect our urban tree canopy and green space needs, undermining our urban heritage and privileging developers over the people who want to live in the suburb. We committed to working on reform to planning and development.

Over this term of parliament, we have rolled up our sleeves and sought to work with the planning minister, the Planning Authority, planning experts and the community to understand how the elements of the system could work together to deliver a better system—one that works for people and planet; one that prioritises the needs as a community above the desire for profit and short-termism.

This new system is very different. An outcomes based planning system offers the promise of a system that is focused on good practices and great design as the end point, rather than a rules-based system that too often delivers mediocre and uninspired building. However, this new approach does provide some risks and challenges. The ACT Greens believe there is a strong case for change to this new model and have identified that there are some key ingredients that we need to get right to ensure that the promise provided by an outcomes planning system is delivered.

Getting the framework right was key, and that was a focus of our work around the new Planning Act. We knew that focusing on elements, including enhanced environment protection and climate change, was critical. We knew that we needed to focus on housing affordability. We also knew that the need to deliver better community consultation and focusing on decision-making was important.

The revised planning package that was tabled at the last sitting includes district strategies—a new element of the planning system that aims to bridge the gap between planning at a territory level and planning on individual blocks. There is great potential for these strategies to be living documents where communities can come together to discuss how we balance the different needs of a community at a higher level, rather than the block-by-block fights that we often find ourselves involved in.

While the current versions of the strategies identify areas that may be suitable for future development, it is recognised that there is a need to do much more work to understand the opportunities as well as the constraints around issues such as environmental values, neighbourhood amenity, heritage values, community expectations and needs. The promise delivered by the district strategies is that these can serve to create a shared understanding of our aspirations for our suburbs at a district level, provide an opportunity for community to partner with government in balancing the competing needs that we confront as we are shaping our city, and provide a basis for a contract on how we deliver these aspirations and goals.

The interim Territory Plan outlines governance arrangements and district and zoning policy, and clearly articulates the assessment outcomes that should be achieved. A new element of the interim Territory Plan is the design guides, which serve to lift the expectation and delivery around design of our city. While we have previously aimed to capture some of these elements of good design, such as water-sensitive urban design, in Territory Plan codes and the like, the introduction of a range of design guides, including the *ACT housing design guide*, the *ACT urban design guide* and the *ACT biodiversity sensitive urban design guide*, are significant new elements to our system that will drive better outcomes in the territory. Proponents and decision-makers alike will be required to take into account these design guides and demonstrate how proposals will respond to the expectations outlined in them.

I would like to reflect on key issues we focused on in relation to this process and how we see the interim Territory Plan and planning package delivering on these. We have undertaken this reformative process at a time of great challenge—the challenge faced by climate change and biodiversity loss. As well, we are responding to a growing population, which means that at the forefront of our minds has been the need to ensure that we have a system that enables us to develop the city in a way that is sustainable and climate wise, which is a key part of confronting the issue of how we increase housing choice and how we use the land we have wisely.

Creating compact, integrated urban spaces that are well designed and linked to good urban green spaces creates neighbourhoods which enable people to live closer to attractions and urban facilities while promoting improved public transport usage and encouraging walking and cycling and responsible environmental lifestyles.

Protecting and enhancing our living infrastructure—by which we mean the trees, green spaces, deep soil, natural drainage and waterways, and plants and animals that we share our city with—is key. Protecting these becomes more important, not less, as we face a climate that is hotter and drier. The ACT Greens have focused on the ways in which the new plan delivers this. I particularly note the inclusion, for the very first time, of the *ACT biodiversity sensitive urban design guide*, which recognises the importance of designing spaces that work with, not against, our natural environment.

More locally, the controls that the ACT Greens initiated to provide more trees and open spaces on individual blocks are continued through these guides, the technical specifications and the interim Territory Plan itself. The ACT Greens have been focused on ensuring that the new plan delivers on our commitment to a 30 per cent tree canopy and permeable surfaces. The ACT Greens support a more compact city. We need to stop urban sprawl, which results in the loss of natural spaces that surround

our cities. Instead, we need to increase densities within the existing suburban areas. They offer the opportunity to deliver greater diversity of housing and lifestyles.

We also need to do all we can to deliver affordable housing. While the planning system will not deliver affordable housing on its own, it can help to set the context in which housing can be delivered. The interim Territory Plan and the district strategies all start to reflect what people value about the area they live in, what is important to them and what they want to see in their neighbourhoods. The plan and its supporting documents will also work to guide and drive well-designed houses that are climate-friendly and climate-resilient.

The interim Territory Plan provides for the possibility of increased dual occupancy numbers in Canberra's established suburban areas, as well as allowing apartments in RZ2 areas. While this is a modest start, the ACT Greens believe more work needs to be done to expand the range of housing range, types and tenures that create sustainable and affordable density. We remain committed to the view that increasing the supply of public and social housing is critical to delivering more affordable housing in Canberra.

I note that the ACT Greens sought to conduct an inquiry into increasing housing diversity and density in the suburbs earlier this year, but Labor and the Liberals opposed this initiative. I look forward to seeing the discussion progress further through the Assembly inquiry and beyond.

The new system provides significant promise to deliver change that meets our changing needs as a city and as a community. However, we need to ensure that it delivers on this promise. In engaging with the community, I have heard really legitimate concerns around the ability to ensure that what is articulated is actually delivered. As such, I am really pleased to have worked with government colleagues to ensure that the new system is delivered and that there is enhanced capacity around enforcement and compliance.

This will see the establishment of a new planning compliance team in Access Canberra that focuses on proactive compliance audits of exempt development building approvals. This team will also conduct audits of DA-approved and exempt development outcomes to track and report on patterns of concern and inform better decision-making by the Planning Authority and ACAT. We will also see additional staff within the EPA. Finally, staff will be recruited into the office of the Conservator of Flora and Fauna to ensure proactive compliance with the preparation and implementation of environmental controls.

While we see the new system become live next week and operational next month, the job of the planning system review is never done. I look forward to the Assembly's Standing Committee on Planning, Transport, and City Services review and inquiry into the plan, and I note that they will be focusing on key issues we care about—specifically, issues such as living infrastructure and zoning. We look forward to the deliberations and recommendations that may flow from the review. The governance review being led by the Chief Minister's directorate is another piece of the puzzle that will provide further advice if we have the core elements of the system right.



When reflecting on the celebration of her 150th birthday and exhibiting her drawings, the *Canberra Times* relayed the story of Marion Mahony Griffin returning to Canberra in 1937, a decade since she had been in the city. She remarked that there would be no reason why Canberra should not become one of the most beautiful cities in the world. As we enter a new chapter in the planning for the city, I reflect that this is a truly beautiful city, and I look to how future planning in Canberra will protect and continue to deliver this: a city that celebrates its natural landscape; recognises and celebrates its First Nation owners, the Ngunnawal people; builds resilience in the face of climate change; and fosters prosperity and opportunity, a sense of a community connected, and kindness.

**MR CAIN** (Ginninderra) (11.10): I rise to speak to this executive motion to approve the interim Territory Plan, as moved by the Minister for Planning and Land Management. I want to begin by giving members of the Assembly a bit of a time line of how we have got to where we are.

For several years, in the process of the planning review, the minister promised that governance would not be part of the review. Of course, it is intrinsic to the planning system that governance is done well and explained properly. We saw well-advertised criticism from the combined community councils about the consultation process that has led us to where we are. As the minister is aware, during the debate in June this year I quoted media from the combined community councils, stating that they were so disappointed at the consultation process during this whole process. We have seen, subsequent to that, one of the community councils withdraw from the funding arrangement with the government, primarily because it was not listened to, particularly with respect to planning.

In more recent times, the planning minister told the Legislative Assembly, during the Planning Bill debate, that finalising the Territory Plan and the district strategies is the next step once the bill passes. He said, "We will do this in the next month." It was a failed promise of timeliness. There was no explanation, either. Customer service 101 says that if you promise to deliver something and you fail to do so, the person that you have made the promise to should expect an explanation. But we saw the time drag on through August.

Finally, in September, we had the presentation of the district strategies and the Territory Plan. These comprehensive documents overlap with one another and do require vigilant examination. As has been mentioned, the planning committee announced on 14 September an inquiry into the Territory Plan and related documents, with hearings to be held in early December. It would seem that such an inquiry would mean the government should hold back from implementing this major change to our planning system. But, no; they will press ahead, nonetheless.

Again, there have not been ideal consultation approaches here. Instead of the courteous consultation the government promised, we have had very flawed consultation to bring us to where we are. Even the Assembly process is flawed because the minister, as we are aware, had to seek leave to move this motion. That is not very organised at all.

So what have we really got here? One thing we have is a very unambitious copy of the Canberra Liberals' policy with respect to developing large RZ1 parcels. The government has promised, as part of this planning reform, to allow unit titling of 800-square-metre or larger parcels, with a maximum dwelling size of 120 square metres. As we explored last sitting, it is hard to see why this number was selected. I still await a justification for it.

As opposed to this watered-down version of the Canberra Liberals' policy, our policy provides greater flexibility for landowners and creates more opportunity for a variety of housing, particularly in the size of the housing. Though the Canberra Liberals' policy is to allow a separate title of 800-square-metre parcels or larger, the owner could unit title if they so wished, or they could separate the titles with no limit on the size of the second dwelling.

As the minister would be aware, there are RZ1 parcels in Canberra well over 1,000 square metres. In my own electorate there are lots of parcels that are 1,500 square metres and larger. Why put a size limit on the second dwelling when you could have a sizeable home to cater for the needs of a family built within the existing footprint? It seems a rather ridiculous restriction, as does the restriction to say you can just unit title it, as opposed to separately titling it. This is all very confusing to me, but I guess I should feel complimented because their densification policy is really just a poor copy of the Canberra Liberals' policy.

The new Planning Act has done little, in my opinion, to allay the concerns of Canberrans, community council groups, environmental groups and industry stakeholders. We have a Planning Act that gives enormous discretion to the planning minister and the chief planner. It gives them the ability to decide what is an acceptable outcome. We will wait to see what that really does produce. This sort of discretionary power is contradictory to the integrity and transparency of government, and we are yet to understand the full effect.

The outcomes-focused planning system is really a step away from a rules-based system that gave some level of certainty to the community as to what would be provided or constructed. Of course, we must talk about the land release and urban infill policy that is inherent in this planning outcome. As I mentioned during estimates, from June 2016 to June 2022 the number of apartment dwellings in the ACT rose by 52 per cent, while the stock of houses grew by only four per cent. Clearly, the government has not turned its mind to, or accepted, the findings of the Winton survey, which it commissioned, which shows that a clear, desirable outcome for Canberrans is to have the option for a standalone home, rather than to be crammed into apartments.

The Indicative Land Release Program for 2023-24 indicates that 1,883 residential dwellings will be released in that financial year. Despite what the minister said at estimates, population growth is going to outstrip what is going to be available in new land. The ACT budget has population growth of 2.25 per cent in 2023-24 and two per cent across the remainder of the forward estimates, which is about 9,000 people per year. Based on the government's own figure of 2.4 occupants per dwelling and 1,883 properties due for release, that is housing for about 4,500 people. That is half of the government's own predicted population increase. I am not quite sure how the logic of that lines up.

Choking land supply does produce one outcome: it drives up the price of land. We are seeing that happen before our very eyes. It is unfortunate that the vision driving the planning review, the new Planning Act, the proposed Territory Plan and the district strategies—the planning vision of the government—seems to be how much money they can get from land. It is not about planning for the people of the ACT; it is planning for how much revenue they can collect.

Mr Assistant Speaker Davis, I can assure you that an Elizabeth Lee Liberal government will put people back at the heart of planning. We will listen to the community councils, residents' associations, environmental groups and local businesses, including the construction industry. Labor and the Greens are not planning for the people in this. They are planning for profit, and Canberrans deserve better than that.

**DR PATERSON** (Murrumbidgee) (11.20): I rise today to speak in support of the new Territory Plan, brought forward by Minister Gentleman on 12 September this year. In doing so, Minister Gentleman also tabled an executive motion seeking this Assembly's approval of the Territory Plan as an interim Territory Plan under section 609 of the Planning Act 2023. I thank Minister Gentleman for providing more focused information on how the Territory Plan, under the new planning system, will deliver improved urban outcomes for housing diversity and communities. I welcome the opportunity to debate the approval of the interim plan in the Assembly today.

I find it strange that Mr Cain feels so confused. It is lucky that we have a confident, capable Labor minister here who is very clear about what needs to happen. Over the past four years the government has been reviewing the ACT planning system to improve the way we plan for our city's future. The reforms will deliver a planning system that provides certainty to Canberrans. It is flexible and it provides transparency in decision-making.

These reforms also reflect what we have heard from our residents. It is a plan for a future that has growth but also considers the things that we value the most in the ACT. Agreement to an interim Territory Plan will mean the new planning system can be put in place as soon as possible. An interim Territory Plan will allow a spatially led and outcomes-focused system to commence as soon as possible and deliver improved development outcomes.

I would like to provide more detail on why this is important and what is meant by spatially led and outcomes-focused planning. A key element of the spatially led planning system is the better line of sight between the new Planning Act 2023 and the policies and initiatives of the ACT Planning Strategy, through the new district strategies, the new Territory Plan provisions and associated district policies, design guides and technical specifications.

How does this work in practice? The ACT is surrounded by beautiful nature reserves, a national park and many green spaces. Opportunities for further greenfield development are limited; therefore, we know we need more housing in our existing suburbs. However, this transformational growth needs to happen in a way that maintains the special characteristics of the communities that we so love and carefully planned out.

The ACT-wide policies of the planning strategy have been considered in the nine new district strategies. The district strategies are a key element in the spatially led planning system. They take a geographic and physical focus in identifying what is important and where and how change could occur. As a member for Murrumbidgee, which has multiple districts within the electorate, I greatly appreciate the different districts and their identification through this new plan.

Within each district strategy there are a range of city-wide and district-level directions and initiatives, under five big drivers. These drivers and initiatives are geographically focused and provide details of the short-, medium- and longer-term priorities of government across the city, in particular locations. The district strategies also provide criteria for the identification of potential urban regeneration areas—areas with particular physical and spatial attributes that might be appropriate for consideration in future planning and change. The ongoing planning and investigations in these locations, and under the district strategy initiatives, could inform government decisions about the nature and extent of the change and development that could occur within each district and across the city.

Under the Planning Act 2023, the new Territory Plan must give effect to district strategies. This will be managed through statutory amendments to the Territory Plan provisions, primarily through the district policies. The district policies are a key component of the Territory Plan. There are 10 district policies, and these relate directly to the nine district strategies.

The Territory Plan map contains all the land that is covered by the Territory Plan and depicts illustratively the various zones assigned to different parcels of land. The zone policies allocate land uses and development opportunities to land in the ACT, based on the zoning of the land. There are seven zone policies that incorporate the 23 land use zones to apply specific considerations and requirements to land.

The design guides also support spatially led planning. These guides require proponents to consider the broader site and design issues when they are designing and submitting their proposals. This includes fostering innovation and high-quality design, encouraging development proponents to go beyond minimum standards and requirements.

The new plan and the design guides, like the new *Housing design guide*, place a stronger emphasis on new developments being well designed, with improvements to elements such as apartment sizes, ventilation, landscaping and the ability for the community to use accessible areas of public space. This will lead to improved health and wellbeing outcomes for the people living in these homes, and improve the livability of the buildings and our city. Other design guides, like the new *Urban design guide*, encourage well-designed and well-integrated buildings and urban spaces that positively impact the wellbeing and livability of our city.

The new development assessment considerations, as introduced in the Planning Act 2023, will result in greater consideration of the broader or spatial impact a development will have. For example, a decision-maker, in deciding a DA, will be required to consider the interaction of the proposed development with adjacent developments. It is essential that the interim Territory Plan and the new planning system commence as soon as possible to implement this more spatially led approach.

Many of you will have heard, through debates here in the Assembly, about the new planning system reforms being outcomes focused. This means that the system now sets and describes the overall outcome that needs to be achieved, rather than a series of prescribed provisions that may not be as well and collectively considered. We want buildings to fit into their context and to provide communities with better outcomes now and into the future.

Under the new planning system, there will now be increased consideration of development impacts on immediate neighbours. This includes a process where proponents are required to articulate their development intent. This will make it easier for stakeholders to understand and engage with the development. The object of the new Planning Act is to include outcomes related to livability and property; ecological sustainability; wellbeing of residents; effective, efficient, accessible and enabling planning processes; and improved community participation in the planning system.

A key inclusion in the act is a series of principles that are being considered in order to achieve good planning outcomes, including activation and livability, high-quality design, housing affordability, natural environmental conservation, and sustainability and resilience. This new outcomes focus will enable more flexibility, to allow for innovative developments to achieve the good planning and design outcomes that we all so desperately want for our city.

The Territory Plan zone and district policies describe the assessment outcomes that proposed developments are required to meet. For example, there are outcomes requiring the height, bulk and scale of a development to be appropriate, noting the desired zone policy outcomes and streetscape. This sets the outcome a development is required to achieve, as opposed to a series of prescriptive rules around heights and setbacks which may not give the best outcomes and may not sit well within the context of the characteristics of the current space. With this, the assessment outcomes are the teeth of the outcomes-focused planning system and are the key element of what a DA will be assessed against.

The design guides show design elements that align to assessment outcomes. For example, in some of the design elements provided, there are examples of good outcomes in that situation, as well as references to related planning strategies and tools. While technical specifications are not requirements under the Territory Plan, they provide quantitative measures that can be utilised to benchmark, to help demonstrate that an assessment outcome has been met.

Under the current system, we are transitioning away from the main focus of the assessment, which was on the rules of the Territory Plan. Mandatory requirements are still important and remain a part of the system. However, there is a focus on the outcomes that applicants need to consider. These include, in relation to the neighbourhood, the character of the neighbourhood, the community and the design of the building. It is essential that the interim Territory Plan and new planning system commence as soon as possible to implement these outcomes-focused planning policies and mechanisms.

**MR BARR** (Kurrajong—Chief Minister, Treasurer, Minister for Climate Action, Minister for Economic Development and Minister for Tourism) (11.30): Canberra is one of the fastest growing cities in Australia. We are a very attractive place to live, work and study. For more than a decade now we have been growing faster than the other capital cities, and this reflects the very strong desire of people to live here. This leads to a clear case for planning system reform and strategies that will support sustainable, well-located and integrated increases in housing supply to meet this very strong population growth.

The government's objective is to increase the choice, access and affordability of housing for Canberrans. That is the intent of these reforms. Key to that is sustainably constructed and well-located housing near employment centres, transport corridors, recreation facilities and public open space. These planning and policy reforms are consistent with directions that are being pursued right across the nation, endorsed by the national cabinet and put into action in each state and territory. All Australian governments agree that housing supply needs to increase to improve affordability. Increasing supply will lead to lower rents and more affordable home purchases.

The ACT government has consulted extensively through the Planning System Review and Reform Project, through a variety of forums, workshops, surveys and focus groups, alongside an extensive process in the Assembly. This has informed the government's position—notably, in the absence of any proposed alternative coming from this place. I want to particularly thank members of the community and stakeholders for their thoughtful and valuable contributions. The full consultation and listening reports can be found on the YourSay website.

Minister Gentleman released the final district strategies, the Territory Plan and the design guides on 11 September, allowing the community, stakeholders and members time to familiarise themselves with the new system before it commences. These three key elements of the new planning system will help shape Canberra and deliver better outcomes for our growing community.

The district strategies provide a new and more localised look at strategic planning and guidance. The district strategies link city-wide planning, policies and legislation to the local outcomes in the Territory Plan. Around 30 per cent of new housing growth will be in new suburbs. The district strategies outline how we will meet demand within the existing suburbs for the balance of our population growth through gently increasing density.

There is a district strategy for each region in the territory: Belconnen, east Canberra, Gungahlin, the inner north and city, the inner south, the Molonglo Valley, Tuggeranong, Weston Creek and Woden. The district strategies look at how and where we manage growth in a way that ensures Canberrans can continue to have world-leading access to services, transport, employment, health, education and nature.

The district strategies will be living documents. If needed, they can of course be updated over time to reflect new ideas, projects, strategies or policies adopted by government. They will also be updated to include future census data, population and employment projections. The government's intent is that our planning system responds and contributes to the distinct characteristics of each of our local areas and

responds to the need for a sustainable and resilient environment. Our city will continue to be one of the most livable in the world. Today the government has announced additional resourcing to support education on, compliance with and enforcement of the new Territory Plan as we transition to the new system.

I have talked before about gentle urbanism: a graduated transition of housing options from higher to lower density across Canberra. You can see that in the reforms outlined in the Territory Plan. The plan contains policy changes to encourage more dwellings in the RZ1 suburban zone and, importantly, also in the suburban core zone, RZ2. These zones, RZ2, are usually located near centres and commercial areas.

The changes include increasing the number of dwellings permitted in a multi-unit development, as well as removing development restrictions regarding emerging blocks and the maximum number of dwellings. Two dwellings on an RZ1 block can be unit titled and therefore are able to be individually sold if located on a block of more than 800 square metres and one dwelling is no more than 120 square metres, excluding the area of the garage.

Other requirements of the Territory Plan will apply to these new developments, such as the mandatory site coverage provision and the requirement for soft landscaping and tree planting on blocks. Apartments of no more than two storeys will be allowed to be built in RZ2 to provide more single-level homes. This will allow residents to age in place, which is something that we heard repeatedly during the consultation period. It also means significantly more housing choice in RZ2 zones beyond townhouses.

Blocks in RZ2 to RZ5 zones will be able to be subdivided and split without being required to construct a new dwelling first. Additionally, the allowance of semidetached houses, like duplexes, in zones like RZ2 that are close to local centres has been carried over to the new Territory Plan so that this housing type can still be built. This means delivering more missing middle dwellings that increase density and affordability in suburbs where people want to live whilst providing families with more open space and land than apartment living.

These changes seek to strike a balance, with improved housing access, choice and affordability, while allowing for a gradual transformation of our urban areas over time but maintaining the character that makes our Canberra neighbourhoods desirable. We will facilitate more affordable and diverse housing choices for Canberrans near employment opportunities, transport and public services through these changes. Among the many benefits, it will also make sure that we get improved and more efficient use of our existing essential infrastructure, our roads, our public transport, our water and sewerage infrastructure and our electric infrastructure, maximising the efficiency of previous and future public investments whilst reducing the environmental impact of future population growth.

I have also announced that, complementary to the zoning changes, particularly to RZ1, the government will be waiving stamp duty on second dwellings on RZ1 blocks sold for under \$800,000. The stamp duty exemption will apply to the first transfer of unit titled dwellings on suburban residential blocks from 27 November this year through until 30 June 2026. This incentive provides a discount of up to \$25,150 on the final sale price, removing a barrier to home ownership and delivering an incentive for the delivery of more well-located and affordable homes.

The government will also give lessees a choice on how the lease variation charge is calculated for the maximum number of dwelling lease clauses on RZ1 blocks, between the codified values and a 75 per cent of value uplift, as measured by an accredited valuer. This will put choice in the hands of lessees as to whether they prefer the certainty of codified values or the flexibility to seek a bespoke valuation to test the value uplift. These LVC changes will enable the government to monitor developments and sales to ensure that codified values are set at the right level. Both the stamp duty exemption and the LVC will support the development of more dual occupancy homes in our suburbs, providing more opportunities for Canberrans to find a home, including existing families looking to downsize in the suburbs they have lived in for many years.

In the time remaining, I would like to remind Assembly members about the importance of long-term rental supply and the program the government is actively undertaking to support the delivery of build-to-rent models, including an affordable component that contributes to our commitments under the ACT Housing Strategy and under the Parliamentary and Governing Agreement. We have released an affordable rental prospectus to support our \$60 million affordable housing project fund announced as part of the budget. I commend the Territory Plan to the Assembly.

**MS CLAY** (Ginninderra) (11.40): I am chair of the Standing Committee on Planning, Transport and City Services, and we are currently conducting an inquiry into the Territory Plan. Our committee is deeply grateful to all of the people who have made comments to date and we look forward to continuing the conversation on the territory's new planning system. For anyone who would like to contribute to the Territory Plan inquiry, please get in touch with the secretariat. You can submit an expression of interest, as well as any new material that you think we should consider, by Friday, 27 October. Our public hearings are set down for 6 and 7 December and we will report back by 11 March.

As I am currently chairing an inquiry into the Territory Plan, I feel it is inappropriate for me to make substantive comment on the Territory Plan outside of that process. We have the inquiry on foot and we will cover the issues there. I thank Minister Vassarotti for her comments on the Territory Plan on behalf of the ACT Greens. She is deeply involved in this work, and I am really grateful she can step in as the Greens planning spokesperson. I am also grateful that she is looking out for the needs of the environment, the effects of climate change and the need for affordable housing. It is a strength of having a bigger team in here.

I want to make a few comments about some historical matters on the planning review and about some matters that fall outside of our current inquiry. The ACT Greens took the need for a major planning review to the last election. We said at the time that we were committed to creating a city that supports our community needs, green space and urban heritage. We said that we needed a planning system that could deliver well-designed, affordable, sustainable housing and give the community a real say in how their neighbourhood develops.

Canberra still needs these things. We need them more now than we did in 2020. The housing and climate crises are more acute now than they were then. So the ACT



Greens have developed further on this work. In August this year the Greens members passed a vision for Canberra's future. Many elements of that vision cover issues that might be looked at in the current inquiry, so I will not address them here. But there are other elements that lie outside of the ambit of the Territory Plan.

The Greens wanted to make sure that, with any changes we make to our planning system, we consider potential windfalls for those who currently control land. We want to make sure that we have interventions that address housing affordability and intergenerational inequity. We do not want superprofits from the speculation and control of land. We need to address the inequality we already have in our system and reduce it to the extent that we can with the tools we have at the ACT level. Many of the levers lie at the federal level, but there are steps we can take locally. We will continue to advocate fiercely for changes to our tax system at the federal level and to the way our federal government funds public housing.

When we looked at our vision this year, we Greens also considered the problems caused by ongoing sprawl. Canberra is already pretty big. Our urban footprint is comparable with Greater London. Greater London has a population of nine million people—20 times the size of our population here in Canberra. So we have already sprawled pretty far. Endless sprawl is wrecking our environment. We understand that this year we are in an extinction crisis. We talk about this quite regularly. We know that the loss of habitat is an ongoing threat to our wildlife and to the ability and the possibility for our children to know and see the same planet that we have been able to look after.

Endless sprawl is also a really, really bad outcome for people. That is why two of the parties that have seats in this government have committed to a compact city. Some of those outcomes include locking people on the outskirts of a city and locking them into long car commutes for the rest of their lives. It is really hard to make sure that we are providing services and transport to people when they live so far away. It means that the people who can least afford to pay increasing petrol and diesel prices are locked in to pay for those prices for a very, very long time.

Our sprawl is contributing to our congestion. Here in Canberra, our congestion is growing three times faster than that of other mainland cities in Australia. This is becoming a real problem. It is contributing to the difficulties we are having in getting greater uptake in active transport. We need much better infrastructure to encourage people, but we also need to give them distances that they can cover. Distances under five kilometres are a lot more manageable, and short walks to easy buses that service a denser city are much simpler for people.

There is also a really high financial cost in building these new suburbs on the outskirts of Canberra. Every time we build a new suburb we need roads, we need power and we need services. We fortunately do not need to connect to fossil fuel gas anymore, so there is a saving there. It costs a lot of money and all of those costs get fed into the new suburbs and the new sprawl. We are building an expensive lifestyle for the people living there and expensive housing. We often hear that new suburbs on ever-expanding outskirts of a city that is already quite large are something that people need and that it is done for the sake of people. It is simply not true. It actually makes life harder and less affordable. We need to come up with a better way.

That is why the ACT Greens are really supportive of a compact city. Compact cities are being rolled out all across Australia and all around the world. The benefits are available for everyone to see. When you travel down Northbourne Avenue on the light rail you can see that all the new developments have added more people into areas that have better access to jobs, better access to shops and services, better active travel opportunities and better access to public transport.

We are told this from a lot of different sources. The IPCC is recommending that governments use land use and planning to tackle climate change. We are told this by every smart city planner around the world. We know that it is the only way that a city should grow. So we need to make sure that our policy settings, our commercial settings and our planning system are all matching up to deliver on the promise that our government has collectively made.

For all these reasons, the Greens reached agreement after the last election with our partners in government to limit sprawl. The agreement at the time was that at least 70 per cent of new housing development should be within Canberra's existing urban footprint, with an ambition to increase that share, in the context of an overall increase to the number of dwelling sites released over the coming decade. We hear about the 70-30 policy a lot. It is a minimum standard that we share with our partners in government. We Greens actually thought that, at the time, we needed to go much further. We saw the harm caused by urban sprawl. We wanted to have at least 80 per cent of our development within our existing footprint, with a view to no more sprawl. Unfortunately, we have not had clear delivery from government on our 70 per cent infill target.

Recent estimates show that the government have been counting knockdown-rebuilds as part of their new homes. A knockdown-rebuild is obviously not a new home. It does not add to our housing stock. It is certainly not in the spirit of the agreement to limit sprawl. We, in our office, have gone digging further into the figures and we have had a look at greenfield districts and suburb development. We have looked at Gungahlin, Molonglo, Lawson and Ginninderry, and we have counted 12,714 dwellings built between 2017-18 and 2022-23.

They are all greenfield suburbs and districts that were built on previously undeveloped land. That represents an ongoing pressing outwards of our city, and that is because we have no city limits. These suburbs are really valuable. They are providing housing. They are providing a place for people to be. But each and every one of those dwellings should have been considered greenfield.

Based on the same data, the ACT government have told us that, across Canberra during that time, they think they have only provided 6,664 greenfield dwellings. So we are looking at a difference of between 12,000-odd and 6,000-odd. It is a pretty big gap. It is really showing us in our office that a 70-30 policy is a bit complicated to communicate. It is clearly a bit complicated to track. We think it is time for a much, much simpler approach.

The Greens, in our latest policy review, decided that it was time to make things simple. We think it is time to simply set city limits. That is a really mainstream idea. Most cities have done this. Mature cities do this and it is time for Canberra to do this. There

are obviously a lot of changes that we will need to support the implementation of a planning system to make sure that we have enough housing and enough good services in our fantastic public and active transport—enough of what makes life good within our footprint.

We are going to need an efficient approval system. We will need clear thinking about rules and guidance about what types of housing we need, and where, within our existing footprint. We will need to work out how we protect areas of nature and green spaces and trees within our existing footprint. That matters, obviously, for the sake of our wildlife, our animals, our birds and our plants. It also matters for people, to make sure that our people in Canberra will continue to have access to nature on a daily basis. This is really, really important for human happiness and health. We will need great public transport to support more people living in a denser city; we will need excellent footpaths and bike paths; and we will need actual delivery on the idea of a compact city.

We Greens know that this is actually our only choice. We are in a housing crisis, a climate crisis and an extinction crisis. We have all these solutions here and it is really important that we make these decisions now, for people and the planet.

**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) (11.50) in reply: I thank my Assembly colleagues for their input into this very important legislative change. For a number of years now, the government has been working on the Planning System Review and Reform Project to deliver a planning system that will enable us to proactively manage the growth Canberra will see over the coming decades, with a focus on retaining the attributes of this city and territory that we all value.

The work on the Planning System Review and Reform Project provided a clear direction on what we could improve in the planning system and where we could focus to deliver more sustainable, resilient and considerate development. The planning system is made up of several key elements. Importantly, people are one of those critical elements in the system. We have been delivering the work to establish this new system in recent months.

In June this year the Assembly agreed to the new Planning Act 2023. The nine district strategies were publicly released on 11 September, and I presented the new Territory Plan to the Assembly the following day, on 12 September. I spoke in detail about the merits of the new Territory Plan in the context of the broader planning system. I also referred the new Territory Plan to the Standing Committee on Planning, Transport and City Services on 11 September 2023. The committee advised me on 12 September that they would undertake an inquiry into the Territory Plan. When I presented the Territory Plan to the Assembly, I tabled an executive motion seeking that this Assembly approve the draft Territory Plan as an interim Territory Plan under section 609 of the Planning Act 2023.

The new Territory Plan has been available to the community for six weeks. During this time there has been the opportunity to attend a series of training sessions and to

access information resources on the government's planning website. This has provided the opportunity for industry and community members to familiarise themselves with the new territory requirements and, in particular, the Territory Plan before it takes effect. While the new Territory Plan has been available, it is not until people use and apply it to the preparation, assessment and new development proposals that they become increasingly familiar with how the Territory Plan works and the details of the policy changes.

Having an interim Territory Plan while the standing committee undertake their inquiry will enable stakeholders to provide more specific feedback on the new Territory Plan. Having an interim Territory Plan and commencing the new planning system as soon as possible enables Canberrans to apply the policy changes being made with the new Territory Plan, especially those changes that improve housing diversity and deliver better development outcomes.

Without an interim Territory Plan, we will not see these improvements in the planning system until after the completion of the inquiry and further consideration by the Assembly. This could delay the introduction of important planning and development changes by more than six months. For these reasons, I welcome the opportunity to debate in the Assembly the approval of an interim Territory Plan.

Today I would like to highlight some of the benefits of the new planning system, including how it will contribute to better development outcomes, support housing supply and housing choice and promote affordable housing. First, I would like to remind the Assembly why we have reviewed and reformed the planning system in the ACT.

Planning is about looking forward in an integrated and holistic way. It is about managing and directing change—and a lot of change has happened in the last 15 years. There are more changes to come to the ACT over the coming decades. We know that Canberra is a desirable place to live. Population projections show that we will see a large amount of growth over the coming years. The changing demographic, increasing population, decreasing household sizes and the need for appropriate and affordable housing have been front of mind in developing the new planning system and its policy bases.

In addition to laying the foundations that will underpin the ACT's continued evolution as a modern and progressive city, the new planning system will be integral to enabling the ACT government to achieve its housing-related commitments under major agreements with the commonwealth government. These commitments will be progressed throughout the National Housing Accord, the Social Housing Accelerator and the Housing Australia Future Fund, in alliance with the planning system. As a result of the new planning system, the ACT is well placed to meet its commitments under these arrangements and agreements as we continue to prioritise and improve housing supply, choice and affordability for all Canberrans, in consideration of good planning principles and sustainability. Therefore, it is important to have the new planning system in place and operating as soon as possible.

The Planning Act 2023, the nine district strategies, the new Territory Plan and the housing design guides establish a clear policy and statutory planning framework to

support delivery of the planning reforms. Accordingly, the ACT government's approach to best practice, valuing our environment, planning for climate change and responding to Canberra's housing challenges are key underpinning aspects of the new planning system.

When the Planning Act 2023 passed, this Assembly enshrined in law the framework for a planning system with a number of key elements, including having an outcomes focus, indicating the desired planning results and encouraging proponents to think about how the proposal can contribute to the wellbeing of the city and communities; strong planning principles providing clear guidance on how planning and development should be undertaken; and a clear consultation framework with interested and affected parties, as well as professionals across a range of planning and other areas of expertise.

The Territory Plan is the key statutory plan to deliver on strategic and spatial planning policies. The new Territory Plan introduces an outcomes-focused approach to the development proposal and assessment process. The goal is to enable a decision-making area to focus on high quality development and community outcomes for Canberra that are more than just the construction of a well-designed and well-presented set of buildings. The new design guides provide the guidance on how to achieve good design outcomes which result in better outcomes for our community and our city into the future.

By agreeing to an interim Territory Plan, the focus on improved development outcomes during the development proposal and assessment process can commence as soon as possible. Not having an interim Territory Plan runs the risk of delaying the delivery of improved development outcomes for our city and communities, including more houses and greater housing choice for our growing population. It would mean that developments that occur between now and the commencement of the final Territory Plan will not be assessed against the new assessment outcomes that clearly articulate the improved and more holistic outcomes we want to achieve.

Changes have been included in the new Territory Plan to implement key government policies and commitments. These include new living infrastructure and urban heat provisions for commercial and community facility zoned land, as well as for new subdivisions. The vehicle parking requirements of the Territory Plan have been amended to encourage and support active travel, while requiring the provision of infrastructure for electric vehicles. The new Territory Plan also assists in achieving net zero emissions by prohibiting gas connections in new residential subdivisions and introducing large battery storage and hydrogen production as permitted uses in the territory. Having an interim Territory Plan will enable these policy changes to be enacted as soon as possible and not delay the implementation of key government policies and commitments. (*Extension of time granted.*)

I want to point out the changes that are being introduced with the new Territory Plan that address the important issue of housing. In relation to the new forms of housing, community housing, which is a form of affordable rental housing, has now been included in the dictionary of the new Territory Plan. While community housing is currently only permitted as part of the Common Ground development in Dickson, it will now be permitted in all the residential zones and the majority of the commercial

zones. It will also be permitted in the community facility zone, where associated with a place of worship or supportive housing.

This change in the community facility zone enables an increase in affordable housing options, particularly on under-utilised church sites, while keeping other sites available for other facilities important to the community. In the community facility zone and the residential RZ1 zone, dwellings with a community housing development cannot be unit titled, so they will remain an affordable housing option in the long term.

Build-to-rent housing, which is a form of rental housing, has also been included in the new Territory Plan as a type of multi-unit housing. The addition to the example of users for multi-unit housing clarifies the planning provisions that apply to build-to-rent development. This means that the building design and internal details of the dwellings provide a comfortable living environment for residents that meets their changing needs over time.

I would now like to discuss initiatives in the residential zones to promote housing, which include a number of updated and new provisions. A key policy change in the new Territory Plan is to allow the unit titling of dual occupancy housing in the residential RZ1 suburban zone. Though a dual occupancy is currently permitted in RZ1 on blocks of at least 800 square metres, it is not allowed to be unit titled and therefore sold individually. A dual occupancy not being able to be unit titled can make it unfeasible for many home owners, therefore making this form of housing relatively uncommon in the RZ1 currently.

The new Territory Plan will enable dual occupancy developments to be unit titled and individually sold if one of the dwellings is no more than 120 square metres in size, excluding the garage. A dual occupancy development will also have to comply with relevant provisions such as site coverage, planting area and tree canopy coverage requirements which seek to protect amenity and character. The new dual occupancy proposals will also be required to consider the new *Housing design guide*. With these additional provisions in place, it is considered that this change will allow dual occupancies to be unit titled and will provide additional and modest housing to Canberrans without having a significant impact on the surrounding area and the local community. The residential policy change will provide for greater capacity for new housing in the established suburbs. This will also assist housing supply by providing landholders with increased flexibility on their own blocks.

We have heard from the community about a desire for more housing options in their local area, such as staying on their current land, which would enable them to downsize. Canberrans love their neighbourhood and the communities that they live in already and are looking for new options in these places at different stages in their life. I am pleased that the changes in the new planning system will provide greater choice for individuals to age in place, should they choose to do so.

I will now move to the other residential zones. An update in the new Territory Plan increases the maximum number of units permitted in a multi-unit development in the residential RZ2 suburban core zone and removes some existing controls that impacted on the ability to deliver multi-unit housing. Over time, we have heard from the community a desire to live in dwellings on a single level. While townhouses provide

appropriate multi-unit housing for some in the community, apartments also provide a multi-unit housing option desired by others, particularly those that want to age in place. For this reason, the new Territory Plan will permit apartments of no more than two storeys in the RZ2 zone, in addition to townhouses, encouraging more flexible housing options for our community. This is a good way to increase housing supply in areas where people want to live, while providing the diversity of housing they seek.

The current Territory Plan allows blocks in the RZ2 to RZ5 zones to be subdivided, but they can only be subdivided after the dwellings are constructed. To promote the development and redevelopment of housing with fewer up-front costs, the new Territory Plan will allow a block in RZ2 to RZ5 zones to be subdivided without being required to construct the dwellings first. The ability to purchase a vacant subdivided block in existing areas will enable future owners to design and construct a dwelling that meets their needs and preferences, improving the ability to deliver appropriate housing across the city.

Additionally, in relation to residential zones, the new Territory Plan replaces plot ratio with a mandatory site coverage requirement for residential developments. This reduces complexity and provides better planning outcomes, as the bulk and scale of buildings can be adequately managed through building heights, boundary setbacks and planting area requirements.

As you can see, the new Territory Plan provides several opportunities to increase housing supply and deliver greater housing diversity. Agreeing to the interim Territory Plan enables these changes to take effect as soon as possible. Delaying the commencement of the new territory planning system and the Territory Plan delays the delivery of much-needed change and housing for the ACT community.

The existing requirements for exempt development and exempt declarations have been carried across to the new Planning Act 2023 and the Planning (Exempt Development) Regulation 2023. These are important provisions that reduce the time and cost of simple proposals by removing the requirement for a development application. These exemptions will continue to apply to a range of development types that meet the exemption criteria, including new single dwellings, garages, additions and swimming pools.

A new notifiable instrument, the Single Dwelling Housing Development Control, has been created to clearly define the requirements that a single dwelling development must meet to be exempt from development approval. This will mean that people dealing with single dwellings will generally no longer need to refer to the Territory Plan.

The government is leading the way in outcomes-focused planning in this new system. A key component that defines the new outcomes-focused system is the introduction of design guides to the ACT planning system. Design guides are intended to improve the built form outcomes we see in our city. The three design guides being introduced are the *Urban design guide*, the *Housing design guide* and the *Biodiversity sensitive urban design guide*. Further guides, such as place-specific guides, may also form part of the suite of guides in the future.

All residential developments, excluding single dwellings, residential and secondary residences, will be required to consider and provide a design response to the *Housing design guide*. Residential developments may also be required to respond to other design guides if triggered. The *Housing design guide* applies to residential building topologies, including dual occupancies, townhouses and apartments, as well as mixed-use topologies when the predominant use is for residential.

The guide provides practical design information to assist proponents in identifying design options and encouraging innovation. Best practice guidance is provided on ways to design and achieve housing diversity and housing choice. This is through providing guidance on the design and provision of different sizes and types of housing to encourage a mix of neighbourhoods. This means designing homes that meet our housing needs while catering for people's needs at different stages of their lives. Design elements like an apartment and floor plan layout, ceiling heights, accessibility and the inclusion of a range of dwelling sizes in new developments, from studios to three-bedroom apartments, all encourage a diverse mix of residents and flexibility in meeting their use and needs.

Agreeing to an interim Territory Plan will mean that the development proposals submitted under the new planning system will be required to consider the relevant design guides. Not having an interim Territory Plan means that these developments will not be required to apply the new design guides that seek to improve urban design and housing design outcomes. The *Biodiversity sensitive urban design guide* will also not apply until the committee inquiry process is completed and we see the commencement of the final Territory Plan.

The Territory Plan cannot be considered in isolation, especially in relation to the ongoing need to plan for sustainable growth in our city and the need to meet housing supply and choice. This is where the district strategies play a critical role under the new planning system. The district strategies are a new level of planning that sit between the ACT Planning Strategy and the suburb or site level development details in the Territory Plan. As I have mentioned, these were formally released on 11 September this year.

The district strategies proactively guide where urban growth could best occur across the districts and in the overall city context. They are based on consideration of a range of factors, such as locations near centres, major transport corridors, active travel and public transport routes in areas of high amenity. These considerations inform the five big drivers that underpin each district strategy and guide where and how development is best placed for the future.

The district strategies provide further directions on how each district can grow and change to accommodate new development, including housing in appropriate locations to reflect Canberra's future population and meet the future needs of residents. There are a number of initiatives in the city-wide and district-specific levels necessary to deliver on the directions of the district strategies and to promote housing supply and sustainability.

The proposed implementation measures will be important to pursue to continue to plan for our city and to direct infrastructure provision to support growth and change.



The district strategies will inform future updates to the Territory Plan provisions and the district policies, through the amendment processes. Where the district strategies are updated to support sustainable growth and increased housing options in particular locations, the statutory provisions within the zone and district policies can be amended. As we would expect, any major amendments to the Territory Plan would be subject to a statutory consultation with the community.

The new Territory Plan will positively impact the Canberra community and environment by encouraging innovation and high quality design to achieve the desired outcomes for development throughout the city. The Territory Plan is a critical element of the new planning system, a system that focuses on good outcomes for the territory and facilitates ecologically sustainable development that is consistent with planning strategies and policies. Over the last four years we have worked with and listened to a wide variety of voices. This has enabled us to make sure that these reforms give our territory the best planning framework to move forward.

For these reasons, I seek that the Assembly approve the Territory Plan as an interim Territory Plan. As I have mentioned, delaying the commencement of the Territory Plan will delay the implementation of key government policies and commitments. It will delay policy changes to increase housing supply and delay the delivery of high quality development outcomes. If the Territory Plan is approved, I intend to set the commencement date for the new planning system as 27 November 2023.

I would like to thank my parliamentary colleagues for their assistance. I would also like to thank the Chief Planner, Dr Erin Brady, and the whole team at EPSDD, as well as Louise Crossman, Ellen Pinkas, Brodie Ferson and Tash from my office, for all their hard work on this important change. I commend the bill to the Assembly.

Question resolved in the affirmative.

**Sitting suspended from 12.14 to 2 pm.**

## **Questions without notice**

### **Economy—credit rating**

**MS LEE:** My question is to the Treasurer. Treasurer, in 2017, during a debate in the Assembly, you said:

... it has been estimated that having the highest possible credit rating reduces our borrowing costs by something like five to 10 basis points. For every \$100 million that we borrow, that can mean between \$50,000 and \$100,000 saved annually on that interest bill.

During question time on 12 September this year, you said:

The best advice is that it might be one or two basis points.

Treasurer, were you wrong in 2017 or were you wrong last month?

**MR BARR:** I was right on both occasions. It might surprise the Leader of the Opposition, but the bond market does indeed adjust, and there are not many AAA-rated entities left in the world, as a result of the pandemic.

**Mr Parton:** Have you ever been wrong?

**MR BARR:** I was simply repeating the advice I was receiving from the bond market and the actual execution of our bonds against others. Frankly, the difference between two to three basis points and five to 10 is a tiny fraction across any bond issuance. Certainly, it is the case that there are now, other than Western Australia, no other AAA-rated Australian states and territories. I believe there might be between six and 10 left in the world. That is what the pandemic did to every government's credit rating across the world. Every credit rating was under pressure.

**MS LEE:** Treasurer, will you table any analysis completed by Treasury so that Canberrans can have certainty over how the credit rating downgrade of your government will impact future borrowings?

**MR BARR:** Obviously, the market is dynamic and will change due to a variety of factors. Today's inflation data has already impacted the bond market, and expectations in relation to what the Reserve Bank board may or may not do at their meeting early next month. But it is clear that we can see, from issuances of other jurisdictions, what the difference is between a AAA-rated bond and a AA-plus. Of course, we have other states and territories with which we can compare. The issue now, of course, is that every other Australian state or territory—with the exception of WA, who are AAA, and Victoria, who are AA—is on the same credit rating.

What does impact the cost of borrowing more, in fact, is the liquidity of your bonds—how many you have on issue. That is, in fact, a greater factor. We have seen our spread contract; so we were getting a better outcome, the more bonds we had in the marketplace, because we had liquidity in ACT government bonds.

**MR CAIN:** Treasurer, following the downgrade of the credit rating, will there be a change in government policy to reduce borrowings?

**MR BARR:** You are asking me to announce government policy in question time, which you know is directly against the standing orders.

### **Economy—credit rating**

**MS LEE:** My question is to the Treasurer. Treasurer, in 2017, during a debate in the Assembly, you said that retaining the territory's AAA credit rating had been "my focus for the past six years as Treasurer and will continue to be a focus for the government over this term of the Assembly". Chief Minister, when did you lose focus on retaining a AAA credit rating?

**MR BARR:** The pandemic did have an impact on every government's fiscal position. The then commonwealth Treasurer, Josh Frydenberg, described the commonwealth's fiscal deterioration as eye-watering. Ours was not as grave as theirs—indeed, ours was not as grave as what has been experienced in other states and territories—but to

suggest, Ms Lee, that the pandemic had no impact on anyone's credit rating is just blatantly false.

**MS LEE:** Treasurer, will you focus on returning the territory's credit rating back to AAA?

**MR BARR:** Again you are seeking an announcement of government policy in question time. But I will say this: the government will not put the credit rating above every other need in this community.

**Mr Hanson:** Is that a policy announcement?

**MR BARR:** That is not a policy announcement; that is a statement of philosophy—that a strong credit rating is important. As Anthony Walker of Standard & Poor's said, there is very little difference between AAA and AA+, and AA+ is a very strong credit rating. But, if the direction of the question is that it is Liberal Party policy that the credit rating comes first and health, education, transport and community services all come second, that is not the government's position.

**MR CAIN:** Treasurer, is the fact that the territory has lost its AAA credit rating due to your failures in fiscal management or due to the fact that you are no longer focused on maintaining a AAA credit rating?

**MR BARR:** Importantly, during the pandemic we provided support for the economy. We provided hundreds of millions of dollars of direct cash injections into households and businesses; we increased our infrastructure program to support the economy. I think they were the right choices to make. And I am sure, given the arguments that we had during that period when many of you called for the government to spend even more money in that time, that if I had said, "No. Sorry. Protecting the credit rating is the highest priority"—never mind businesses hitting the wall; never mind households struggling—I would have got a very different line of questioning from those opposite. So, given the choice, we did support the economy, we did make payments to businesses and we did increase our infrastructure program, and that clearly contributed—

**Mr Hanson:** Madam Speaker, a point of order on Mr Barr's answer: now that answers have to comply with the same requirements as questions, he was being hypothetical about what the Liberals would have said if he had said certain things. I would ask that you draw that to his attention and ask him not to be hypothetical in his answers.

**MADAM SPEAKER:** Thank you, Mr Hanson. I do hope "hypothetical" is not a theme of today and tomorrow. Mr Barr, you have 21 seconds left.

**MR BARR:** Thank you. The point is, Mr Cain, that there was a choice and we accepted there was a risk to the credit rating, but it was more important to support the community and the economy through that period. That had an impact on our budget and on our debt level, like it did for every government in the world.

**Homelessness—government funding**

**MR DAVIS:** My question is to the minister for Homelessness and Housing Services. Minister, yesterday I had the pleasure of opening an art exhibition here in the Assembly by local artist and Brindabella constituent Caroline Ambrus entitled *See our unseen homeless*. It shows to all members of this Assembly, as they walk into the chamber, the faces of real Canberrans who are struggling in this inequality crisis. I know that this crisis has seen rising rates of homelessness right across the country, including here in the ACT.

Can you please update the Assembly on the funding you have secured for the homelessness sector and some of the programs that this funding provides?

**MS VASSAROTTI:** Thank you for the question. I know that the issue of homelessness and affordable housing is one that people across the chamber really care about. Homelessness funding is something that I have been working really hard on since I have held the portfolio. I am really pleased to see that we have actually provided an increase in specialist homelessness funding in every budget since the beginning of the term.

Over the past four years we have seen \$119.4 million injected into the homelessness services sector, including the investment of more than \$18 million to support people during the COVID pandemic. Throughout that period we saw some really great innovation occurring in terms of creating new initiatives that we have been able to continue to support, particularly through the 2023-24 budget. Through this budget we have approximately \$132 million over the four years to 2026-27, including a \$20 million investment in additional initiatives for the sector above base funding. This represents approximately a 10.6 per cent increase in funding since the previous four years.

We have seen a continued increase of baseline funding of \$14.3 million over four years to ensure that specialist homelessness services in the ACT can continue their vital work in an environment of increased cost pressures. It also sees \$2.282 million over the next two years to support the accommodation initiatives established through COVID, including Ainslie Lodge, that was previously known as Winter Lodge, Mackillop House, Axial Housing and funding for the Early Morning Centre to provide seven days a week service. There is some additional funding as well, but I will run out of time to tell you about it.

**MR DAVIS:** Minister, has all of this new funding you have secured met the need for people experiencing homelessness in our community?

**MS VASSAROTTI:** Thank you for the question. I think we have talked a lot about the fact that we really want to get to a situation where we see homelessness as brief, non-recurring and rare. Certainly, the increase of funding over the last four years has been a really important injection and really helped to meet much of the need. But we are seeing an increasing need, and certainly the work we are doing around commissioning and working to co-design the service system with homelessness services has been a really important element of identifying where the new and emerging needs are and how we can meet those gaps.

I think one of the challenging elements of responding to the issue of homelessness is that we know we will not solve homelessness through the homelessness sector. The homelessness sector will be able to provide immediate support for people that are experiencing homelessness, but it is not responding to the drivers. We really need more public and affordable housing in order to meet the needs of people and to ensure they are not falling into the experience of homelessness.

In terms of what is occurring at the moment, we are looking at some of the investments we have made. That includes a \$461,000 investment throughout this year to support, particularly, more complex clients, and we are working with the sector in relation to that. We are also looking at how we improve the central intake service, and we are looking at emergency accommodation such as hotel brokerage. We have provided \$1.2 million through this financial year, but we are working with the sector about more sustainable and useful ways to respond to those emergency needs.

**MR PARTON:** Minister, are you able to update the Assembly on the end date for homelessness and the delivery of “a home for all” as per your election promise of 2020?

**MS VASSAROTTI:** Thank you for the question. It is one that we have talked about a lot. You have continued to ask me, and I have continued to talk about the fact that we do not resile from the very clear ambition to eliminate homelessness, and we have the very clear ambition around delivering a home for all.

It was not something that we said we will do in one term, and it was not something that we said we will do without the support of the whole sector. As has been evident in a lot of the answers that I have given before, we have had an ongoing commitment to increase funding. We are working with our government partners. There is work happening at the federal level in terms of providing further direct investment into public housing, particularly. This is a commitment that we continue to hold. We have not put a particular date on it. You are looking for a political stunt. This is an ongoing discussion—

**Ms Lee:** The political stunt was promising is promising a home for all!

**MS VASSAROTTI:** And we continue to say that that is our ambition: to have a community where we have a home for all.

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

**MS LEE:** My question is to the Treasurer. Treasurer, in August this year the federal health minister, the Hon Mark Butler MP, raised concerns over the GP payroll tax, saying it would undo any positive impact the rollout of the new Medicare incentive would have. The minister went on to say:

Payroll tax is ultimately a matter for the states to manage, and I encourage them to consider the feedback from GPs.

Treasurer, has the federal health minister, your Labor colleague up on the hill, raised his concerns directly with you?

**MR BARR:** No.

**MS LEE:** Treasurer, will you take the federal health minister's advice and consider the feedback you have received from GPs in Canberra?

**MR BARR:** Yes.

**MS CASTLEY:** Treasurer, is the federal health minister wrong when he says it will undo any positive impact the rollout of the new Medicare incentive would have?

**MR BARR:** Yes.

*Opposition members interjecting—*

**MADAM SPEAKER:** Members. Members, please! Enough!

### **Public and social housing—construction**

**DR PATERSON:** My question is to the Minister for Housing and Suburban Development. Minister, can you tell us how many public and social housing homes are under construction at the moment?

**MS BERRY:** Yes, I can. As at 30 September 2023, there were 356 public housing homes under construction; 646 public housing dwellings in the work in progress pipeline for delivery by 2026-27; and a total of 11,611 homes in the public housing portfolio. With the redevelopment, sales and purchases of homes as part of growing and renewing public housing, stock numbers are set to grow on a year-by-year basis from 2024-25.

The ACT government continues to invest in public and social housing, because every Canberran deserves a safe and comfortable place to live. Secure and affordable housing is essential to ensuring that everybody has a fair crack at happiness.

**DR PATERSON:** Minister, will these homes be suitable for people living with a disability?

**MS BERRY:** Accessibility is a really important consideration for the ACT government when building new homes. The 30 new homes in Greenway are another example of the ACT government's commitment to adaptable and accessible public housing. These homes have a fit-out that will enable tenants with a disability to live their life as easily and with as much dignity as possible. Importantly, these homes can be modified to support people to age in place.

This government is investing in public housing that meets the needs of current tenants with a disability as well as those on the waitlist. I am proud to report that, as of 30 June 2023, 94 per cent of builds in the Growing and Renewing Public Housing Program were either Class C adaptable or liveable—Australia's gold standard.

**MS ORR:** Minister, what is the government doing to future-proof public housing in terms of environmental sustainability and energy efficiency?

**MS BERRY:** I thank Ms Orr for that question. It is important that we address the cost-of-living challenges as well as climate change challenges when we are building new public housing properties. As part of the ACT government's commitment to net zero by 2045, we are building, redeveloping and buying homes for the public housing portfolio that are environmentally sustainable and energy efficient.

Some of the sustainability features of the 30 new homes in Greenway, for example, include underwater water tanks, providing grey water to the entire complex; energy efficient split-system air-conditioners to each dwelling, designed to harness northern sun in winter months; double-glazed windows; insulation to match seven stars; and hot water units that are energy and water efficient to seven stars. We are building a public housing portfolio that works for today's tenants and is future-proof for tomorrow's tenants as well.

### **Hospitals—emergency department waiting times**

**MS CASTLEY:** My question is to the Minister for Health. Minister, the department's 2022-23 annual report shows that only half of people who presented to the emergency department were treated within clinically recommended time frames, compared to the target of 70 per cent. This is, in fact, a deterioration from the previous year. Publicly you have told Canberrans that you have tried lots of things and some have failed. Minister, why have Canberra's emergency department wait times continued to deteriorate during your reign as minister?

**MS STEPHEN-SMITH:** They have not. Ms Castley would be aware that there is a gap in the data from the implementation of the Digital Health Record. Some of that data that is presented in the annual report represents data from earlier in the financial year and some represents data from later in the financial year. I will be tabling, for the information of the Assembly, the quarter 4 monthly performance report for our emergency departments:

It shows the patients starting treatment on time, by monthly triage category. In April 2023, for the urgent category, it was 50.8 per cent. For May it was 47.6 per cent and for June it was 48.9 per cent. That is a significant improvement on what has previously been seen and represents an improvement over time, despite some of the disruptions that we have seen. Patients leaving ED within four hours of presentation, by month, was 54.5 per cent in April, 52.8 per cent in May and 54.2 per cent in June. I am confident that that will continue to improve as the substantial changes that have been made across both emergency departments continue to take effect and we come out of those winter months.

**MS CASTLEY:** Minister, why have the measures you introduced in 2022-23, aimed at reducing wait times, actually made them worse?

**MS STEPHEN-SMITH:** They have not.

**MRS KIKKERT:** Minister, why are you continuing to make excuses for consistently abysmal emergency department wait times?

**MS STEPHEN-SMITH:** I refer Mrs Kikkert to my previous answers.

### **Health—nurse-led walk-in centres**

**MS CASTLEY:** My question is to the Minister for Health. Minister, last week it was announced that the walk-in centres will be rebranded as part of the federal government's urgent care centres. A brief from the CEO of CHS regarding the potential rebrand of walk-in centres in line with the "introduction of urgent care centres" said that "it is not recommended due to the significant resource and financial risks associated with changing community awareness and education about a new service name and models of care". Minister, why did you ignore the recommendation made by the CEO of CHS not to rebrand the walk-in centres?

**MS STEPHEN-SMITH:** If Ms Castley had been paying any attention yesterday, or even in the last week, she would know that we did not. We are not rebranding our fantastic nurse-led walk-in centres. They will stay as walk-in centres. They will be part of the national urgent care clinic network, but they will stay as branded walk-in centres. They will continue to be nurse-led. We will expand the services that are available through that network. Instead of delivering one urgent care centre disconnected from the rest of the health system in south Tuggeranong, we are expanding the services available at five nurse-led walk-in centres across our territory.

As Ms Castley's question indicates, with respect to the nurse-led walk-in centres that Canberrans know, love and receive fantastic service from, they will expand, to be able to treat more eye injuries. Weston Creek will expand particularly with extended scope physiotherapy, alongside the community-based medical imaging centre that I have recently opened, and whose hours of service will increase. They will also be able to treat a wider range of conditions, with more nurses, more nurse practitioners and more advanced practice nurses. We are taking the commonwealth's \$7 million and we are using it as efficiently and effectively as we can, within a system that is well understood and well regarded by Canberrans, but which has never been supported by those opposite.

**MS CASTLEY:** Minister, can you confirm that there has been no money spent on rebranding the walk-in centres?

**MS STEPHEN-SMITH:** As far as I am aware, there has not been any money spent on rebranding the walk-in centres as part of this funding. However, as Ms Castley is also aware, through the FOI and through previous conversations, there is money that has been committed through Canberra Health Services to the wider branding project in response to feedback from consumers that the current system is difficult to navigate and there is a lot of complexity around the different brands that have been involved in ACT Health and Canberra Health Services over time.

That feedback was again confirmed by the report that I released earlier this week, where one of the pieces of feedback was that Canberrans had difficulty understanding the range of services available and where they are available. Canberra Health Services



have been responding to that feedback to ensure that they can have more consistent branding and more consistent information. Part of what they have already done in that work is to update the website so that it is searchable in the way that consumers actually want to seek that information. That, of course, has been co-designed with consumers.

**DR PATERSON:** Minister, how important is it that we create awareness of the services that walk-in centres offer?

**MS STEPHEN-SMITH:** I thank Dr Paterson for the supplementary question. As I indicated, and as was indicated in Ms Castley's question and in freedom of information documents that she received, Canberrans have had a growing awareness of the fantastic services that are available at our five nurse-led walk-in centres in Tuggeranong, Belconnen, Gungahlin, the inner north at Dickson, and at Weston Creek. That is why we will continue to grow those services. That is why we will continue to invest in a brand that Canberrans understand. But we will also continue to communicate with Canberrans about the growth in services that are available, just as we did when we increased the scope of practice of walk-in centres to be able to treat young children down to one year old from two years old—a change that was driven by our incredibly dedicated nurses and nurse practitioners at our walk-in centres. We will continue to support them, and we will continue to support Canberrans with the services we know that they value.

### **Parks and conservation—urban rangers**

**MS CLAY:** My question is to the Minister for Planning and Land Management. Minister, our urban parks and land are experiencing greater challenges than ever before from weeds, urban development and climate change, but the funding for urban rangers dropped from \$1.34 million in the 2018-19 budget to \$1.28 million in the 2022-23 budget. Why did funding for urban rangers drop during this time?

**MR GENTLEMAN:** I thank Ms Clay for the question. Of course, EPSDD continues to provide funding for rangers and land management activities each year in the ACT budget, and there is an extensive range of public land and nature reserve, with almost 70 per cent of our territory being managed by the Parks and Conservation Service. I understand that the funding arrangements were changed slightly in the reporting. There was an amount of \$334,000 in funding for rangers to manage urban wildlife in 2023-24, but, with respect to the detail of the question, I will have to take that part on notice and come back.

**MS CLAY:** Do park care and land care groups say that they need more rangers and more PCS funding to look after the land?

**MR GENTLEMAN:** I can advise that we have been providing quite a bit of funding for park care and volunteers across the ACT as well to continue the important job that they do. I will take on board their comments for further funding for the rangers in the ACT and will certainly push that up through a budget process.

**MR BRADDOCK:** Minister, how do you decide how many rangers are needed and which areas they should care for?

**MR GENTLEMAN:** I thank Mr Braddock for the question. That is quite detailed for the amount of work that is needed for rangers across the territory. As I mentioned, the park area is 70 per cent of the whole of the ACT, and there has been quite a bit of extra work involved in recovery from the 2019-20 bushfires, as well as the rainfall events that we have seen most recently. I take expert advice from Parks and Conservation on the needs that they have, and we provide the best outcomes that we can through the budget process for them.

### **Hospitals—outpatient waiting times**

**MS CASTLEY:** My question is to the Minister for Health. Minister, outpatient waitlist data for the ear, nose and throat speciality shows that as at March 2023: category 1 patients were waiting an average of 218 days for an initial appointment; category 2 patients were waiting an average of 832 days; and category 3 patients were waiting an average of 1,218 days. I recently became aware of a teenager who was told five years ago that she would have to wait seven years for nasal surgery unless she went private or travelled to Sydney. Minister, is the ENT waitlist acceptable, and is it acceptable that this girl should have to wait seven years for her nasal surgery?

**MS STEPHEN-SMITH:** No, it is not. I think we all understand that ENT waitlists are a real challenge, not just here but in public health systems across the country. It is such that I regularly talk to Canberra Health Services about what we can do to recruit additional ENT specialists into the ACT and to ensure that those who are here are working more hours in the public system.

There is also a lot of work underway within Canberra Health Services to improve the way that outpatient clinics are managed to ensure that more first appointments are available and to reduce the proportion of repeat appointments. Where people's care can be returned to their general practitioner, they can be cared for in primary care rather than taking up those very valuable specialist appointments, and the specialists can see more people who need a first appointment.

It is also the case that there is a challenge around ENT in the private system here in the ACT, which does put additional pressure on the public system as well. I absolutely share Ms Castley's concern about ENT. It is also why ENT services for children and young people, particularly for Aboriginal and Torres Strait Islander children and young people, were a focus for the increased outpatient appointments that we funded through the COVID-19 period. The Chief Minister has talked about the increased investment we made through COVID-19. One part of that increased investment was ensuring we could catch up on some of the lost activity, particularly in the 2020-21 year, and additional outpatient appointments for ENT was part of that, but obviously we still have a way to go.

**MS CASTLEY:** Minister, why is Canberra's health system failing so badly that children are still forced to go either private or travel interstate for treatment?

**MS STEPHEN-SMITH:** I think I answered that in my first response.

**Legislation—voluntary assisted dying**

**MS ORR:** My question is to the Minister for Human Rights. Minister, you recently attended the inaugural Voluntary Assisted Dying National Conference and spoke about the development of voluntary assisted dying legislation in the ACT. Can you please provide an overview of what you shared with conference attendees?

**MS CHEYNE:** I thank Ms Orr for the question and her interest. The inaugural Voluntary Assisted Dying National Conference held in Sydney last month was a great opportunity to meet with experts, health professionals and advocates to share experiences and insights. I was also able to update the conference about the development of voluntary assisted dying legislation in the ACT. While making clear I was not necessarily sharing the ACT government's final position, I was pleased to share some key elements that we were considering as well as how our consultation and analysis has evolved.

As outlined in the listening report released earlier in the year, our extensive community consultation and wide-ranging analysis has demonstrated general support for the Australian model; however, our community consultation also showed strong support for variations to the Australian model that are now being considered. These include: the removal of the timeframe to death eligibility requirement; that nurse practitioners have a more active and consultative role in voluntary assisted dying; and that, while care facilities can decide their level of involvement with voluntary assisted dying, they cannot hinder access to voluntary assisted dying and must comply with minimum standards of voluntary assisted dying accessibility.

With respect to the eligibility requirement, we heard consistently from the community and experts that estimating life expectancy is inherently uncertain and imprecise, and that doing so can contribute to unpredictable and unfair outcomes. We are taking an evidence-based approach in the development of our model, and I look forward to presenting legislation that reflects this before the end of the year.

**MS ORR:** Minister, what feedback did you receive from experts and stakeholders at the Voluntary Assisted Dying National Conference following your speech?

**MS CHEYNE:** I thank Ms Orr for the supplementary. All states have been able to and have legislated for voluntary assisted dying, while the ACT and Northern Territory remained banned. While being banned from legislating for voluntary assisted dying is unenviable, the silver lining is that as the states have progressed during this time, we have been able to observe the consultations, the development of legislation, and the operation of voluntary assisted dying schemes in those states.

It has been critically important to develop our voluntary assisted dying legislation in the context of the experiences and learnings from other jurisdictions, while considering the Canberra community's views and preferences. There was widespread recognition—at the conference, and since—that the ACT government has been listening and informing the development of our model based on these experiences and learnings. I thank the experts, health professionals and advocates who have engaged with us so generously as we have conducted our consultation and refined our model.

**MR PETTERSSON:** Minister, can you update the chamber on the timeline for the implementation of voluntary assisted dying in the ACT?

**MS CHEYNE:** I thank Mr Pettersson for the supplementary. The journey to voluntary assisted dying in the ACT has been a long one, having been banned for 25 years. However, since that ban was overturned in December last year, we have worked quickly, but with necessary and thorough consultation with health professionals and the broader community, and in the context of what we know from other jurisdictions.

Our discussion paper was released in February. Consultation closed in April. In June, we released our listening report, and since then we have been refining our model. We are on track to introduce legislation before the end of the year—that is, within a year of our territory rights being restored.

In developing the bill, I have consistently had regard for the objectives of the scheme: promoting and protecting human rights, having necessary safeguards without being unduly burdensome, and having the confidence of our health professionals. I sincerely thank our officials in the Health and Justice and Community Safety directorates, and in CHS, and particularly the clinical reference group for their commitment, expertise and diligence in progressing this work.

Following the bill's introduction, it will be referred to committee, and any recommendations will be considered and responded to by government, with debate to follow. It is expected that, consistent with other jurisdictions, implementation of the scheme following passage of the bill will be 18 months.

### **Calvary Hospital—acquisition**

**MS CASTLEY:** My question is to the Minister for Health. I refer the minister to letters she has tabled concerning the government's takeover of Calvary, including her letter to the Chief Minister, asking that the Health Infrastructure Enabling Bill 2022 be taken off the spring 2022 program in an act of good faith. In the interest of transparency and having complete record of correspondence, will the minister table all correspondence to and from Calvary, including: Calvary's reply of 28 November 2022 to her so-called "final offer" letter; her "holding" letter to Calvary of 10 January 2023; and her and the Chief Minister's letter to Calvary of 8 May 2023?

**MS STEPHEN-SMITH:** I believe that these documents are already public as a result of being distributed by Calvary during the court matter. I am very happy to table those documents after question time.

**MS CASTLEY:** I thank the minister, as they are not on the public record. Does the minister maintain that she at all times acted in good faith in her negotiations with Calvary and that this correspondence will reflect that?

**MS STEPHEN-SMITH:** Yes.

**MR HANSON:** Minister, does your letter of 23 September 2022, removing the legislation from the spring program, show that putting it on the spring program in the first place was, indeed, an act of bad faith?

**MS STEPHEN-SMITH:** No. We have been through this on numerous occasions in this place. Just to reiterate for those opposite, who clearly have not understood the time line here: I first wrote to Mr Bowles about this matter, advising Calvary Health Care that the ACT government would consider legislating to acquire the land on which Calvary Public Hospital, in April 2022. A document that I tabled in the last sitting period—I believe it was from June or possibly July 2022—that was part of the negotiating process between the ACT government officials and Calvary Health Care, clearly indicated that there were a range of options; one of which was compulsory acquisition.

As I believe I have said before, it was clear to everybody that compulsory acquisition would not be supported by Calvary and that, in the event that we went down this road, it would not be feasible for us to continue to work with Calvary to deliver public hospital services in an environment where we were compulsorily acquiring the hospital from which those services are delivered. That would have been obvious to everybody involved in this conversation.

### **Health—dental services**

**MS CASTLEY:** My question is to the Minister for Health. Minister, in your response to a question on notice in June, you said that the average wait time for denture services after an initial screen was nearly 11 months in 2021-22. This has more than doubled since 2017-18. An 84-year-old pensioner has contacted me to say that she has been waiting over three weeks for an initial screen, during which time she has been unable to eat properly and has lost weight due to all of her upper teeth being removed. Minister, is it acceptable that, before this pensioner is even on the waitlist, she has to wait over three weeks just to get a screen?

**MS STEPHEN-SMITH:** I note that Ms Castley is introducing facts that I cannot verify. I refer her to the standing orders to consider whether that is appropriate. I clearly cannot respond to an individual matter where I do not have the facts before me and I cannot verify that. However, I will say that if I have the correspondence it will be being addressed. If I do not have the correspondence, if they have only corresponded with Ms Castley, I encourage her to refer that matter to me.

I would also say, in relation to the time frame that she has identified, that it is absolutely the case that dental services were specifically impacted by changes during COVID-19, where a range of outpatient appointments did have to be put on hold as a result of the pandemic. Dental was particularly affected. As you would understand, Madam Speaker, when we were dealing with a respiratory illness pandemic it had an impact on dental services. Work has been done since then to ensure that we can catch up on that. Taking a period pre-COVID versus a period in the middle of the COVID-19 pandemic is not an apples to apples comparison.

**MS CASTLEY:** Minister, why have the wait times for these critical health services got so bad under your entire reign as health minister?

**MS STEPHEN-SMITH:** I became health minister on 1 July 2019 and COVID-19 was declared a pandemic, I believe, in March 2020. These services, as I said, have

been impacted by COVID-19. The team is working very, very hard to ensure that people—particularly people who need emergency care—can get that care as quickly as possible.

**MRS KIKKERT:** Minister, why have CHS only implemented two out of the 12 recommendations of a KPMG review of oral health services?

**MS STEPHEN-SMITH:** I suspect that Mrs Kikkert's information is out of date. I will take that question on notice.

### **Public and social housing—refugees**

**MR BRADDOCK:** My question is to the minister for homelessness. Minister, my question is asked on behalf of Audrey, a year 6 student at Burgmann Anglican School in my electorate, who wrote to me as part of her civics and citizenship studies course. Audrey writes that many refugees struggle with affordable housing due to a lack of social housing. Audrey highlights that, with social housing waitlist categories, there is not a category for refugees. Is this the case?

**MS VASSAROTTI:** I thank the member for the question. I want to thank Audrey for her thoughtful question. It is great to see students participating in work such as civics and citizenship studies, and reflecting on some of the key issues that are important for our local community.

In answering the question about whether there is a category for refugees, Audrey is correct that there is not a specific category for refugees. Housing ACT does have three waitlist categories. They are standard, high needs and priority waitlists. The priority housing is for applicants that have urgent, exceptional and critical needs. So there is not a specific category for groups such as refugees—or for, say, domestic and family violence survivors.

In assessing applications on the priority list, we look at risk factors. They include homelessness, mental health and trauma. Certainly, the issues that would be faced by many refugee families in relation to experiencing homelessness and potentially trauma issues are key issues that would be taken into account in that priority assessment process.

Refugees on permanent protection visas are considered to be permanent residents, so they are eligible for public housing. They need to have lived in the ACT to be eligible for public housing, although there are additional supports provided for people through the settlement process.

**MR BRADDOCK:** Minister, can you please explain what housing supports are available for refugees settling in the ACT?

**MS VASSAROTTI:** I would note that this is something that sits primarily with the commonwealth as well as the Minister for Multicultural Affairs. In terms of the commonwealth Humanitarian Settlement Program, they do support refugees in the first 12 months. They provide short-term accommodation and assistance in finding long-term accommodation. The Australian Red Cross deliver that in the ACT.

The ACT government has extended the \$5,000 family settlement assistance grant that was provided to support Afghan arrivals with long-term accommodation costs to Ukrainian families that are fleeing the conflict in the Ukraine as well. That has provided some particular assistance.

In the ACT we have services such as the Migrant and Refugee Settlement Services, Companion House, which assists survivors of torture and trauma, and the Multicultural Hub of Canberra. There is also support provided through the Housing Asset Assistance Program, known as HAAP, where Housing ACT properties are leased to community housing providers. So there is a range of services provided.

**MR DAVIS:** Minister, I understand that Audrey would like to see more affordable homes specifically for refugees. Would you agree with Audrey?

**MS VASSAROTTI:** Thank you for the question from Audrey that has been asked by the member. I think we all recognise that we are in a housing crisis, and we know that marginalised groups are the groups that are hit hardest. The solution to meeting the lack of housing is to have more social and affordable housing. We know that refugees that are setting up a new life here in the ACT face a number of barriers to entering the private rental market in particular, which includes things such as a lack of local employment income, rental records, and difficulty with navigating tenancy negotiations, which might be exacerbated by language barriers and complexity. That may leave them at risk of being charged excessive rents due to unfamiliarity with the system.

We need to work to look at how we support and expand services to support marginalised groups such as refugees around accessing affordable housing. Again, I would like to recognise the great work that happens in a range of specific community organisations. I understand that services such as the Migrant and Refugee Settlement Services—MARSS—have recently become a community housing provider, to be able to provide specific support for refugees and migrants coming to Canberra.

### **Mental health facilities—security**

**MR COCKS:** My question is to the Minister for Mental Health. Minister, are you currently aware of any patients of ACT mental health facilities who are on approved leave and are either missing or uncontactable?

**MS DAVIDSON:** No.

**MR COCKS:** Minister, what precautions are put in place to ensure a patient's safety before they are approved for leave from ACT mental health facilities?

**MS DAVIDSON:** It is important to note that not everyone who is in a mental health facility is there under orders. There are a number of people who access our mental health facilities and are voluntary patients. Decisions about whether someone is able to use leave as part of their therapeutic care—and that is actually the purpose of leave; it is part of someone's therapeutic care journey—is a decision that is made by skilled clinicians working with the person on how this fits into where they want to get their mental health.

Leave may be approved for a whole range of reasons and it may be approved for very short periods of time or for a longer period of time during the day, but it depends on exactly what they are going to be doing while they are using that leave.

**MS CASTLEY:** Minister, how often is contact lost with patients who are on leave from the ACT's mental health facilities?

**MS DAVIDSON:** I would have to take on notice how often this happens, but, when people are on leave, the reasons why they might be hard to contact can vary. Sometimes it can be because they actually have a health issue while they are on leave. That is something that clinicians need to think about when they are trying to work out whether leave is appropriate and for how long and for what activity. Quite often, people who are receiving mental health treatment also have physical health conditions at the same time, and all these things need to be taken into account together.

### **Mental health services—Gungahlin**

**MR PETTERSSON:** My question is to the Minister for Mental Health. Minister, the Gungahlin region, just like other greenfield areas, is continuing to grow, and the need for expanded mental health services is clear. On 11 May, in a response to a question in question time, you stated:

In the October budget I talked about the child early intervention team expanding to the Gungahlin Child and Family Centre ...

When was this service scheduled to commence from the Gungahlin Child and Family Centre? Has it begun?

**MS DAVIDSON:** I thank the member for the question, and for his ongoing interest in making sure that children and young people in Gungahlin can have access to the right mental health services. As we have talked about previously, there was almost \$4 million in the 2022-23 ACT budget to better support youth mental health in Gungahlin through expanding that child early intervention program. That will provide services to young people in Gungahlin aged five to 12 years who are experiencing symptoms of anxiety, depression and other mental health challenges. It will be based out of Gungahlin's Child and Family Centre.

The plan is to launch the expansion of the UR FaB program in Gungahlin schools in 2024. Having seen this program in action when it first rolled out at my local public primary school in Curtin some years back—I think it must have been around 2017 or so—it is a really helpful program for children and for their teachers, carers and family members, in learning how to understand and respond to challenging feelings that they might be experiencing. The Child and Adolescent Mental Health team are also working with preschool and primary school groups to prepare for the program launching in the first half of 2024.

**MR PETTERSSON:** Minister, on the MindMap—ACT Youth Portal and the Canberra Health Services website, it does not appear that the service has or will expand to the Gungahlin Child and Family Centre. Will these essential navigation portals be updated?



**MS DAVIDSON:** Yes, they will.

**DR PATERSON:** Minister, outside of the eating disorder service, what mental health services have you expanded to other greenfield areas of Canberra, specifically Molonglo Valley?

**MS DAVIDSON:** Thank you for the question. In the most recent ACT budget, we have committed \$241 million to supporting Canberrans' mental health, which is about 10 per cent of all total health expenses, and what we are doing there is investing in community resilience, with more services, outreach programs, preventative mental health care, and facilities that are closer to home, closer to where people live. Recognising that Molonglo is absolutely a growing population area and that there are lots of young people there, making sure that we are continuing to deliver services that are accessible to them is very important.

We have continued to fund the WOKE and Stepping Stones programs, but also the Youth Aware of Mental Health program, which is delivered in public schools throughout the ACT and will be delivered in Molonglo as well.

**Dr Paterson:** Point of order.

**Mr Cocks:** Point of order.

**MADAM SPEAKER:** I will go to Dr Paterson's point of order. It may be similar to yours.

**Dr Paterson:** The question was in relation to services in Molonglo Valley region.

**Mr Cocks:** It is the same point of order.

**MADAM SPEAKER:** Ms Davidson, you have a minute left. To that, please.

**MS DAVIDSON:** Thank you. For children and young people who need to access our Child and Adolescent Mental Health Services, there are two locations in the ACT where they can access them: one on the northside, and we also have CAMHS on the southside. CAMHS on the southside is moving to new premises in Bowes Street in Woden in early 2024, and will be—

**Mr Cocks:** Point of order.

**MADAM SPEAKER:** I think the question was around Molonglo, Ms Davidson. To that, in the time you have left.

**MS DAVIDSON:** Thank you. As is the case with children and young people across the southside, this is the most accessible location that they can get to in terms of where bus services and—

*Opposition members interjecting—*

**MADAM SPEAKER:** Ms Davidson, to the point, if you have it at all.

**MS DAVIDSON:** Making sure that we can make these services accessible— (*Time expired.*)

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

### **Supplementary answers to question without notice Hospitals—outpatient waiting times**

**MS STEPHEN-SMITH:** I table the document that I was referring to earlier:

ACT Health Quarter 4, 2022-2023 Monthly Performance Report—Emergency Departments, undated.

### **Calvary Hospital—acquisition**

**Ms Castley:** I seek your advice, Madam Speaker. Is now the time to ask the health minister to correct the record on a matter from question time?

**MADAM SPEAKER:** If you believe there is an error, then you can put it to her, but she is entitled to say that she was correct.

**MS CASTLEY:** On numerous occasions, the health minister has noted that the documents I asked to be tabled are on the public record. They are not. They were an exhibit which was not tendered to the Supreme Court. I ask that she correct the record.

**MS STEPHEN-SMITH:** Thank you, Madam Speaker. I correct the record. I was of the understanding that that exhibit had been made public. If that is not the case—I will go and check—I am happy to correct the record on that. It was my understanding that all those exhibits had been made public. I apologise to Ms Castley. I am very happy to table the documents.

### **Agriculture—urban agriculture**

**MR BRADDOCK (Yerrabi) (2.57):** I move:

That this Assembly:

(1) notes:

- (a) Fiona Buining, of the Ainslie Urban Farm, undertook research on urban agriculture through a 2020 Churchill Fellowship, and has made findings that can be of significant benefit to the Canberra community;
- (b) the development of “heart” and similar agriculture programs that offer a diversionary pathway for people caught in the criminal justice system, as well as people experiencing poverty;
- (c) urban agriculture increases access to, and the availability of, fresh and nutritious food;
- (d) the ACT is host to a number of heritage agricultural homesteads, for which their heritage would be supported by using their surrounding

- lands for agricultural purposes;
- (e) urban agriculture helps migrant communities to preserve their culinary culture by giving them the opportunity to grow foods that are otherwise not available and bring them to the commercial market; and
  - (f) urban agriculture training programs can support reductions in recidivism by providing at risk people with life-changing skills and opportunities; and
- (2) calls on the Government to:
- (a) investigate opportunities for urban agriculture activities co-located with suitable ACT heritage sites, with a view to the:
    - (i) development of “heart” and similar agriculture programs which offer a diversionary pathway for people caught in the criminal justice system or otherwise experiencing poverty;
    - (ii) promotion of agriculture activities on suitable and underutilised public lands within the urban environment, including for use in further “incubator” farm programs and the small businesses that may emerge from them; and
    - (iii) the extension of tertiary education programs so that students can get a hands-on experience in small farms that are close to home; and
  - (b) report back to the Assembly by May 2024.

The land is a source of life. In every country around the world, no matter the continent or climate, Indigenous people speak of their connection to the land. Be it on a steppe, woodland or river delta, human evolution and civilisation has occurred alongside and within our natural ecosystems. The fertility of the soil, the flowing waters and the blowing winds incite an often-spiritual connection to the land.

It seems like every single culture in the world, no matter how developed they may claim to be, has an innate and instinctive respect for those who hold a connection to the land. Even in western cultures, we hold the humble farmer in significant reverence. Farmers are respected for the life they bring, the bounty they harvest and the food and sustenance they provide. We know we live in a world that is capable of cultivating incredible abundance. If only we could remember how.

Industrialisation has achieved a lot for western societies but also at great cost—the concreting of our valuable landscapes, the degradation of our soils and a significant loss of knowledge about how we connect with the land. Too many of us have forgotten how to cultivate plants, even in our own gardens, yet we possess an instinctive urge to garden, as shown during the pandemic lockdowns.

For migrant communities, traditional food is a significant part of retaining and maintaining their culture, yet frequently they will struggle to find in supermarkets and grocery stores the vegetables and spices that they need for their dishes. One such example at the Mitchell community garden is maize, grown by members of the African community.

Agriculture has become a specialised and niche profession and is no longer common knowledge. While industrialised farming achieves a lot for our society in some respects, it deprives us in others—notably, knowledge of the origin of the food that sustains us and the effort that is required to grow it.

I have had the opportunity to meet many passionate people who do know how to grow food. Every one of them speaks about the physical and mental health benefits they obtain from gardening; the wellbeing that arises from touching the soil and connecting with the land; and the social connections they make when they are working collaboratively in the community gardens together.

I would like to thank the Canberra Organic Growers Society for their welcome and for showing me their community gardens in Crace, Mitchell and Kaleen. I have also had the opportunity to visit the Canberra Environment Centre at Gungaharra homestead in Harrison. I learnt about their classes on composting and their plans for their community garden. This was particularly relevant given the number of people who live nearby in apartments.

By now, I would expect everyone in this chamber to have at least heard of, if not met, Fiona Buining. Fiona runs a microgreens business out of her backyard, which she calls the Ainslie Urban Farm, and that is just in a small greenhouse. Her garden, which supplies her and her family with almost enough food to be self-sufficient, is a sight to behold and well beyond what you might think is possible on a standard urban block. She is, I would argue, an example of what is possible to aspire to as a gardener. She is someone who innately commands that instinctive respect we have for people who know how to grow our food.

Fiona wants us to re-learn what we have lost so that we can re-apply it to our modern circumstances. Last year, she undertook a Churchill Fellowship to visit and study the work of urban agriculture initiatives in the USA, England and the Netherlands, where people are doing exactly that. Her findings are inspiring and have the potential to be transformative. Madam Speaker, I seek leave to table her report from her Fellowship for the benefit of the Assembly.

Leave granted.

**MR BRADDOCK:** I present the following paper:

2020 Churchill Fellowship to investigate urban farm ventures that provide vocational pathways for aspiring food growers—Report by Fiona Buining Churchill Fellow, dated 2 December 2022.

I highly recommend it as compelling reading.

Amongst the cityscape of Chicago, Fiona saw firsthand the benefits of what they call Heart programs and farm incubators. These are educational farms set up in urban settings. The incubator programs train people how to grow meaningful amounts of nutritious food on which a profitable small business could be sustained, as something not unlike a TAFE course. What is more, they were working with the incubator

program seeding businesses that were actively supplying fresh food to Chicago residents, all from within the urban environment.

The Heart programs were operating in a similar way, but with a more social objective, to help people who had fallen on rough times, be it due to personal life upheaval or contact with the criminal justice system. Operating without prejudice to people's backgrounds, they are also working. Fiona heard testimonies of people's lives being turned around, with them rediscovering their connection with the land and finding the strength to move beyond histories which included drug dependency, family violence and crime. Importantly, these Heart programs are not run by the criminal justice system, but they are a place where people can choose to go to once they are released from custody. That said, there is no reason why a prison like the AMC could not borrow the ideas that they can then offer for inmates to do and learn behind the wire.

In case it was not obvious, I am very keen to see a heart program operating in Canberra which feeds into incubator training programs that have a connection to CIT. We need more tools to help divert people from the criminal justice system.

On the 8 September, Minister Vassarotti released Canberra's first food strategy. There is a line in it that I would like to draw attention to. On page 17, it says:

With 15% of the ACT already zoned to permit agriculture, there is no need to dramatically expand land for food growing, but rather make better use of what we already have. We can also look at how we co-locate agricultural businesses and farming with complementary sites. One such opportunity is exploring heritage buildings located within heritage landscapes.

On its own, this line seems to be quite innocent. But on discussing it with Minister Vassarotti and her office, it became clear that the excellent public servants working in her directorate clearly had an idea. There is a thread dangling, which they appear keen to pull at, but to do so requires the authorisation to explore things across multiple portfolios—the kind of authorisation that a motion of this Assembly can give.

Allow me to elaborate. The ACT, being one of Australia's post-federation cities, was established from scratch on predominantly agricultural land. Land, which we should of course remind ourselves was stolen from the First Nations peoples who served as its custodians for countless generations. In the early 1900s, the Canberra valley was dotted with sheep paddocks and agricultural homesteads. Those which have survived to this day are largely heritage listed. The proposition is to effectively use one or more of these homesteads to establish heart and incubator farm programs.

Heritage is preserved when locations continue to be used for the purpose for which they were originally designed. These homesteads were designed for agriculture. But, to make this a reality, it requires the consent and active cooperation of various directorates and ministers. First and foremost, we have the Minister for the Environment, who is also the Minister for Heritage. She has custodianship of the food strategy and is responsible for the listings and preservation of these heritage sites. She will be the principal minister concerned with this vision and no doubt eventually responsible for responding to this motion.

Doing things at the heritage sites requires the cooperation of the people who own and run them. Some of those homesteads are in private ownership, but many are in public. The ACT Historic Places, as a part of the Cultural Facilities Corporation, manages those homesteads on behalf of the ACT government. The Minister for the Arts is responsible for that organisation. If we are to run educational programs of the kind that might issue qualifications, it touches on the responsibility of either the Minister for Education or the Minister for Skills, who also happens to be the Minister for City Services and who oversees a lot of the land used within Canberra's urban footprint.

Where it offers diversionary pathways for those in the criminal justice system, the Attorney-General will have an interest. If the corrections system wants to adopt some of the ideas, the Corrections Minister and Youth Justice Minister will both have a stake in the idea being successful. Incarceration and recidivism rates for First Nations communities is also a known issue, so it might make sense to have an Indigenous agriculture aspect to any program that is established, meaning the Minister for Aboriginal and Torres Strait Islander Affairs may want also to be involved. But then, we might as well add the Chief Minister who is responsible for overseeing all of these ministers.

This should not be surprising. Food policy tends to do this, reaching into all aspects of our lives. At the same time, I am not so foolish as to demand perfect cross-portfolio cooperation for a perfect vision from the get-go. We need to walk before we can run; big thinking is made possible by small steps. The vision for the future here is indeed big, but I want to keep my call today narrow. I want interested public servants to know they have the enthusiastic endorsement of this Assembly to pick up this vision, pull on the most obvious threads that lie before them, and tell us what they might be able to do next and how it can be done, tapping into the various areas of government when and as they need to.

My expectation is that, in the short term, the highest level of cross-portfolio collaboration will need to be between Ministers Vassarotti and Cheyne. For this reason, I would like to thank Minister Cheyne and her office for their support in the preparation of this motion and, of course, Minister Vassarotti for her incredible leadership on the food strategy, a strategy I am very keen to see implemented over the coming years and decades.

I commend my motion to the Assembly.

**MS LAWDER** (Brindabella) (3.08): I am pleased to stand to speak to this motion today from Mr Braddock, because we do know that research shows that urban agriculture has a positive impact on physical and mental wellbeing. We know from the research that many people who are involved in urban agriculture and community gardening activities, for example, feel a strong connection to the community and to the local environment. Being hands on in an urban agriculture program combines community and physical work. It is an opportunity to learn new skills, meet new people and enjoy the results of shared work.

In addition to Ms Buining's research, I am referring from now on to some information in a report on the wellbeing benefits of participating in Landcare, undertaken by KPMG in 2021, which was a survey of Landcare volunteers and coordinators. I am

referencing this work because I think it has a lot of correlation and similarities here. The Landcare volunteers and coordinators responding to this survey said that 90 per cent feel more connected to people, 86 per cent feel more connected to their community and 93 per cent feel more connected to the environment. Almost half of those surveyed reported improvements in their mental wellbeing since becoming involved with Landcare.

Mr Braddock mentioned, and I would also like to mention, that Canberra has an increasing number of community gardens and urban agriculture sites, including the Canberra City Farm and, in my electorate, the Kambah and Erindale community gardens operated by Canberra Organic Growers Society, which I have enjoyed visiting on a number of occasions. I would also like to mention there have been some attempts to set up a Gowrie community garden, which has been facing some challenges. However, I think they remain cautiously optimistic that this will come about.

Many Canberrans enjoy growing their own food, whether it is in their vegetable garden or in pots on the balcony. Making use of suitable heritage agricultural sites in the ACT for a coordinated agricultural program could give even more Canberrans the opportunity to participate in urban agriculture and gain the associated physical and social benefits. I note on my visits to Lanyon Homestead run by the Cultural Facilities Corporation they have an extensive kitchen garden there as well as a flower garden—a cutting garden for the homestead. So they already have a well-setup garden area. There are others in my electorate as well that are in government and private hands. We have Hill Station, which is not quite in my electorate but very close, in Hume; the Tuggeranong Homestead; and a number of other facilities. Some of them are in greater use than others.

We also know there are many benefits—including the economic benefits, disaster resilience and knowledge-sharing—from being involved in urban agriculture, community gardens and Landcare. For most people, it is building connection that is key—connecting to other people, connecting with their community and connecting to the environment. That leads to the improved mental and physical wellbeing. These mental wellbeing improvements generally lead to an economic benefit. You might think, well, how does that work? How do you get an economic benefit? Of course that is true: a combination of avoided health care costs and improved productivity from an improved mental wellbeing.

So, it appears that Fiona Buining has similar findings to the Landcare report I have been talking about, with a focus on a diversionary pathway for people caught in the criminal justice system, people experiencing poverty, migrant communities and others, as mentioned in Mr Braddock's motion. I would like to thank Fiona Buining for her sharing her research and thank Mr Braddock for bringing this very interesting motion today.

**MS CHEYNE** (Ginninderra—Assistant Minister for Economic Development, Minister for the Arts, Minister for Business and Better Regulation, Minister for Human Rights and Minister for Multicultural Affairs) (3.13): I rise in support of Mr Braddock's motion, acknowledging the heritage sites within my portfolio which have a land component to them. These are Lanyon Homestead, Mugga-Mugga

Cottage and Calthorpes House, managed by the Cultural Facilities Corporation. Lanyon Homestead and Mugga-Mugga Cottage are both rural properties with rich ecological, Aboriginal and pastoral history. These sites are managed as museum and cultural tourism sites with a strong education and heritage focus.

The CFC is currently exploring food production ideas that demonstrate environmentally sustainable practices; provide social participation, employment and education and training opportunities; and showcase socially inclusive business models. The purpose of such projects is to increase social and economic participation at these important cultural sites and to also demonstrate the ongoing relevance of heritage places to our communities and their role in supporting community wellbeing.

As an ACT government agency that manages cultural science with land management responsibilities there are potential collaborative opportunities to link with the ACT Capital Food and Fibre Strategy where places like Lanyon Homestead and Mugga-Mugga Cottage could be demonstration sites that show how the Capital Food and Fibre Strategy could be implemented and be places for training, education and discussion.

It can also provide economic participation opportunities through employment. As part of the Canberra cultural tourism network there is also opportunity to broaden the food and fibre strategy to include agritourism activities. The cafe at Lanyon Homestead provides opportunity to demonstrate the use of locally produced food, and the paddock to plate experience is, of course, a well-supported tourism activity.

These potential initiatives would also be relevant to the ACT government's Circular Economy Strategy, and it aims to promote local food production and consumption and will provide partnership opportunities with local business, education and other governments. I look forward to working with Minister Vassarotti as the actions within this motion are worked through.

**MS VASSAROTTI** (Kurrajong—Minister for the Environment, Minister for Heritage, Minister for Homelessness and Housing Services and Minister for Sustainable Building and Construction) (3.15): I rise today to speak in support of the motion circulated by Mr Braddock. I welcome the motion and the thoughtful work undertaken by Mr Braddock to explore ways in which the Assembly can engage with the important work of developing our local food systems. I thank Mr Braddock for the support of government to identify opportunities for the government to use the work of growing our local food system to deliver on a range of objectives.

All of us need food and most of us love food, some too much. Over the last decade or so, we have seen a resurgence in the joy of food and how it is prepared. I am not sure if those of you who have children, have them like mine, who having been judging their nightly dinner since they could talk. However, despite all this, many of us continue to be disconnected with where our food comes from, how it is produced and how it gets to our table.

Over the last few years the ACT government has been focusing on food systems and I am proud and very excited to have introduced Canberra's very first local food strategy, currently in draft form, and receiving strong interest within the community.



Throughout this process we are beginning to see the shape of what a local food system can look like for the ACT.

The local food strategy does many things. It is another important step to building climate resilience within our local community. It provides the opportunity to improve our individual health and wellbeing. It provides us the opportunity to connect and build skills. The process of developing the strategy has provided an opportunity to engage with many of our local food producers, those passionate about local food and those with visions and dreams of how we can build a vibrant and productive local food system.

Through this, I have had the pleasure of meeting with Fiona Buining on several occasions and seeing her present the results of her Churchill Fellowship to diverse audiences. Her passion, vision and practical understanding and explanation of both the value of agricultural training and heart programs, which we have heard about from Mr Braddock, and how to implement them never fail to inspire her audience. Her gift is that practical drive and ability to show that everyone can benefit from local food systems.

It is hard not to get excited about Fiona's vision and imagine how the ideas she has captured in her studies might have application here in the ACT. Fiona's vision of on-farm training to support people to re-establish their lives, to incubate new farming enterprises and to teach aspiring urban agriculturalists core skillsets can support aspiring urban and rural food growers alike. The market gardening, urban agriculture and agricultural skills gaps that Fiona targeted through her Churchill Fellowship offer exactly the proven outcomes that Mr Braddock has talked about, and they are not confined to urban agriculture.

Being the Minister for Heritage as well, I am also passionate about the role of heritage within our local community. I believe the best way we can protect our treasured heritage buildings is seeing them used in ways that are sympathetic to their prior role and delivering on a current needs within our community. We are really lucky to have a range of beautiful heritage homesteads. A number are managed by the Cultural Facilities Corporation, who do a great job in providing stewardship for these local treasures. A number of them stand on significant land holdings that are important to convey their heritage value and do provide fantastic market and ornamental gardens.

When I have engaged with local communities in relation to future development of the city, the future of these facilities and the grounds on which they are located, which often are part of the character of the heritage site, is something that is often raised with me. It does raise the issue of what the opportunities are to engage with these sites in a way that honours their heritage role but delivers additional value.

I warmly welcome an exploration as to whether or not any of our heritage homesteads can host this kind of agricultural training program. I am really looking forward to working with Minister Cheyne and directorate officials on this opportunity. This may provide an opportunity to deliver on some of the objectives of the draft food strategy as well as protecting and enhancing heritage values in the ACT or doing things such as agritourism that Minister Cheyne talked about. This may provide a way to honour our rural farming sector, provide opportunities for them and help them link better to

the growing interest in urban agriculture. It is not hard to imagine that graduates from the kind of program that Fiona has envisaged could equally lease land or work side by side with our rural farm holders as they go on to set up their own urban-based enterprises.

Above all, the use of heritage homesteads and seeing if they could host the kind of heart programs that Fiona speaks of point to many of the benefits of local food. The strength of local food systems is that they deliver holistically: growing local food and connecting to the local community by buying and selling; providing meaningful and rewarding work; connecting to community; a chance to work with the land and honour local ecology, working with it, not against it; to embed Indigenous practices and celebrate Indigenous foods and integrate them more into our diets. It gives people a chance to truly rehabilitate and give back to their communities, even as it builds connection and pleasure through shared pastimes.

This motion is a welcome opportunity to explore properly the chance to bring new life and reflect on the original purpose of some of our heritage sites through a local food initiative. I thank Mr Braddock for the motion and look forward to reporting back on the outcomes to the Assembly as we work through this issue next year.

**MS CLAY:** (Ginninderra) (3.22): I just want to add a few words. We have had a lot of really interesting discussion about food today and it is so important. I thank Mr Braddock for bringing this motion forward and Minister Vassarotti for bringing us our first draft food strategy. Food is a really important part of our circular economy here in the ACT and it is also a really significant part of the average carbon footprint, and I will use the term carbon footprint. You can just look at it as a significant part of your environmental footprint if you are looking at water or energy or land use. All of those measures tend to line up the same when we look at food.

With food, what we found is 8 to 12 per cent, depending on what you are looking at, of your footprint comes from the food you eat and from the food you waste. So there are a lot of ways that our industrial system generates a really high environmental impact from our food. It starts on the farm. It starts with production. Farmers might use diesel in their farm machinery, the animals might be emitting methane, there might be a lot of protein feed stock given to animals, there might be a lot of fertiliser applied. Depending on how that is done, our industrial system tends to build in a lot of waste at all of those steps, and that can have quite a high impact. From there you have to look at transport and anything that flies has a particularly high impact. Some of that food has to be refrigerated or frozen before it gets to the person who is going to eat it. There is packaging. There are lots and lots of different elements in a really complex industrial food system.

One of the benefits with growing local and with empowering people to grow more and be better connected, is you remove some of those elements. Mostly, you are removing the waste. When we have slower food, when we have more careful and more respectful food production, we tend to remove a lot of the excessive waste and a lot of the profit-driven industrialised waste that is in that system. We tend to make food that not only tastes better and is healthier, but it also actually has a much lower environmental impact as we make it. So I think all of these steps in local food are really good.

It will also help us build a genuinely circular economy. If we are growing our food locally, we will see the impacts on our land from how we grow that food. We will take care of that land. We will make sure we are capturing all of the food that we do not eat into compost and we will put it back into our land. That will in turn sequester a lot more carbon in our land. It is regenerative. So there are actually a lot of reasons to be supporting local food and carbon impact and environmental impact is just one of them. But actually the joy of food and the value it brings to people's lives to be involved in it is a good enough reason on its own.

**MR BRADDOCK:** (Yerrabi) (3.25), in reply: I would like to thank all members today for their contributions. Ms Lawder, your reference to the Landcare survey exactly captures what we are talking about. It is talking about the connection with the soil and land that creates so many benefits in terms of mental, physical wellbeing, community connections, a feeling of place. So I just want to thank all members for their contributions and provide some final reflections.

One of the things that makes our city a great place to live is the sense of community we have here in Canberra. It is something that we need to nurture. Technology has a tendency to drive people apart. We have auto-curated news feeds on our phones showing us more of what we are inclined to like, to the exclusion of what others may be thinking. One way to overcome the divisive downside of this technology is to be found in our communities, in our verges and, in particular, in our gardens. Every small step we take will help us get closer to that dream; a dream of a vibrant city of abundance. Good, cross-directorate collaboration is a sign of a healthy public service, and I truly look forward to seeing what the government can come up with in response to this motion. I thank all members for their contributions.

Question resolved in the affirmative.

## **Canberra Health Services—staffing**

**MS CASTLEY** (Yerrabi) (3.26): I move:

That this Assembly:

(1) notes:

- (a) unsafe staffing levels in Canberra Hospital have been made public over the past three years in the Obstetrics and Gynaecology Unit, Cardiology Unit, Plastic and Reconstructive Surgery Unit, Fetal Medicine Unit, Intensive Care Unit, Emergency Department, Paediatrics and Child at Risk Health Unit;
- (b) radiation therapists at Canberra Hospital walked off the job on 19 September following a third of the team having left in the past three years;
- (c) radiographers at Canberra Hospital are taking industrial action against Canberra Health Services because “Pay and conditions of allied health professionals was significantly behind that in other jurisdictions”;
- (d) on 13 September, the Minister for Health revealed that two code yellows were called in the Centenary Hospital for Women and Children on 15 August and 8 September 2023, due to “staffing pressures”; and

- (e) an ACT nurse said in a December 2022 survey conducted by the ACT Australian Nursing and Midwifery Federation, “Recognition and retention payments are necessary if the ACT wishes to keep current staff and encourage further applicants to the area of nursing”;
- (2) further notes question taken on notice No 90, from Estimates 2023, reveals that 1,337 staff have left Canberra Hospital, University of Canberra Hospital, mental health and community services since 2020-21; and
- (3) calls on the ACT Government to:
  - (a) develop a retention strategy for frontline health workers; and
  - (b) explore the provision of retention bonuses or other incentives to retain and value frontline workers.

In this term, we have seen nurses and midwives protest out the front of the Assembly. Junior doctors have taken the ACT government to court over alleged underpayment of overtime. Nineteen radiologists have left Canberra Health Services, and more are threatening to leave to interstate jurisdictions. Medical imaging staff commenced a 48-hour ban on overtime due to pay negotiations, with the CPSU saying that the team had lost numbers because, “CHS cannot compete with other jurisdictions.”

Fetal medicine, cardiology, obstetrics and gynaecology, plastic and reconstructive surgery, the Child at Risk Health Unit, paediatrics, the emergency department and the intensive care unit have all had publicly reported staffing shortages. In some of these units the relevant colleges have warned Canberra Health Services that unless it takes immediate action to fix staffing levels, they will remove the Canberra Hospital's accreditation to train junior doctors, because they believe these units will be unsafe.

For all these catastrophic failings and neglect from this government, it has not accepted the blame. Instead, we have heard that other jurisdictions have these issues; that there are national and international shortages of frontline workers; and that these are known challenges. While this may be true, this government cannot hide from the fact that, over the course of this term, it is failing to retain our frontline health staff. You would think that a Labor-Greens government, especially one which has been in charge for so long, while our benchmarks have declined, would at least be focused on retaining our experienced staff. Sadly, this is not the case.

The ANMF's submission to the Inquiry into Recovery Plan for Nurses and Midwives provided comments from frontline workers. I think this comment from one member sums up the situation best. They said:

We are broken. Please help us. Your staff are not okay. I've never seen this level of fatigue and distress ... This ISNT able to be blamed on Covid. This already existed ... My colleagues aren't ok. Do something.

“Do something”, is the crucial point that Labor and Greens members should take away from this debate. I am sure that we will hear about all of the workforce initiatives that the government is trying to implement, but it is clear that there has been no fundamental change. In fact, the minister said this herself during the health committee's inquiry. She said:

... the feedback that we certainly saw in the cultural review in 2018 and in probably some of the culture surveys at that time and subsequent was, 'We keep telling you these things and we keep giving you the same feedback and we do not see action.'

Recently, the minister smugly announced in this chamber that more than 2,000 staff transitioned from Calvary to CHS. What she failed to mention was that there were at least 90 staff that left Calvary because they did not want to join CHS. This goes to show the kind of government that we have presiding over the health system: one that is not remorseful when 90 staff leave their jobs because of the government's decision. Instead of showing remorse that these staff have left our public system, the minister tried to score political points. Let us keep in mind that it was the branch secretary of the ACT ANMF, Matthew Daniel, who said:

Staffing levels are so thin that even the loss of one nurse or midwife has real implications for a ward or clinical unit ...

In March this year, 14 senior midwives wrote a letter warning their bosses of shortfalls in the birth suite which could contribute to delayed care and could result in poor outcomes. It appears that no meaningful action was taken following this alarming letter. Later, the Canberra Hospital called two code yellows, or "internal disasters", due to serious staff shortages. Instead of trying to address concerns from these senior midwives, the government decided to take over a hospital in the middle of flu season! Instead of being apologetic that our frontline workers had to endure two internal disasters, the minister instead said:

I know that Ms Castley likes to make a big deal of code yellows, but actually code yellows are called on a regular basis across Canberra Health Services ...

It is not difficult to see why 11 midwives did not want to transition to CHS. Instead of providing solutions, the minister tells us that internal disasters happen regularly. These staff deserve more from this government. They should be listened to, and work should be proactive in order to prevent units getting to the point where they have to call code yellows due to staff shortages.

Midwives took one more stab at asking the government to address their shortages in their area, telling the *Canberra Times* that they wanted Canberra Health Services to develop a retention strategy and consider bonuses or other incentives to retain and value midwives. The Canberra Liberals believe our government should be trying everything to retain our midwives; however, we also acknowledge that the problem extends across the entire frontline workforce. In May last year, the minister acknowledged issues around senior staff leaving our health system and said:

... we're seeing experienced staff moving out of those hospital settings and that's also had a workforce impact ...

Days later it was revealed that 25 nurses had left the intensive care unit, and senior nurses also left our emergency department. Since 2019-20, we have seen the separation rates for CHS staff increase from 7.3 per cent to 11 per cent in 2022-23, while the recruitment rate has stayed the same. The 2021 workplace culture survey revealed that almost one in eight nurses and midwives intended to leave the

organisation within the next two years. For medical officers in our health system, more than one in four said they would leave CHS in two years.

Lack of senior staff is impacting several units in CHS. The obstetrics and gynaecology accreditation report says:

Concerns were raised about training supervisors' health and wellbeing; the impact of burnout at this level was evident and inhibited trainees going to them for support as they did not want to overburden the training supervisors further ...

The consultant staffing was described as being at a “persistently critical level” with the ability to meet clinic needs often impacted by unplanned leave, staff turnover both within the department and in adjacent multidisciplinary areas.

We know that the fetal medicine unit had its training accreditation suspended due to senior staff specialists leaving the unit. Currently, Canberra Health Services is advertising for 16 medical positions—senior medical positions—which are in areas such as radiology, paediatrics, rheumatology and cardiology, to name a few. Members are already aware of the impacts to our health system and service delivery if we continue to fail retaining staff.

An article in the *Canberra Times* on 11 October exposed that this government has also failed our allied health staff. The national president of the Community and Public Sector Union said that the pay and conditions of Allied Health professionals were “significantly behind” other jurisdictions:

As a result, it is difficult to attract and retain staff and current employees are paying the price.

CPSU members in the Canberra Hospital's medical imaging department have seen their colleagues burn out, leave the ACT or leave the health service altogether. Again, the Canberra Health Services' job advertisement page tells us that there are currently 148 jobs that are being recruited. It is another area where CHS are losing staff to other states because the government are unwilling to come to the table to discuss retention initiatives.

Radiation therapists employed under the health professionals EBA have also criticised the government in the media for failing to address workforce retention, as 19 workers have left over the past few years. To understand the impacts that this is having on our health system, you only need to look at the recent CHS annual report. CHS failed to meet all of its radiotherapy treatment within standard time frames over the course of 2022-23. Only 93 per cent of emergency patients were seen on time, compared to a target of 100 per cent. Fifty-eight per cent of palliative patients were seen within standard time frames, compared to a target of 90 per cent, and only 65 per cent of patients that fall under the radical time frame were seen on time, compared to a target of 90 per cent. This all occurred despite this output going over budget by 14 per cent. The footnotes for this indicator tell us that CHS was unable to meet these targets because “there is an inability to increase capacity to match increased demand due to recruitment/retention difficulties within the Radiation Therapist staff”.

In this motion, I call on the Labor-Greens government to take a decisive action by exploring the provision of retention bonuses to retain staff and, hopefully, also to attract them. Other jurisdictions which have been affected by both the pandemic as well as the national and international shortages have acted. On the east coast of Australia, only the ACT has failed to release any significant policy or initiative to show our frontline workforce that we appreciate them and that we want them to stay in the ACT.

The health minister rejected calls from the ANMF to look at bonus payments, like New South Wales and Victoria, to instead provide a pay rise for all staff through an enterprise agreement wage offer. Mr Daniel said in a *Canberra Times* article that there had been an increase in nurses and midwives transferring out of the ACT due to incentive programs in New South Wales. He said:

We've also seen a number of people who are resigning their membership with us, because they bring their retirement forward.

Whether the Chief Minister and the health minister like it or not, jurisdictions across the country are offering frontline workers incentives to come and work in their jurisdiction. We are in a situation where other jurisdictions are offering initiatives to attract workers away from the ACT and this government, by dragging its feet on retention initiatives, is not showing staff that we value their contribution and want them to stay. A lack of retention initiatives combined with failures to safely staff units, reduce work health safety incidents, implement meaningful cultural change and fund our public health system mean that we will continue to lose our frontline staff to other jurisdictions.

I agree that there are national and international challenges recruiting staff and that COVID has had unprecedented impact on our frontline health workers. What do I not accept is that this is an excuse for failing to retain frontline workers. Canberra's experienced workers are being ignored by this government and protesting, retiring early, or leaving to go to other jurisdictions. This is unacceptable, inexcusable and the government must act quickly. I commend my motion to Assembly.

**MS STEPHEN-SMITH** (Kurrajong—Minister for Aboriginal and Torres Strait Islander Affairs, Minister for Families and Community Services and Minister for Health) (3.39): I move the amendment circulated in my name:

Omit all text after "That this Assembly", substitute:

"(1) notes:

- (a) the international health workforce crisis is impacting all States and Territories in Australia;
- (b) a range of initiatives are required to recruit and retain experienced health professionals, and the health workforce themselves often do not rate financial incentives as their highest priority;
- (c) the ACT Health Workforce Strategy 2023-2032 was released on 4 May 2023 to build and retain a sustainable health workforce as the ACT's population continues to grow;
- (d) a facilitated stakeholder workshop was undertaken on 25 July 2023

- with 78 participants from 36 organisations, to progress the ACT Health Workforce First Action Plan 2024-2026;
- (e) the ACT Government has engaged with the Standing Committee on Health and Wellbeing's inquiry into a recovery plan for nursing and midwifery workers and will closely consider its conclusions and recommendations;
  - (f) the Canberra Health Services (CHS) average length of service has remained between 7.3 and 7.6 years since 2019-20, and CHS recently celebrated 50 years since the Woden Valley Hospital was established with staff who have worked at the hospital for more than 20, 30 and 40 years respectively;
  - (g) the CHS 2022-23 annual report states the recruitment rate for the financial year for all staff was 16.8 percent, against a separation rate of 11 percent;
  - (h) response to Estimates QoN 90 provides the trend for full-time equivalent staff and headcount at CHS and shows this growing year-on year since 2020-21 in line with the ACT Government commitment to invest in an additional 400 health professionals, which was delivered early to support the ACT's health workforce now;
  - (i) according to the Australian Institute of Health and Welfare's latest MyHospitals report, the average salary of full-time equivalent staff in public hospital services by States and Territories in 2021-22 showed the ACT has the third highest average salaries in public hospital services in the country, with diagnostic and allied health professionals in the ACT having the highest average salary in Australia;
  - (j) ACT Public Service (ACTPS) Enterprise Agreement negotiations are ongoing with industrial partners across the health workforce enterprise agreements; and
  - (k) the core offer across ACTPS Enterprise Agreements includes a significant salary percentage increase for lower paid workers, a cost-of-living supplement and enhanced entitlements across all agreements, including improvements to a number of leave types; and
- (2) calls on the ACT Government to:
- (a) continue implementing the early actions in the ACT Health Workforce Strategy and finalise the ACT Health Workforce Strategy First Action Plan;
  - (b) continue to negotiate in good faith with industrial partners in the current round of ACTPS Enterprise Agreement negotiations to finalise the Support Services, Health Professionals, Nursing and Midwifery and Medical Professionals Enterprise Agreements that support frontline health workers;
  - (c) continue to develop evidence-based initiatives to recruit and retain a sustainable health workforce into the future; and
  - (d) continue to work through National Cabinet and the Health Ministers Meeting to support implementation of the independent review of health practitioner regulatory settings commissioned by National Cabinet and being led by Ms Robyn Kruk AO."

What we see in this motion from Ms Castley is more of the same old, same old: no new information, no new ideas and no policy from the Canberra Liberals. In her radio



grabs, Ms Castley has clearly confirmed that she actually cannot say what the Canberra Liberals would do or will do. She cannot say that they would do anything different.

This is the same conversation that we have had, and Ms Castley is very well aware that there has been an entire committee inquiry in relation to nursing and midwifery recovery and initiatives. We are awaiting the conclusions and the recommendations of that inquiry. We look forward to getting those, and we will respond to those, but that does not mean that we have been standing still.

Ms Castley says, “Do something”, and yet she ignores every single thing that the government have done, are doing and will continue to do—all of the conversations that we continue to have with our staff and with their industrial representatives. She ignores the fact that we have a workforce strategy, that we have early actions out of that workforce strategy and that we have worked in a facilitated stakeholder workshop with 78 participants and 36 organisations to develop the first action plan under that strategy. Exactly what our stakeholders were calling for us to do was to have a comprehensive workforce strategy while working on some of the challenges that they have identified as key to recruitment, to retention, and, of course, to wellbeing, which is vitally important.

Ms Castley seems to think that a perfect health service would be a service with zero turnover. She seems to think that it is unusual in these post-COVID times to have an increase in the separation rate, but she ignores the fact that we have seen for the 2022-23 financial year a recruitment rate at 16.8 per cent for Canberra Health Services, against a separation rate of 11 per cent. Is 11 per cent higher than it was pre-pandemic? Yes, absolutely. We have seen that—again, across health services around the country and around the world—partly because health care workers were delaying retirement or delaying a move during the COVID-19 pandemic and then chose to move.

It is also true that health workers were burnt out through COVID-19, and I recognise some of the challenges that Ms Castley has identified are real. But it is not the case, as she repeatedly says, that we are ignoring these challenges and that we are not doing anything to respond to these challenges. If you are going to say that there are challenges, then it is incumbent on you to recognise what is being done to address those challenges.

Ms Castley has focused in her motion specifically on financial incentives. It is, again, true that other jurisdictions have been offering financial incentives. In most of those jurisdictions, when you look into it, the financial incentive that has been offered does not even come close to closing the gap in annual wages between the ACT and those jurisdictions. I do not have the exact numbers on me, but my recollection is that when Victoria offered a \$3,000 incentive for nurses and midwives, the annual gap in wages between Victoria and the ACT, where Victoria was lower, was close to double that incentive amount; similarly for New South Wales. So you cannot take one thing in isolation.

What we said at the time—and it is what we have continued to do—is that we would work with our industrial partners through the enterprise agreement process, which was underway at the time and continues. That was also exactly what Queensland did, because they were also in the process of enterprise bargaining when Victoria and New

South Wales made those announcements. Victoria and New South Wales were not in the process of enterprise bargaining. They were not about to offer generous wage increases to their staff; indeed, their governments were doubling down on not offering substantial wage increases to their frontline healthcare work staff! They were offering a one-off payment, and we are working with our staff to offer much more generous wage increases as well as a cost-of-living payment, under the enterprise agreements, of \$1,250.

We of course want to get those enterprise agreements finalised as quickly as possible, and we are negotiating with all of our industrial partners to do that, but we have not stood still while we are doing that. Through the 2023-24 budget we are investing more than \$28 million over four years to increase supports that improve working conditions for our public health workforce. This investment includes an additional \$2.2 million to further support workforce planning and to implement the early actions of the ACT Health Workforce Strategy 2023-2032. It builds on the \$6 million investment in the 2022-23 ACT budget to improve attraction and retention strategies; to establish ongoing data analytic capability to perform health workforce data modelling across the territory, in partnership with the ANU's National Centre for Health Workforce Studies and the Capital Health Network; to engage the future workforce to promote careers in the ACT health system; to implement a targeted program to build the Aboriginal and Torres Strait Islander health workforce; and to expand the health workforce planning team in the Health Directorate to implement the remaining early actions.

The 2023-24 budget also includes key investments across a range of areas and for specific work groups. We have invested in more than 80 additional medical, nursing, midwifery and allied health positions. This means an additional 570 health profession positions funded since the 2020-21 budget, far exceeding the 400 additional full-time equivalent positions we committed to over this term of government. There will be more before we reach the next election, because we are delivering on our commitments and investing in the vital public health workforce that our growing community needs.

We are responding to requests from the workforce and stakeholders. We funded improvements for the wellbeing of junior medical officers. These changes include longer contracts to improve job security for graduating doctors; creating additional positions for these extended contracts; and increasing pastoral care and training development coordination across Canberra Hospital.

Other health workforce investments in the budget include: \$1.25 million for the continuation of the Indigenous Allied Health Australia ACT Health Academy; \$3 million to provide study support payments for health-professional students to continue strengthening the pipeline of students who choose to study and work in the ACT—an attraction and retention incentive! There is a significant wages boost for Canberra Hospital cleaners, a low pay workforce that has all too often been the invisible backbone of our health system—and, indeed, is invisible in Ms Castley's motion.

As part of the budget, the government is investing more than \$122 million over four years to increase staffing and resources to operate the new critical services

building. This investment includes more frontline health professionals and more support staff for the new emergency department operating theatres, intensive care and inpatient areas.

The government is also currently negotiating to finalise the next phase of mandated nurse and midwife to patient ratios, which will further boost the government's investment in safety in the workforce, with a significant focus on ratios in maternity services—again, investing in the things that our healthcare workers have told us are most important to them.

These investments build on previous significant budget initiatives in health workforce and health system initiatives, and targeted investment in allied health and nursing positions: \$8.75 million over four years in the wellbeing and recovery fund; \$6.5 million in embedding a positive safety culture in the ACT public health system, building on the success of the Towards a Safer Culture first step strategy; more than \$50 million over four years to implement phase 1 of ratios; investment in continually improving clinical governance to strengthen the safety of the ACT health system, alongside workforce support; funding for targeted workforce scholarships to expand current scholarship programs on offer and to complement the considerable entitlements that already exist in our enterprise agreement; and more than \$16 million in more allied health professionals to support multidisciplinary teams and expand service provision.

Australian Medical Association ACT President Professor Water Abhayaratna, on radio this morning, said:

Honestly ... I think what people really want is professional fulfilment.

This is the context for all of this. He said that we are very clear that financial incentives should only be considered as one of a number of initiatives. Indeed, Professor Abhayaratna spoke on radio this morning about the success of the programs that we already have in place.

I would, in fact, highly commend Professor Abhayaratna's interview on radio this morning. He also spoke about how comfortable and relaxed the healthcare sector is in relation to the implementation of the Drugs of Dependence Act changes this weekend. Not only are those changes supported but everyone is confident that systems are in place to support those changes.

The ACT government is committed to supporting our healthcare workers now and into the future. The workforce strategy was launched in May and sets out the plan for a territory-wide approach to building and retaining a sustainable health workforce over the medium and long term. This is reflected in eight key strategic priority areas and 23 early actions that are currently being implemented. The priorities have a focus on a culture of learning and development, leadership, innovation, and inclusiveness. These priorities will help us deliver on our collective ambition to have the most capable health workforce in Australia.

Three of these early actions have, in fact, been completed. Action 6 was a commitment to improve publicly available health workforce data, with the intent to

provide transparent health workforce data within the ACT. The first suite of ACT health workforce statistics was published on the ACT Health website on 13 July 2023. This data will be updated annually and over time will include more data on the self-regulated and unregulated health workforce. Action 19 was a commitment to convene a student roundtable in 2023 to hear from our future health workforce about their career aspirations and how these can be supported. This event was held on 26 April, and I was really pleased to attend and meet with students and deans from the University of Canberra, Australian Catholic University and ANU. Action 18 committed to mapping migration pathways for international recruitment. I can advise that migration pathways for health professionals are, of course, currently being reviewed at the national level as part of the health workforce taskforce, and under Ms Robyn Kruk's review, which is being supported by all health ministers. The ACT will continue to work with the commonwealth and other states and territories to improve those pathways.

A further eight actions under the strategy are being progressed as part of business as usual by the ACT Health Directorate and Canberra Health Services; for example, the implementation of the wellbeing and recovery fund, embedding a positive workplace culture, and exploration of models and partnerships to grow and sustain a learning health system. I think it is really, really important to recognise that things like the research strategy—both the broad ACT health sector research strategy and the Canberra Health Services research strategy—and the Canberra Health Services teaching and learning strategy and, of course, our wellbeing initiatives are all fundamentally important to attracting and retaining staff.

Ms Castley can only ever see one thing at a time and only ever something that the government has not done and should do. She will not say whether the Canberra Liberals would do it, what the Canberra Liberals would do or, indeed, whether they have any ideas, at all, of their own to improve our health system or anything else in our great city.

**MR DAVIS** (Brindabella) (3.53): I rise to speak on Ms Castley's motion on health workforce retention and on Minister Stephen-Smith's amendments, which the Greens support. We all know that our workforce is at the heart of our healthcare system and is central to supporting healthy and thriving communities. Our healthcare workforce is at the centre of keeping people physically and mentally healthy. It is at the centre of supporting people who care for their health in their homes and outside of hospital. It is at the centre of caring for us and our families and friends at some of the most difficult moments in our lives.

The workers that Ms Castley's motion mentions have been discussed many times in this place—people who work at Canberra Hospital in obstetrics and gynaecology, cardiology, plastics and reconstructive surgery, fetal medicine, intensive care, emergency, radiology, and paediatrics and children's health. The working conditions of many of these units have, regrettably, drawn media attention—something that I am not convinced actually helps any of these workers. We have the debated issues of these hospital units, including understaffing issues and training accreditation and the impacts that these challenges have on workers and on patients.

I am pleased to see that this motion today makes a genuine attempt to put these workers first by calling on the ACT government to develop a retention strategy and to investigate incentives to support frontline health workers to stay in our health system. Our health workforce has faced unique challenges in the past few years. Healthcare workers supported our entire country through the many years of the COVID pandemic. The health sector has experienced significant worker shortages across the country, in no small part due to exhaustion and burnout and related to the pandemic. This challenge is not limited to the ACT but, of course, we do need to do more.

To address the challenges facing our nursing and midwifery workforce in particular, we saw a petition of 2,697 signatures tabled in this Assembly on 3 August 2022, which established the committee inquiry into a recovery plan for nursing and midwifery workers. That committee inquiry is ongoing, with a particular focus on worker health and wellbeing. As chair of that committee, I look forward to presenting that committee's report in due course. I will, of course, follow the government's response to that committee work closely in the hope that the committee's work honours the commitment that we made to the frontline healthcare workforce, and that was to elevate the voices of their experiences in our public health care system.

I welcome the federal government's recent investment in our nurse-led walk-in centres. This helps us employ even more healthcare staff in these well-loved and appreciated public healthcare centres, supporting the already excellent care that thousands of Canberrans have received in these facilities.

In my work in this place, I have always sought to prioritise the wellbeing of all workers, in all workplaces, at all times. I was keen to publicly advocate for teachers during their recent enterprise bargaining agreement negotiations, and I was very glad to see that the government delivered a substantial pay increase for our public teachers. Pay is one of the ways in which we can demonstrate to workers that they are respected and valued by their employer. I implore, once again, the government to do the exact same in the ongoing enterprise bargaining agreement negotiations with our healthcare workers.

After radiology staff recently took industrial action over pay and conditions, I extended solidarity to those workers and met with their union to demonstrate my support for their ongoing efforts to secure better pay and working conditions. The minister's amendments to Ms Castley's motion demonstrate the huge amount of good work that the government is doing to support the recruitment and retention of frontline healthcare workers in the ACT.

The new ACT Health Workforce Strategy and development of the health workforce first action plan show that this government knows how important it is to recruit great workers, to value those workers and to keep those workers. Of course, pay is not a panacea. Pay cannot compensate for poor working conditions or a lack of supports or training, but it is certainly one of the obvious and fundamental ways employers can demonstrate to their workers just how important they are, that they are respected and that we see how hard they work. We need to make a concerted effort to give people fulfillment in their roles so they can support and be supported by their peers, respected by management and trusted to do their work. I know that ACT Health and Canberra

Health Services are focusing on ways that a positive workplace environment can be fostered in addition to appropriate remuneration.

The President of the ACT AMA, Dr Walter Abhayaratna, echoed this sentiment on ABC radio this morning, saying:

...we have had these sort of allowances to bring in certain groups that we struggle recruiting ... some very successfully ... Targeted approaches to draw people into the area and stay here would be welcomed ... but honestly, ... I think what people really want is professional fulfilment. They are very much dictated by the system issues that allow them to prosper in their jobs, so I think we should be working strongly on that.

No effort should be spared when it comes to taking care of our frontline healthcare workers. I thank Ms Castley for bringing this issue to the Assembly today and I commend her for her ongoing commitment to our frontline healthcare workers. I will continue to prosecute the case for having the best paid and treated frontline healthcare workers in the country and will continue to engage constructively with Minister Stephen-Smith and her office to achieve this outcome.

**MS CASTLEY (Yerrabi) (3.59):** Yesterday, the minister released a report on designing ACT Health Services for a growing population. Buried in the consultation outcome report, the section on a new north-side hospital, there was this gem, stating:

Most survey responses (60%) related to quality and safety. Of these responses, 49% talked about workforce and 32% mentioned wait times. The most common feedback overall was that the existing hospitals are understaffed and as a result, the wait times are excessive.

I call that a very timely contribution to this debate.

Evidence provided to the Standing Committee on Health and Community Wellbeing's inquiry into a recovery plan for nursing and midwifery workers indicated that Canberra Health Services' major workforce issue is retention. The Chief Executive Officer of the Australian College of Nursing stated that retention should be weighted higher than attraction. The CEO said:

The reality is that, over the last few years and during COVID, what we have seen nationally—and the ACT is no different—is a loss of the workforce in their mid to senior years ... The real concern for the nursing profession in delivering care to all Canberrans is the expertise, with the years of knowledge and experience, walking out the door or taking part-time options over full-time.

Retention bonuses for senior staff have been suggested publicly by nurses, midwives and allied health staff. Midwives said in the *Canberra Times* recently that they want CHS to develop a retention strategy and consider bonuses or other incentives to retain and value midwives. The current cost of agency staff being used in the Centenary Hospital for Women and Children is high. Information provided on Monday, in an answer to a question on notice, showed the estimated minimum cost for providing 10 midwives from 14 August to 11 September 2023—less than a month—was \$123,504, an average of \$30,876 per week.

Other states have offered a wide range of incentives to attract and retain frontline staff. The Victorian and New South Wales governments have offered a \$3,000 retention payment for frontline health workers who were full time during the pandemic. The Queensland government has offered between \$20,000 and \$50,000 for frontline health workers to move to the state. New South Wales has offered retention bonuses of \$10,000 to \$20,000 for workers who work in remote and rural areas. The ACT government has so far ruled out similar measures to New South Wales, Victoria and Queensland, instead favouring increases in wages and salaries through enterprise bargaining agreements.

We keep hearing that the ACT government has spent around \$100 million on staff initiatives aimed at improving conditions, wellbeing and increasing staff numbers. These measures have largely been viewed as a failure, with some stakeholders publicly criticising the government solutions. This week radiographers at Canberra Hospital will be taking further industrial action. CPSU members will not be doing any overtime, due to ongoing pay disputes and staff shortages. It is the second time this month that industrial action has been taken. CPSU National President Brooke Muscat has said:

The ACT government and Canberra Health Services need to act fast. There are serious shortages of allied health professionals across the service, which if left unaddressed, will lead to more delays, unsafe work practices and services dropping below the standards expected by the Canberra community. CPSU members don't want to take industrial action, but when the government gives staff nothing but radio silence, it's difficult for members to do anything else.

Whilst the CPSU is not necessarily seeking retention bonuses for radiographers, clearly they are experiencing the same issues as other frontline health workers.

The root cause of these problems is the Barr-Rattenbury government's prioritisation of the tram over health. Over the last decade, funds which should have underpinned public health care have been instead diverted to the tram. The impacts of persistent funding cuts over a decade have been severe—poor emergency department performance; growing outpatient elective surgery waitlists; staffing shortages and overworked and stressed staff, leading to unsafe staff levels and a high workforce churn; training and accreditation lost or in jeopardy; poor workforce culture; and undelivered or delayed infrastructure.

You have to ask: how long can this government minister keep paddling? Both the health minister and the Chief Minister have described retention bonuses as a race to the bottom. It is time this government developed a retention strategy for frontline health workers. It is time it explored the provision of retention bonuses or other incentives.

I will just pull out a few points from the amendment. Mr Davis and the minister referred to the workforce strategy. You cannot just add the word "retention" to a document and say that you have got a retention plan or that you are addressing retention, because in the workforce strategy "retention" is only mentioned nine times. It then refers to another document, the *Better together* document, saying that this is where the action will be taken. The word "retention" does not come up at all if you do a quick search of that.

I was really interested that Mr Davis also talked about the huge amount of work going towards retention in the workforce strategy. I would love to hear if he knows exactly what that means and what those actions are, because it is clear that the peak bodies, the union and even the frontline workers have talked about the band-aid solution. I believe it was the ANMF that said that midwives are sick of initiatives such as Code Lavender. If that is the best retention option that this minister could come up with then it is a disgrace.

I also absolutely agree with Walter Abhayaratna. I have no problems with the thoughts he expressed on radio this morning. But it is clear that the minister will not consider retention bonuses, and is, in fact, against it. So we will not be supporting the amendment today. I think we should go to a vote.

**MS STEPHEN-SMITH** (Kurrajong—Minister for Aboriginal and Torres Strait Islander Affairs, Minister for Families and Community Services and Minister for Health) (4.06): If the question is that my amendment be agreed to, I can probably speak in closing to that, but I want to seek a correction of the record from Ms Castley. Ms Castley claimed that I have described retention bonuses as a race to the bottom. I would request that Ms Castley identify the source of that quote or withdraw that, because I do not believe that I have ever said that. If I have, and she provides the source, I am perfectly happy to accept that, but I do not believe that I have ever said that.

**Mr Hanson:** On a point of order, Mr Deputy Speaker: that was not a point of order. That was a debating point. There is no point of order.

**MS STEPHEN-SMITH:** I was closing the debate; I said that.

**MR DEPUTY SPEAKER:** Ms Stephen-Smith, I am unclear as to whether you are calling for Ms Castley to withdraw or whether you are calling for her to provide information on the quote, which she probably cannot do here in the chamber.

**Mr Hanson:** There is nothing there; it is just a debating point.

**MS STEPHEN-SMITH:** Under the standing orders, Mr Deputy Speaker, I claim to have been misrepresented by Ms Castley and request that she identify the source of that quote or withdraw the comment.

**Mr Hanson:** Mr Deputy Speaker, again, was this a point of order from the minister or was it her closing debate on the motion? She did not make it clear. Did she stand and make a debating point, closing debate on her amendment or is she actually raising a formal point of order? I am unclear.

**MR DEPUTY SPEAKER:** Members, I am just going to seek advice from the Clerk.

**Ms Stephen-Smith:** I might be able to help you, briefly. I was intending to close the debate and make the point as a debating point, but, following Mr Hanson's point of order, I am now calling a point of order, under the standing orders, claiming to have



been misrepresented by Ms Castley. If she cannot find a source for that quote, I ask her to withdraw that comment.

**MR DEPUTY SPEAKER:** Ms Castley, are you of a mind to withdraw?

**Ms Castley:** Yes, I am happy to withdraw, Mr Deputy Speaker.

Question put:

That the amendment be agreed to.

The Assembly voted—

Ayes 15

Noes 9

Andrew Barr	Mick Gentleman	Peter Cain	Mark Parton
Yvette Berry	Suzanne Orr	Leanne Castley	
Andrew Braddock	Michael Pettersson	Ed Cocks	
Joy Burch	Shane Rattenbury	Jeremy Hanson	
Tara Cheyne	Chris Steel	Elizabeth Kikkert	
Jo Clay	Rachel Stephen-Smith	Nicole Lawder	
Emma Davidson	Rebecca Vassarotti	Elizabeth Lee	
Johnathan Davis		James Milligan	

Amendment agreed to.

Original question, as amended, resolved in the affirmative.

## **Sentencing (Drug and Alcohol Treatment Orders) Legislation Amendment Bill 2023**

Debate resumed from 31 August 2023, on motion by **Mr Rattenbury**:

That this bill be agreed to in principle.

**MR CAIN** (Ginninderra) (4.16): This bill aims to amend the Crimes (Sentencing) Act 2005 to expand the accessibility of drug and alcohol treatment orders for offenders who might meet the eligibility criteria policy-wise, where the legislation does not align with that policy. The core of this bill endeavours to improve the legislation of the administration of drug and alcohol treatment orders, and to improve the operation of the Drug and Alcohol Sentencing List, the DASL. The Canberra Liberals will be supporting this bill.

At the moment, the Crimes (Sentencing) Act 2005 does not account for offenders who have received a sentence totalling one to four years to access a treatment order where the cumulative total of their sentence falls within the eligibility criteria but where no individual sentence is greater than one year. This bill will allow those individuals to access a treatment order.

The bill will also allow the courts to begin the sentence of imprisonment for a treatment order before the date of treatment order is imposed and to suspend the remainder of the sentence following the day of the treatment order's imposition. Hence, time spent in pre-sentence custody can now be included in total time served for offenders, as the court can backdate treatment orders following sentence. This is an enhancement of human rights, by considering detention awaiting trial as imprisonment. The bill will also clarify that the treatment and supervision part of a treatment order ends on the day stated by the court or on the day of the cancellation of a treatment order.

Offenders have to abide by the core conditions of treatment orders, and the bill makes amendments to include submission to alcohol and drug testing for offenders as one of the core conditions of treatment orders. The bill also gives power to the court to order an offender found to have breached their treatment order to be compelled, granted they pass the assessment for admission to detention in a residential rehabilitation facility.

The bill will make a range of other changes, including to allow the court discretion to cancel a treatment order and re-sentence the offender for each offence, if an offender breaches their treatment order by being convicted for an offence punishable by imprisonment. Then the courts will possess the capacity to either re-sentence the offender for each offence under the treatment order in any way in which the court could deal with the offender if it had convicted the offender of each offence at the time of re-sentencing, or to impose a sentence of imprisonment suspended by the treatment order.

As I said, this bill brings the legislation more into alignment with the policy of this DASL arrangement, and the Canberra Liberals will be supporting it.

**MS STEPHEN-SMITH** (Kurrajong—Minister for Aboriginal and Torres Strait Islander Affairs, Minister for Families and Community Services and Minister for Health) (4.19): I am pleased to speak today in support of the Sentencing (Drug and Alcohol Treatment Orders) Legislation Amendment Bill 2023. The establishment of the Drug and Alcohol Court was a key action in the ACT Drug Strategy Action Plan. When the Drug and Alcohol Court was established in the ACT Supreme Court in 2019, it was intended to reduce problematic substance use and the associated offending and reoffending, to contribute to a safer, better connected Canberra community.

The Australian National University's evaluation of the Drug and Alcohol Court found that it is successfully diverting participants from imprisonment into drug and alcohol treatment, with marked improvements in participants' drug use, offending, victimisation and use of hospital services. The Drug and Alcohol Court is a key part of the ACT government's overarching harm minimisation approach to alcohol and other drug use, as expressed in the ACT Drug Strategy Action Plan 2022-2026. The action plan recognises the range of factors contributing to alcohol and other drug use, and the importance of diversion from prison and from the broader criminal justice system.

Drug and alcohol courts make a very real difference in the lives of a group of high risk and high needs offenders. We know that by taking a therapeutic approach drug and alcohol courts can rehabilitate and restore dependent offenders. We also know that this cohort of offenders has high rates of recidivism, so the focus on treating the individual has flow-on benefits for the whole community in reducing crime.

The changes proposed by the bill will improve the operation of the Drug and Alcohol Court or Drug and Alcohol Sentencing List by making it more responsive and accessible. One of the key amendments in the bill will ensure that the legislation applies to an offender with multiple offences that add up to a prison sentence of between one year and four years. This will expand the eligibility for the Drug and Alcohol Court, meaning that for people who may have continued to offend until they have reached the threshold, the Drug and Alcohol Court can in fact access it sooner. Other technical amendments will help the court to be more flexible in relation to participants' circumstances, as appropriate, and provide clarity on a range of issues raised by stakeholders.

The health sector has played a pivotal role in this journey. From the very beginning, potential participants in the Drug and Alcohol Court have contact with health professionals and will be guided right through to the completion of the program. I want to thank the non-government service providers in the alcohol and other drug treatment sector who have been supporting the success of the Drug and Alcohol Court since the beginning. These services play an integral role in providing the evidence-based treatment required to support Drug and Alcohol Court participants.

Our sector partners provide high quality services to participants, supporting them in their journey through the program. A range of services are available, including residential rehabilitation, day rehabilitation programs, counselling and transition programs, to address the different needs of participants at different stages. These services are highly valued by participants and the wider community.

I also thank those in Canberra Health Services who work in this program. In the 2023-24 budget the ACT government committed \$1.75 million to treatment and support services, as well as an additional \$2.35 million to Canberra Health Services in support of the Drug and Alcohol Court for 2023-24 and allocated funding for future years. This is on top of the ACT government's record levels of funding for the alcohol and drug sector, which has grown by more than 30 per cent since 2018-19 to more than \$26 million in 2023-24. As part of this larger program of work, members will be aware that amendments to the ACT's drug laws are commencing later this week, on 28 October. Indeed, how could we forget, following yesterday's conversations!

Maximum penalties for the possession of small amounts of certain illicit drugs for personal use are being reduced, with an additional pathway away from the criminal justice system, in line with the National Drug Strategy's focus on harm minimisation and diversion away from the criminal justice system, recognising the harm that engagement with the criminal justice system can cause in and of itself. Like the Drug and Alcohol Court, these changes aim to reduce the harm associated with illicit drugs, with a focus on diversion and access to treatment and rehabilitation. They will help people with drug use issues to get the support that they need.

ACT Labor have always supported the rights of people to have drug use treated as a health issue, and we will continue to do so. I commend this bill to the Assembly.

**MR RATTENBURY** (Kurrajong—Attorney-General, Minister for Consumer Affairs, Minister for Gaming and Minister for Water, Energy and Emissions Reduction) (4.23), in reply: The Sentencing (Drug and Alcohol Treatment Orders) Legislation Amendment Bill 2023 reflects the government’s continuing dedication to providing criminal justice responses which address the causes of offending and to reducing recidivism through therapeutic drug and alcohol rehabilitation and intensive sentencing options.

The bill continues the implementation of the recommendations made by the ANU’s independent evaluation into the Drug and Alcohol Sentencing List, and the statutory review, by improving the clarity and operation of the legislation. Since its introduction there has been positive public support for the bill, particularly the amendments which would expand the eligibility criteria for drug and alcohol treatment orders.

It is heartening to see the community welcoming not only therapeutic rehabilitation but the meaningful and practical benefits the Drug and Alcohol Sentencing List has for our justice system. Importantly, the bill expands eligibility for the program, as has been noted, to allow for greater participation by offenders at risk of recidivism, by including sentences which cumulatively fall between one and four years to be referred to the Drug and Alcohol Sentencing List. This will make the list accessible to a wider range of people, particularly women, who are currently under-represented in this scheme, as they tend to have a combination of shorter sentences. This amendment also gives effect to a recommendation for a statutory review of the list, which was tabled in this place on 31 August this year.

The bill amends the legislation to allow drug and alcohol treatment orders to be backdated to take into account the time the offender has already spent in custody. This brings drug and alcohol treatment orders into line with other community-based sentencing orders and promotes fairness and the right to liberty.

The bill amends the core conditions of drug and alcohol treatment orders to require participants to submit to alcohol and drug testing. While this testing can currently be ordered as a treatment plan condition, including the requirement in the core conditions means it will automatically apply to all drug and alcohol treatment orders. This will support the treatment team’s ability to monitor the progress of participants throughout the duration of their order.

The bill also provides greater flexibility to the court in circumstances where a person has breached a condition of their order but has not committed further offences. This amendment facilitates the court’s ability to order participants to complete intake assessments and enter residential rehabilitation programs, as well as to make other orders consistent with the Crimes (Sentencing) Act and the Crimes (Sentence Administration) Act. Not only does this increase the court’s flexibility but it does so in a way which is supportive of the participant’s recovery.

The bill allows for the court to extend the provisional cancellation period beyond 14 days. The provisional cancellation recognises circumstances where a participant is still benefiting overall from the drug and alcohol treatment order but a breach has occurred which warrants a more serious sanction and a more intensive therapeutic response.

Under the current legislative framework, because of the 14-day limit, some treatment orders have been cancelled in situations where the person would continue to benefit from a drug and alcohol treatment order but appropriate treatment facilities were not available within that precise time—that is, the 14 days—and the court was not minded to otherwise release the offender into the community without the intensive treatment support. The ability of the court to extend the provisional cancellation period, in limited circumstances, facilitates the objective of the treatment orders and gives greater flexibility to the treatment team in their consideration of rehabilitation options appropriate in the circumstances, without the risk of a person’s order needing to be cancelled.

How the court can manage interactions between drug and alcohol treatment orders and other convictions has also been improved through clarifications to section 80ZD. This ensures that a treatment order will not be cancelled by conviction for an offence that occurred prior to the participant entering the treatment order, improving fairness within the scheme for the participant. It is also expected that this will limit the number of cancellations which result due to technicalities, rather than participant fault.

A further amendment to this section will also increase the court’s discretion in determining what should occur when a treatment order is cancelled, to allow the court to either impose the suspended imprisonment under the treatment order or to re-sentence the offender for the offences. This brings the treatment order scheme into line with the breach provisions for other community-based sentences and will provide greater flexibility and fairness where the court considers the new conviction may not warrant the imposing of the entire suspended imprisonment.

The bill is a link in the broader government strategy to build community safety and wellbeing through reducing recidivism, addressing the drivers of offending and improving the lives of individuals and families, rather than increasing incarceration.

A report of an independent evaluation of the Drug and Alcohol Sentencing List was published by the Australian National University last year. This evaluation made preliminary findings that the Drug and Alcohol Sentencing List has been highly effective, not only in the reduction of reoffending but also in the promotion of positive health, relationship, employment and quality of life outcomes. A preliminary economic assessment of the Drug and Alcohol Sentencing List also found that up to \$14 million has been estimated to have been saved by the program due to the reduction in prison time, likely more than offsetting the cost of the program itself.

The Drug and Alcohol Sentencing List focuses on a particular cohort of people whose dependencies have resulted in detrimental outcomes for themselves, their families and our broader community. To date, the Drug and Alcohol Sentencing List has provided 89 people with the opportunity to address their addiction, break the cycle of offending and lay the groundwork for a positive future.

I thank Mr Cain and Ms Stephen-Smith for their contributions to the debate today. I think their observations on the legislation were good ones. I welcome the support of the Assembly for this bill. It will provide a series of what are seemingly administrative and technical adjustments that I think will, as I have described in my remarks today, improve the operation of the legislation and, in light of the findings of the evaluation, help the legislation to operate more in the spirit of the intent in which it is designed to work. 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.

## **Statements by members**

### **Speaker's new citizens welcome night**

**MS CHEYNE** (Ginninderra—Assistant Minister for Economic Development, Minister for the Arts, Minister for Business and Better Regulation, Minister for Human Rights and Minister for Multicultural Affairs) (4.31): Mr Deputy Speaker, I want to take a moment to acknowledge the Speaker's new citizens welcome night, held on Monday night, which you and I, and, of course, the Speaker, attended.

This was the first of these evenings held here since COVID. Last term, they were always well attended, and Monday night was no exception. All new citizens who have received citizenship in recent months, and their families, were invited to the Legislative Assembly to get to know their local parliament, share food, meet their elected representatives and find out how they can be involved in our democracy. It was a wonderful occasion, with attendees enjoying the hospitality, a tour of the building and a Q&A in the chamber with their local MLAs. I was delighted to see a number of familiar faces and to make a few new friends as well.

Thank you especially to the Assembly's education team and all those who supported them—in particular, Janice Rafferty—for their efforts in making the event so great. It did involve working late the night before a double sitting week. I very much look forward to the next one.

### **Education—specialist schools**

**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) (4.32): Let us take a moment to recognise how awesome our public high schools are here in Canberra—in particular, my local high school, Alfred Deakin High School.

I saw a fantastic story in today's ABC News about how Deakin High supports inclusive education within the social model of disability. This is just what we should

be aiming for under recommendation 7.14 of the disability royal commission—phasing out and ending special or segregated education. Ms Bedggood, the teacher who runs Deakin’s diversity and inclusion program, said:

It was just the fair thing to do, just to keep trying, and if something wasn’t working ... then we would try another angle. It was just about really flexible solutions.

What I most want everyone to hear are the words of Bas, a student with disability at Deakin High, who said:

All the evidence proves I am a regular kid, who can do the same things, but just cooler.

Inclusive, accessible public education: that is how it is done, and we need that to be the standard for the whole country. Thank you, Deakin High.

### **NATA Women Inspiration Network**

**MRS KIKKERT** (Ginninderra) (4.33): My heartfelt thanks go to an organisation that has orchestrated an event that has truly empowered women. I acknowledge the impact that this event had not only on the women it touched at the event but also their families, friends and colleagues. This Pink Night event was organised by the Women Inspiration Network of Canberra, supported by the Navya Andhra Telugu Association.

The organisation’s network aims to connect, inspire, empower and support women to be successful, and they successfully executed this through an event on women’s health and mental health held on 14 October. The theme for the night was “Style in Sari”, with a blend of music and dance.

At the event, we had the collective strength and wisdom of women from diverse backgrounds, experiences and aspirations, and that is their power. It was a night where empowerment was about recognising women’s worth, their potential and their ability to shape their own destiny through self-care and physical health.

Congratulations and thank you to Sahithi Paturi and her team for planning, organising and hosting a wonderful event. This powerful team has held many great events. I am looking forward to their next one.

### **Work health and safety—silica dust**

**MR BRADDOCK** (Yerrabi) (4.34): I want to state my support for the ban on the use of deadly engineered stone products. The union movement announced today that it had resolved to support the ban by the CFMEU and take all necessary steps to stop the use of these products by the middle of next year, if the government bans are not already in place. I am also of the view that the ACT government needs to be leading the efforts to ban this product.

These actions will protect thousands of workers who currently work with this deadly fashion item and who are exposed to high levels of silica dust. In some states, as many

as one in four stonemasons who have undergone health screening have been found to have incurable, debilitating and sometimes fatal lung disease—silicosis.

The reality is that workers have lost their lives after contracting silicosis when working with this fashion product. Since the first case of silicosis associated with engineered stone was reported in 2015, the number of diagnoses has risen dramatically. While silicosis cases can be found in workers across a range of industries working with silica-containing materials, a disproportionate number of silicosis diagnoses have emerged from those working specifically with engineered stone.

In 2021 a National Dust Disease Task Force report found that nearly one in four workers exposed to dangerous levels of silica dust from engineered stone have been diagnosed with silicosis and other silica-related diseases. It does not have to be this way. Knowing what we know now, there is no justification for the continuing use of engineered stone.

### **Drugs of Dependence (Personal Use) Amendment Act 2022**

**MS STEPHEN-SMITH** (Kurrajong—Minister for Aboriginal and Torres Strait Islander Affairs, Minister for Families and Community Services and Minister for Health) (4.36): I want to put on the *Hansard* record some quotes from Professor Walter Abhayaratna, the President of the Australian Medical Association ACT, on ABC Radio Canberra this morning, 25 October, on drug decriminalisation. On consultation, he said:

We've had quite a lot of input into these proposed changes, and we've had a year since the legislation was passed by the ACT government, so, you know, there's no surprises here. There has been good implementation, and it really requires the police to be working closely with the rest of the community. So overall, when you look at the bigger picture, I do agree that this is an approach that will be better to promote health, rather than make small amounts of substances a criminal offence, that could really change a person's life-long term.

On whether there will be more work for GPs, ED registrars and nurses, he said:

I'm guessing not much. The reality is in practice, my strong suspicion, and has been reported, that the police very rarely charge people for drug possessions in the quantities that the law is now changing, so I don't think that will change.

Is your question that we will be having an avalanche of increased use of recreational substances? I don't think so. I think people are—the reality is that people are using these small amounts of quantities, so it's much better to have a well-designed, well-supported and well-resourced diversionary program that can give people more literacy about the adverse effects of these recreational substances.

On whether decriminalisation will lead to increased use or pressure on the health services, he said:

I don't think there's a lot of evidence to show that. I would certainly be concerned if there was evidence that by changing the limit for recreational substances—we've already done this for marijuana ...



**Community councils—government support**

**MR CAIN** (Ginninderra) (4.38): I want to give a shout-out to our community councils. We have them in each of our districts in Canberra. With planning being such a hot topic, I have found myself attending many of the councils far and wide—not just the one in Belconnen, which is in my electorate. Just in the last month and a half I have attended meetings at the Belconnen Community Council—I unfortunately could not make last week’s meeting, but I did send a report to them; the Weston Creek Community Council; the Tuggeranong Community Council, which I attended virtually; the Woden Valley Community Council; and the very active Inner South Canberra Community Council.

One thing I continue to hear about—which is very disappointing, despite these councils being set up with such an important role—is the lack of genuine consultation that they feel they have with the government. This is not just my opinion; this is stated opinion. As I mentioned this morning during the planning debate, the combined community councils expressed really strong dissatisfaction with the consultation process that this government offers. But I do want to give them encouragement and commend them for what they do for our districts.

**Education—inclusivity**

**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) (4.39): The ACT government is committed to strengthening inclusive education in ACT public schools to support students with disability and diverse needs. We are currently finalising our inclusive education strategy. This strategy will ensure that ACT public schools and the system support students with disability to learn and participate in school alongside and on an equal basis with their peers. The strategy’s intent is not to reduce education options for families but to strengthen inclusive practice across all our schools in our system to provide real choice for students and families. There are no current plans to close specialist schools here in the ACT.

Discussion concluded.

**Adjournment**

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

That the Assembly do now adjourn.

**Environment—Mount Ainslie Nature Reserve and Callum Brae Nature Reserve**

**MS CLAY** (Ginninderra) (4.40): In the last sittings, I spoke about Jean Casburn, who recently passed away. I spoke about her work to protect Bluetts Block. Tonight I want

to speak about two other areas that people have been campaigning to protect. These are just two of the special places that Canberrans care really deeply about, and there are many more.

The first is the Ainslie Volcanics site. Five hundred and eighty-one people petitioned the Assembly to protect this area. This area is really important to the local community and to the volunteers working with ACT Parks and Conservation and the Molonglo Conservation Group. The Ainslie Volcanics Grassy Woodland Weeders are doing all that they can to maintain the area. It contains critically endangered natural temperate grasslands, box-gum woodland and habitat for many threatened species. Protecting it would line up with the 2017 ACT Native Grassland Conservation Strategy and the ACT Nature Conservation Act 2014. The area is also significant culturally. It has been nominated for listing.

The government have responded to the petition to say that they will not be incorporating the Ainslie Volcanics site into the Mount Ainslie Nature Reserve. The response agrees that “these sites have important ecological and cultural values that require ongoing protection and care”. The response goes on to say:

While adding this section into the protected areas of Canberra Nature Park could assist to secure ecological improvements, it will require significant additional resourcing to achieve conservation requirements to the level of a Nature Reserve.

This sounds like a prioritisation issue to me. That response sounds like the area is worth protecting, but we have not allocated enough funds to do so. The community is also pretty upset about this. Petitioner Amy Blain described the government’s response as “very disappointing”. She said:

We need the government to prioritise the environment. We’re in an ecological crisis and the ACT Government has promised to protect threatened grassland ecosystems, like this one. We would love to see the government enter into a protection agreement and to recognise the strength of community support and the over 100 volunteer hours invested to protect it.

The second area I want to speak about is Callum Brae. This Assembly has seen two petitions about this area, with a total of 835 signatures. The Callum Brae area contains critically endangered yellow box, Blakely’s red gum and grassy woodland. Many species of birds nest there and some are endangered or critically endangered, like the swift parrot and the gang-gang cockatoo. It is a popular spot for birdwatching and walking. It is accessible to people with mobility issues. It offers serenity in a peaceful, natural environment and it is really well loved.

The area is under threat by a proposed large crematorium and a cemetery adjacent to it. The petitioners have asked whether Canberra needs another crematorium. The government response does not engage with that issue. The government says it is a private development going through the statutory planning process. I do understand this. I understand the nature of our arm’s-length planning system. I have asked the government a few times, in a fairly neutral way, how many crematoria Canberra needs and I have not received an answer to that question.

It is an important question. With the opening of the Gungahlin crematorium in March 2020, Canberra has doubled our number of crematoria, from one to two, in the last few years. The current proposal in the Callum Brae area is for a tentative third crematorium, and there is a fourth planned as part of Southern Memorial Park. Figures provided by the Australasian Cemeteries and Crematoria Association in their 2020 National Cremation Capacity Survey suggested that current crematoria in the ACT were running to 18 per cent capacity. So I am wondering what has happened since 2020, and what is likely to happen in the next few years, that means Canberra needs to go from one to four crematoria, and why we need to do this when the ones we have are running at such a low capacity.

The petitioners have also asked if the government can add the Callum Brae block into the existing Callum Brae Nature Reserve because of its conservation values. The government did engage with that issue. The government said:

The Conservator of Flora and Fauna has advised that the area is “consistent with being included in the Callum Brae Nature Reserve”. It includes “areas of Box Gum Woodland endangered ecological community, mature native trees that may provide nesting resources for native fauna and local links providing functional canopy connection between Callum Brae and Mount Mugga Mugga Nature Reserves.

Again, it sounds like there are ecological values. But the response goes on to say:

Despite this, managing the site as a nature reserve would have significant challenges and require more resources than most sections of the existing reserve.

It is another response that says the area may be worth protecting but government does not have the resources to put into it. Pamela Collett from Friends of Callum Brae is really worried about this. She is particularly worried that the area contains the only known breeding sites for the small ant-blue butterfly.

There are a lot of people who really care about these places, and I am concerned that we are setting our priorities the wrong way. We are not thinking about what we need to protect and then getting the resources to protect that. We are thinking about what we can afford to do and then doing that.

## **Environment—climate change**

**MR PETTERSSON (Yerrabi) (4.45):** I rise this evening to speak about a prominent issue raised by a work experience student who recently spent time in my office, Maansi Curry-Srivastava. Maansi has written the following speech for me to deliver today in the chamber. She says:

Climate change is ruining our world. In fact, it is destroying our world. With the action of burning fossil fuels occurring so very often, many disastrous impacts are happening, such as greenhouse gas emissions rising exponentially. We are in a catastrophic situation, one that needs to be stopped if we want a future, if we want our kids to have a future and if we want their kids to have a future, because isn't it your job as a parent to create a future for those little ones?

In 2005 Australia's greenhouse gas emissions were 610.6 million tonnes of carbon dioxide equivalent and right now we are at about 465.9 million tonnes of carbon dioxide equivalent. In comparison, the ACT's 2023 emission is less than 1,647 mt carbon dioxide equivalent. With the numbers being so high, getting to net zero by 2050 should be our main focus if we want climate change to be stopped. In the ACT, over 63,000 tonnes of CO<sub>2</sub> equivalent of emissions comes from transport, with this being the highest contributor of emissions in the ACT. A solution is clearly needed.

The ACT Zero Emissions Vehicle Strategy 2022-30 is leading Australia in the right direction. It states that we should reduce the cost of owning an EV; increase the availability of EVs and EV chargers; make Canberra an attractive market for EV businesses and investment; and phase out new light internal combustion engine vehicles. Because electric vehicles are 100 per cent renewable, zero tailpipe emission is produced. This is unlike petrol-operated cars, which use gas from the process of burning fossil fuels. If this were to continue then Canberra's emissions would increase.

Petrol cars cost an average of \$37,000, while electric cars are between \$44,000 to \$200,000. Since the price of EVs is demandingly high, buyers are more likely to purchase a petrol car. However, realistically, buying an EV is cheaper long term because you aren't paying for petrol. Petrol in the ACT costs about \$2 for every litre, with about \$90 to \$130 to fill up a car with roughly 45 to 65 litres of petrol used each week. So when you invest in an EV you are saving money long term by not paying for petrol.

The ACT has roughly 4,000 electric vehicles purchased in the year 2023, with about 30 charging stations available and 53 more to be installed later this year. While building more stations is a great idea, you aren't thinking about where they are actually needed. People living in apartments have not got the infrastructure to be able to install electric vehicle charging ports in their allocated car spot. They also don't have the time to go to public chargers once a week and wait for an available charger. If people were allowed to purchase their own EV charging station then it would be more convenient as it gives the owner control over when to charge and where to charge.

The average cost of an EV charger for your home is \$2,200. So if we were to reduce the price somewhere between \$1,000 and less than \$2,000 then more people would make the purchase. Reducing the costs of the charging plugs also means that we can build less in public areas and more at homes and apartments. Under a new fund, \$1.5 million is available for EV chargers to be built across the ACT in 2024. Let's put that money into apartment and hotel car parks instead of all over the suburbs. This would be so beneficial as more people would then purchase EVs and Australia's emissions would lower, making it easier to meet net zero by 2050.

Electric vehicles will also help reduce our reliance on fossil fuels and will lower our carbon footprint. This will mean that we will be on good track to meet the target set by the Climate Change Authority. By reducing the greenhouse gas emissions we are left with many benefits. More than two million human lives will be saved annually due to the reduction of pollution. As our Prime Minister, Anthony Albanese, has said, it will help open the way for new jobs, new industries, new technologies and a new era for prosperity for Australian manufacturing. Reducing our emissions means that there will be more opportunities available for people.

I hope that you realise how crucial it is to meet these targets because if we do not then the tomorrow that you wish for for your kids will be altered. So what will it be, Canberra? What kind of tomorrow do you want to see for yourself and your loved ones? I hope that you realise that tomorrow is possible but only with your help. By embracing electric cars and working towards a net zero future we can create cleaner air, reduce our impact on climate change and build a more sustainable Canberra.

Thank you, on behalf of Maansi.

### **Government—transparency Schools—toilets**

**MRS KIKKERT** (Ginninderra) (4.51): Let's talk about complete transparency here. It is common for this government to redact information. Sometimes it is valid and at other times it is obvious to see that it is to drive their agenda, at the expense of misrepresenting an organisation. This has insulted some constituents, and rightly so. During question time yesterday Minister Stephen-Smith responded to a question about what consultation was undertaken on the \$7 million commonwealth investment in the ACT's nurse-led walk-in centres. She said that the AMA and the RACGP provided a submission in April this year with the following endorsement:

We acknowledge that the current Walk in Centres (WiC) provide a valuable Canberra community service. Expansion of the range of services at WiC such as the addition of physiotherapy services and enhanced medical imaging access, will no doubt provide additional benefits.

In the same submission, what the minister failed to express was this:

However, we have several concerns with the proposed upgrade of the Walk in Centre model to include an urgent care clinic as set out in your consultation paper. In the model proposed by the Federal Government, the urgent care clinics were to be GP led, unlike the model that has now been presented for implementation in the ACT. We propose a structured GP led codesign process to arrive at a better thought-out model.

This submission is not an endorsement of what the government is proposing. For the minister to wilfully dismiss the full submission is reckless and irresponsible. The government needs to rethink this model of urgent care nurse-led clinics because when it is urgent every moment counts, and it is a risky decision not to implement medical advice from experts.

On another note, I notice that Minister Berry is in the chamber. I have great concerns about a high school in our electorate, Minister Berry, where some students have no access to toilets. Some of the toilets have been closed for months, due to renovations; other toilets are closed due to vandalism. I urge the minister to look into this issue at Melba Copland High School, where students are not able to access toilets. If it is a funding issue, I urge the minister to provide sufficient funding so that students are able to go and use the bathroom in the six hours a day that they are at school.

Imagine going to work for six hours and not having any access to toilets. We would be fuming, we would be furious and we would not be able to focus on our work. Our students at Melba Copland High School are not able to focus on their education, on their school work, if they are busting to use the bathroom. I urge Minister Berry to have a look at that situation at Melba Copland High School. I urge her to make sure that our students have sufficient access to toilets. Thank you.

### **Animals—snakes**

**DR PATERSON** (Murrumbidgee) (4.54): Snakes are highly stigmatised creatures. They are prone to being injured or attacked by people or animals when contact occurs. Snake numbers are booming and, through long-sustained education and awareness-raising activities of Canberra's snake catchers, their call-outs are through the roof. These people all have day jobs. Canberra's snake catchers came to me at the start of this year, identifying substantial animal welfare issues regarding snakes in the ACT occurring as a result of our current regulatory setting. That is why I believe the minister's response to the motion today, which had tripartisan support in the Assembly, requires some brief comments.

One issue identified in the motion was that snakes currently cannot be held for more than 48 hours if they are injured, which very drastically hinders a licensed snake catcher's ability to care for sick and injured snakes. The only change that the minister contemplated is a possible consideration on a case-by-case situation. This reflects a lack of awareness of the extent of the problem. Snakes get injured and harmed regularly. This "possible consideration" will also create more bureaucracy and barriers for the very people who are trying to help these reptiles.

The motion also went to the problem that currently snake catchers cannot register or keep snakes for education purposes. I stress that this is not about keeping snakes for pets; these are trained experts. The current situation is twofold: wild snakes are used in the ACT for snake-handling training and are flown in from South Australia and New South Wales at great expense, with great welfare risk to the snakes and with biosecurity issues. They are literally putting snakes on planes to bring them into the ACT. This is being denied on the basis that it is contrary to the Australian code for the care and use of animals for scientific purposes. However, this Australian code apparently only apparently applies to the ACT. All other states and territories allow this. My motion provided an opportunity for the ACT to align with other jurisdictions.

The snakes used for education purposes that the minister spoke so highly of come from the Reptile Zoo. The burden on the zoos and the snake catchers to be continuously picking up and dropping off snakes, all on volunteer time, mostly after hours, is both a people and snake welfare issue. The bottom line is that this important community education is not sustainable unless this changes.

The minister's speech this morning reinforced the exact stigma that this motion was seeking to address. She stated "significant risks to public safety", "accidents may occur", "endangering people", "leading to harm", and "not all educators possess the expertise necessary to impart information about snakes effectively". There is no risk assessment of this. There is no evidence of this happening or being at risk of

happening here in the ACT or other jurisdictions. This is the exact fearmongering that we want to see addressed.

I thought this was an issue that aligned with Greens party principles and I thought it was a no-brainer. Minister Vassarotti, where has the green in you gone? This morning in the Assembly, you thanked the people in our community who champion the beauty and importance of snakes, but I think you entirely missed the point. This is an animal welfare issue. It is about animal protection, first and foremost. This motion was designed to call on the government to address the fact that the current regulations are failing our snakes, our volunteers and our community. We remain in stark contrast to other jurisdictions. I will continue to advocate for our native snakes and for those who care for them.

### **Health—Perinatal Wellbeing Centre**

**MR CAIN** (Ginninderra) (4.58): I want to give a shout-out to the Perinatal Wellbeing Centre in Weston, in the context of a visit I made to that centre a couple of weeks ago. The Perinatal Wellbeing Centre has a vision to improve the perinatal health of women, men and their families. The perinatal period is the period of pregnancy and a year after birth. That is generally what it means.

The mission of this really helpful and wonderful centre is to provide evidence-based, innovative early intervention support and information to help families understand their perinatal mental health, normalise their experiences and build resilience. It is to assist families on their pathway to recovery, to work with the community to reduce stigma and benefit our wider society.

As part of Mental Health Month, with the theme of “More than enough”, the centre held a perinatal wellbeing fest at Weston on Tuesday, 10 October. The fest—short for “festival”, obviously—included community stalls that provide support to families; a barbecue, as you would expect, for a gold coin donation; exercise groups; and craft activities for young and old.

Perhaps the most touching part of the program was the testimony of a young mum who bravely shared her story of struggling with mental health during the early period after childbirth and the role of support groups, family and friends to help her get through that period. It made me reflect. My wife and I have had seven perinatal periods, as I think members are aware. It made me think, “Wow! Wouldn’t we have benefited from such support during those times?” There were certainly moments when we felt, “How are we going to cope with this?” But we got there. My own reflections highlighted the importance and the value of the Perinatal Wellbeing Centre.

I want to give a shout-out to the centre and to its CEO, Yvonne Luxford. I thank her for showing me around the festival. It was a lovely sunny day for the festival. It was great to be out in the open. I took a break during doorknocking on that Tuesday and spoke to different groups and learnt more about how the community offers services to families who are struggling or families who just need information on how to deal with things.

**Animals—snakes**

**MS VASSAROTTI** (Kurrajong—Minister for the Environment, Minister for Heritage, Minister for Homelessness and Housing Services and Minister for Sustainable Building and Construction) (5.01): I want to take a couple of moments to respond to some of the comments made both in media statements today and in the chamber just then. I have made it really clear to Dr Paterson that my job as the Minister for the Environment is to defend the environment in the bush capital. As such, I have a responsibility to defend snakes and sentient creatures living within our natural ecosystems. In response to Dr Paterson's comments on the motion, the ACT government's response earlier today outlined the need for us to do some more work to better consider the importance of the stringent welfare standards in our animal handling. This was the position that was adopted by cabinet, including by Labor members.

In my role as environment minister, I take immense pride in our native animal welfare laws and I am committed to their protection. As a result, it is untenable to consider supporting changes for species management protocols that might undermine these laws. While I have considered the issues raised in Dr Paterson's motion with an open mind, there are complicated considerations with regard to animal welfare that are important to underline. Beyond the sweeping statements, I would like to outline and reiterate some facts made today.

Firstly, it is a no-brainer that we, as elected officials, back the advice of statutory authorities and independent scientific committees that work with these issues every single day. The decision not to support proposals that prolong the captivity of native venomous snakes has been reached not by me but by the Conservator of Flora and Fauna in the ACT. It is irresponsible for an environment minister to go against the advice of this statutory office holder. What would people think if a special minister of state openly challenged the decision of an independent electoral commissioner?

Secondly, over recent weeks I have sat in the chamber and heard Dr Paterson lecture members about personal attacks, counselling them to think about the best interests of Canberra, rather than scoring political points. I suggest we all remember this. If the member had been listening to my statement in the chamber earlier today, she would have heard a pledge from the government to engage in ongoing conversations with snake handlers, working together to ensure that the welfare of these vital native species takes precedence in every decision that we make. This is because, as a government, we take concerns raised with us seriously.

Finally, there is absolutely a role for members in this place to raise ideas and proposals for change. It is then the responsibility of government to engage with the evidence and come to a decision. At this point, the evidence and the expert advice available to government do not align with the calls. In my role as environment minister, I regularly engage with people on the ground responding to native animal concerns. I know that, through engagement, sometimes the simple solution is not always the best. It is my commitment to continue to work with snake handlers to ensure that we have the most humane and practical model for looking after these magnificent creatures that are an important part of our ecosystem here in Canberra.



**Arts—festivals and events**

**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) (5.05): I want to conclude the evening by acknowledging and celebrating what a bumper season we have of festivals, fetes, open days, open studios and exhibitions that are part of what is making our city so great.

This weekend heralds the much-loved Craft + Design Canberra open studios, where artists across the ACT open their homes and where they create, share their processes, their insights and expertise and sell their wares. This is always extremely popular. I commend the team and all artists involved for the effort that goes into this fantastic weekend.

Many of our arts organisations are also having open days as part of it, including M16, PhotoAccess, Canberra Contemporary Art Space, Canberra Glassworks, Megalo Print Studio, Canberra Spinners and Weavers, as well as Thor's Hammer. This follows Strathnairn Arts Centre having its open day this past weekend.

The Handmade Market is also being held again this weekend. I congratulate Julie Nichols for continuing to bring such an incredible and simply huge market to Canberra throughout the year, particularly after the difficult COVID years. We are so lucky to have it and her.

It is also fete season, and there is plenty on in Belconnen. This past Sunday was the Hawker Primary School fete, a terrific occasion that I have never missed as an MLA. It was on hiatus due to COVID but was welcomed back by such a great crowd and an invigorated P&C and volunteers. I greatly enjoyed helping out on the barbecue throughout the fete and seeing so many familiar faces supporting their local community, as well as new families that I got to know.

On 4 November, the Fraser Primary School fete and the Radford College fete are on, which I have always enjoyed. I encourage the community to attend and support their schools. Also on 4 November, the Tonga Day Festival is being held in Margaret Timpson Park. Having seen the program, I know it is going to be full of celebration and performance. Sunday, 12 November marks Diwali, and there are an incredible number of events being held right across the ACT, from hardworking volunteer organisations, to celebrate the victory of light over darkness.

Finally, many arts organisations are welcoming their final exhibitions of the year. I was privileged to open the collaboration between the Glassworks and Megalo this past weekend, "Memphis Now". Memphis, that short-lived movement with a lasting impression, named for the Dylan song, sent shockwaves in the early 1980s with its new aesthetic approach. It is timely to have this exhibition now, reflecting on what can be achieved through daring. For a city like Canberra, which is often the first or going alone in our approach to issues, I think this is an exhibition that really speaks to us.

I sincerely congratulate Aimee Frodsham and Stephen Payne for their expert curation, and artists Ham Darroch, April Phillips, Kate Banazi, Judi Elliott, Drew Spangenburg,

and Gibson Karlo. This is an exhibition that exemplifies the versatility and surprise of glass and how printmaking can enhance it, and vice versa. I thoroughly commend it to all members.

Just across the road from the Glassworks, in the Fitters Workshop, is the Artists Society of Canberra's 81st annual spring exhibition, with more than 200 wonderful entries across nine mediums, with all for sale. This exhibition is a favourite of mine. It was fantastic to speak at it again, because it represents the strength of our arts scene, the support of the arts community and how the Artists Society nurtures and enhances talent. It takes courage to exhibit, and I was delighted that a number of first-time exhibitors were award winners this year.

This is just a snapshot of what is happening all around us in our fantastic community. I thank all those who contribute their efforts in making them happen. So many people are volunteers and working long hours or late, or both. We really commend that beautiful spirit that defines our city.

Question resolved in the affirmative.

**The Assembly adjourned at 5.10 pm.**