



# Debates

WEEKLY HANSARD

Legislative Assembly for the ACT

**TENTH ASSEMBLY**

**6 FEBRUARY 2024**

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**Tuesday, 6 February 2024**

**MADAM SPEAKER** (Ms Burch) (10.01): 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 our respect to Elders, female and male, and Ngunnawal country.

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

## **Leave of absence**

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

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

## **Inaugural speech**

**MISS NUTTALL** (Brindabella) (10.02): I seek leave of the Assembly to make my inaugural speech.

Leave granted.

**MISS NUTTALL**: Yuma everyone and thank you for coming here today. I am Laura, she/they, and for the past two months I have had the privilege of serving the community of Brindabella as an ACT Greens MLA.

To me, this speech is an important opportunity. Not everyone gets an entirely captive audience of elected members of a democratic institution, and family and friends, for as long as they want, procedurally speaking. For a lot of people in Brindabella, as much as we have tried to shout my election from every rooftop south of Farrer, this might be your first introduction to what I actually stand for. With that in mind, I am addressing this speech to the people I work for—the people of Tuggeranong. This actually still includes my mum, and granny and grandad. Lucky you guys! Sorry, elected representatives.

First of all, thank you for having me. I have been living in Tuggeranong for most of my life, but I probably still have not met most of you, yet. Even so, you are the people who have shaped the community I grew up in. You put up with an upstart kid saying, “Hi,” completely unprompted, in shopping centres. You let me sit next to you on the

bus when it was crowded. You taught me in school and gave me friends to play make-believe with. You gave a cheery wave on bike paths, made the best big breakfast ever, and even if we have never met, I am sure I have felt your work and presence in our community in some small way.

I want to let you know exactly what I care about, and what I can do to help you—specifically you—as your local member. I want you to feel genuinely entitled to my time, resources and support, because I fundamentally believe that politicians should serve and work for their community.

I am a kid of the climate crisis, and I can put my hand on my heart and say that the impending, existential threat of climate change underpins pretty well everything that I do. IPCC reports get more and more challenging to read every year. We know climate-fuelled natural disasters are getting bigger and worse, our systems are being pushed to their limits, and if we do not take drastic action, we are going to see a cascade of catastrophes that makes all that aforementioned stuff worse. I have actually laid awake at night, wondering whether I will get another 80 years on this planet. That should be chilling.

I have been alive for a bit over two decades, which means that, on a low-ball average of about four extinctions per decade here in Australia, we have lost eight to 10 species, forever, since I was born. I hate to think we are on a path where there are species our future generations will never see, and that has been the reality for a lot of us.

A lot of people in Australia are feeling the heat right now. The bushfires right before the pandemic really disturbed us as a nation. We are seeing hotter, more unpredictable weather and many more frequent and intense natural disasters. I think this has been really hard for a lot of people because at the back of our minds we never wanted to believe it would be us. At this point, climate change has become an inescapable reality for the majority of Canberrans.

As more and more people start feeling justifiably anxious about climate change, I have been reflecting on what it is like to grow up with the reality of climate change in your formative years. Here is a question: what proportion of young people do you think feel bad about climate change? According to a national study by Orygen last year—this is a leading youth mental health research organisation—the stats are as follows: anxious, 65 per cent; afraid, 64.4 per cent; sad, 64.1 per cent; powerless, 60.6 per cent; helpless, 59.5 per cent; angry, 57.4 per cent; and ashamed, 51.1 per cent. So, unsurprisingly, climate change is a huge mental health liability. Powerlessness really jumps out to me here, because it is a common thread reflected among young people. We will come back to this, but I do invite you to dwell on the kind of implications that come from a very significant proportion of Canberrans feeling powerless.

On a personal note, I have always wanted kids. I have worked in childcare, I worked as a private tutor, I have run programs for kids at the libraries. Everyone's situation is so wildly different that there are as many reasons to have or not have kids as there are people. I really want kids, but I do not know if I should, because I do not know if I could guarantee them the same quality of life that we and our previous generations have enjoyed. I do not want my kids to be scared by the ever-intensifying storms, bushfires and other natural disasters. I have actually heard this from a bunch of people.

What does it say about our hope for the future if we are starting to wonder whether we should subject people to our environmental reality? That is a pretty grim revelation, but I do hope that there is a story of hope here.

At this point, a lot of us have an immediate interest in making sure efforts to combat climate change are a central part of everything we do. Mate, I joined the Greens, because I trust my Greens politicians to do just that. It is a testament to Greens in government, in one of the most unabashedly progressive jurisdictions in Australia, that the ACT hit 100 per cent renewable electricity supply back in 2019.

There is actually so much that we can do if we can get ambitious about our efforts to combat climate change. Canberra is the perfect proving ground for progressive initiatives, and the Greens do not shy away from driving the ACT to lead the nation.

It is not just climate change that we need to tackle. Right now, we are in a cost of living crisis, which is an inequality crisis. For many Canberrans, life has been getting harder.

I am sure almost everyone has a story at this point in time, and later on I would really like to hear yours. Here is mine. I have a whole lot of privilege. I come from a fairly well-off household and a wonderfully doting family. Granted, they have had to build some of that, but I have reaped all the benefits of generational wealth without having to contribute financially to the household as a dependant. I was crazy lucky to get an opportunity working in the ACT Legislative Assembly part-time back in 2021 as a junior staffer. I used the opportunity at 21 years old to fly the nest and start to try to build a life for myself independently.

Moving in with a couple of friends, I got my first big taste of the housing crisis. Ho boy! We spent a couple of months trying to find a place within our price range that fit our needs. At the time, we were all pretty close to the minimum wage, and I was part-time, but we were a triple-income household. It took us about two months, around 10 open homes and about six applications. At some point, I remember asking someone with a lot of experience in the field, “How the hell do we get a house?” They looked pretty uncomfortable, but they said, “Honestly, it’s really scummy but you’ve gotta offer above the maximum price to have much of a chance.” That is insane! The Greens are literally trying to ban rent-bidding here in the ACT, and we are doing a decent job compared to the rest of Australia. But housing is so competitive that, in order to be considered for a place that often does not fit your needs, you have got to screw over another family by bidding higher than they can afford.

Once we got in, I quickly realised how expensive it was to provide for yourself. Even splitting the rent three-ways, it was almost half my income gone before I had even got my groceries. I was often putting off getting my ADHD medication, opting for instant noodle dinners and skipping breakfast. If any of that depresses you, it is not like counselling was that cheap either. And if it was bad for me, it has got to be so much worse for others.

Anglicare’s Rental Affordability Snapshot is scary this year. They looked at how many rental properties across Australia were affordable for essential workers. The answer: not that many! Two per cent of rental properties were affordable if you were

making minimum wage. One per cent were available if you were on income support payments. That is a lot of Canberrans who contribute significantly to this community who cannot afford to live comfortably.

Remember that feeling of powerlessness we talked about earlier? Who would not feel a little powerless when an inequality or cost of living crisis is your daily reality? I think that is why we, as politicians, have got to redouble our efforts to engage our community and demonstrate what we can actually do to help.

People disconnect when they do not think politics can fix stuff, or they do not feel like they are being listened to. I think politicians are capable of both of these things, and they are things I want to do. Here in the ACT, we possess a lot of levers to influence areas like housing, education, emissions reductions, transport, health and all the other really practical things that make a difference to Canberrans' lives. Politicians make the perfect advocates in that space.

I am going to be a bit cheeky here. Politicians are tools! Bear with me. Do not laugh, say it with me. Politicians are tools!

We should be hyper-accessible, functional and helpful to you, the community. Tuggeranites, I am a tool. I really hope you use me. My office can case-manage and advocate on your behalf. We can sponsor petitions. We can deep dive into the issues that directly affect your life and campaign for change. We have opportunities in hearings to ask the questions you would like to hear answers to, to keep those government processes transparent and honest, like they should be. We are and should be directed by you. So use me.

Especially if you are young, use me. I do not think young people feel like they can reach out to their politicians much. Even as a staffer, many politicians seemed to me to be official, busy people tasked with keeping order and delivering justice. It is a bit naive; I know. But from the other side of that, I promise you, we are desperate for your input! The stuff that I am dealing with on a day-to-day basis will affect your life. So if you do think we could be doing better—making your education, your mental health, your housing situation better—message me. Frankly, I love it when people DM me on Instagram or Facebook, maybe TikTok. Communication does not have to be official or deep; it just has to get the point across. Send emojis! Send memes! Make my job fun! I hope that when you do, I can show you why it is worth giving a damn about politics.

There is so much more I want to say, and members, you are going to be sick of me by the end of term. I am so sorry. We are almost done, but I have just graduated uni and I hate plagiarism so I want to reference, honour and celebrate the people that got me here. I am just a remix of the friends I made along the way, so it is worth you knowing who you are really getting now I am in office.

Mum, you fundamentally shaped me into the person I am today. Thank you for being so uncompromising about believing in me and wanting the best for me. Thank you for raising me, for feeding me—lots, I was a hungry kid—for supporting me through school and various after school activities and an ever-growing list of hobbies. Thank you for being a wonderful, unwaveringly people-minded, witty, fiendishly creative

and accomplished person. Thank you for teaching me the value of good listening. I could not have asked for a better role model.

Dad, thank you for being in my corner from the start. No matter how much of a gremlin I was, thank you for always making the time for me. You are a people person, a lifelong learner and a genuine delight to be around. Thank you for looking out for me, and never being scared to try things recommended by a five-year-old girl who really, really likes fairies. Thank you to Gemma for keeping us both on the straight and narrow (mostly).

Granny and grandad, you are two of my favourite bosses! Thank you for looking after me, keeping me safe climbing trees and other load-bearing structures, for introducing me to Ferris Bueller, for writing whole novellas with me, and suffering through, I would say, reasonably pitched science fair projects. Thank you for hitting me with zingers on hot political issues—I definitely deserve it after the science fair projects!

To the rest of my big family, Auntie Leanne, Uncle James, Auntie Jacki, Uncle Ronny, Otto, Gus, Uli, Uncle Nutts and Auntie Trace: you are all amazing people doing so many cool things. Please keep up the good work, each and every one of you.

To my current and former housemates, Jas, Ix and Neha: you are all so patient and loving and gorgeous. I still genuinely cannot believe it is an option to just live with your friends. You are like another family to me and you are all so cool, and I love watching anime and really bad Netflix adaptations with you.

Kai, I am so lucky to have you. Thank you for being the person to check me and make sure I was making this decision for myself, too. Thank you for loving the world in all its grand glory and its little critters. Your unwavering compassion for people and the planet, your creativity and healthy sense of humour is everything I hope to channel into this role.

To all my friends, D&D and other RPG crews, the gamers, ANU Za Kabuki crew, sports mates, school mates: there is a piece of each and every one of you in what I bring to this place.

To Libraries ACT and the Dickson and Tuggeranong crews in particular: thank you for teaching me so much about people and books and a whole lot of troubleshooting. Your love for the community really shines through, and I want to bottle that up and channel it into my job. Please giggle and wiggle on!

To Izzy, Liz, Alex, Jordan, Amy, Ash, Eli and Alia: I could not have asked for better co-workers in the Assembly. It has been an absolute privilege watching you work tirelessly, day in and day out, to improve the lives of people in Tuggeranong and Canberra as a whole.

To the entire Assembly Greens team: thank you for welcoming me back with open arms. I will not forget that cheer in the reception room. That was awesome! You are some of the smartest, most compassionate and daring people I have ever met, and the work you do improves the lives of Canberrans every day. To Dani in particular, thank you for being my ride or die. In the moment when I was the most scared, and I am



sure you were too, thank you for being a formidably competent, uncompromisingly kind and supportive rock. You are the definition of pogchamp. The work we are going to do here is as much you as it is me and I am very okay with that. We are going to make good things happen.

To Harry: thank you for getting me through all my media stuff almost training montage style. I was absolutely terrified, but prepping with you and hearing your perspective really, really takes the edge off.

To Rajat: I am seriously excited to welcome you to the Nuttall team, and while we have not had much of a chance to plot yet, I am really looking forward to making positive change.

To the Brindy Believers and Brindabellans, Sam, Mike, Troy, Emma, DK, Sarah, Paddy, Phillip, Kerry and Kerry, Ngaire, Jo, Julie, Pascale, Matthew, Aiden, Jordan, Erin, Hannah, Peter and everyone else I have missed: thank you. You are the reason we got across the line, and you are the reason people want to see Greens in Tuggeranong.

To anyone who has been in touch since: thank you. Whether or not I am in your electorate, it will be a total privilege to work for you and with you over the next nine months.

That about sums it up! Thank you for your patience. I do have a short reference list so please let me know if you want any of the links to the stats I cited. Looking forward to getting to know you all over the next nine months. I am sure we are going to do some good. Thank you.

## **Petitions**

*The following petitions were lodged for presentation:*

### **Justice—child sexual abuse—petition 27-23**

*By Mr Braddock, from 567 residents:*

#### **To the Speaker and Members of the Legislative Assembly for the Australian Capital Territory**

The following residents of the ACT draw the attention of the Assembly to the current provisions in the Crimes (Sentencing) Act 2005 pertaining to the sentencing of convicted paedophiles. The petitioners representing the ‘Your Reference Ain’t Relevant’ Campaign and victim-survivors of child sexual abuse state that sentences for perpetrators of child sexual abuse should not be mitigated on the basis of good character references. Currently, the legislation prohibits certain types of perpetrators to utilise good character references, for example: teachers, religious leaders, scout masters, doctors, people with obvious good standing in the community; but perpetrators who didn’t use their obvious good standing to gain access to their victims - step parents, siblings or other relatives for example - are well within their right to use these references. The campaign implores The Assembly to create a uniform rule so all convicted perpetrators of

this heinous crime can be held accountable; the very nature of the crime is predatory, manipulative and involves grooming; A perpetrators “good” character cannot be separated from the evil they commit upon the most vulnerable victims of all: children.

Your petitioners, therefore, request the Assembly to enact a simple amendment to section 34A (b) of the Crimes (Sentencing) Act 2005 , by deleting the words “to the extent that the offender’s good character enabled the offender to commit the offence.”

*Pursuant to standing order 99A, the petition, having more than 500 signatories, was referred to the Standing Committee on Justice and Community Safety.*

### **Roads—Tralee—petition 31-23**

*By Mr Parton, from 468 residents:*

#### **To the Speaker and Members of the Legislative Assembly for the Australian Capital Territory**

The following residents of the ACT draw the attention of the Assembly.

The NSW suburb of Tralee is in development and will eventually have up to 1500 residencies.

Access to the suburb is through a single new road (Environa Drive via Tompsitt Drive) and adds approximately 4km each way when a resident wishes to travel to or from Canberra on the Monaro Highway via Lanyon Drive.

The previous access road via the Hume Industrial estate now has a locked gate.

The majority of the residents of the new suburb work, shop and play in the surrounding Canberra area. All work vehicles accessing the new suburb, and tradesmen who in the main are from the Canberra region are also travelling to the suburb through the single access road. The new area will also include a new business hub, new regional sports centre (Hockey, Soccer, Basketball, Swimming Centre) that will be used by the wider communities of Canberra and Queanbeyan Region, as well as a water play park and playgrounds that will be able to be used to residents of the south of Canberra. The new suburb is serviced through local emergency services often coming from Canberra. There have already been delays in Ambulance services attempting to access the suburb via the now closed Hume entry in case of emergencies, and in the event of a fire or accident on the single current road, access in and out of the suburb will be unavailable.

It is requested that ACT Transport work collectively on the upgrades to the Monaro Highway to incorporate access roads north and south of the Hume Industrial state for easy access into and out of Tralee, not only for residents, but for ACT residents who will be working or using facilities in the area.

Your petitioners, therefore, request the Assembly to:

Request the ACT Government and Transport Canberra to work with Queanbeyan and Palerang Council on ensuring access to Monaro Highway north and south of the Hume Industrial estate is factored in by the ACT as part of the upgrade committed to by the proposed upgrade.

This will:

Contribute to reduced global emissions of motor vehicles by providing more direct access

Provide improved safety due to the risks of only having a single access road for emergency services

Provide improved safety as the single access road is also the location of the new South Jerrabomberra High School

Provide shorter and easier access to the facilities and the surrounding area for Canberra region residents using the sporting, education and business to the facilities.

*The Clerk having announced that the terms of the petitions would be recorded in Hansard and referred to the appropriate ministers for response pursuant to standing order 100, the petitions were received.*

### **Ministerial responses**

The following responses to petitions have been lodged:

#### **Gungahlin—roads—petition 15-23**

By **Mr Steel**, Acting Minister for City Services, undated, in response to a petition lodged by Ms Castley on 24 October 2023, concerning traffic flow and safety in Gungahlin Town Centre.

*The response read as follows:*

Dear Mr Duncan

Thank you for your letter regarding petition 015-23, lodged by Leanne Castley MLA, regarding traffic flow and safety in Gungahlin Town Centre.

As noted by the petitioners, Gungahlin is a fast-growing area of Canberra, and its population is expected to grow to over 100,000 people during the next 25 years. To manage this growth, the ACT's transport network will need to support a gradual shift towards public transport, cycling and walking, while still recognising the need for cross-city private car travel and freight movement.

The ACT Government will continue investing in transport infrastructure to meet the needs of the Gungahlin district. A current project involves upgrading Gundaroo Drive to a dual carriageway between Ginninderra Drive and the Barton Highway. This project, which also includes over 6km of on-road cycle lanes and new and upgraded bus stops, will be completed next year. Completed projects which have benefited the Gungahlin district in recent years include light rail from Gungahlin to the City Centre, duplication of Horse Park Drive and earlier stages of the Gundaroo Drive duplication.

The 2023-24 ACT Budget allocated funding to develop a new Gungahlin Transport Plan focused on priority areas, including the town centre and key transport corridors within Gungahlin. It will inform the prioritisation of future investigative and planning work requirements, including the development of individual corridor transport plans, and identify the infrastructure and service

priorities required to cater to the region's growing population and transport needs, now and into the future. The Government will share information about the outcomes of the plan once it is completed during 2024.

Earlier this year, the ACT Government delivered an ACT Labor election commitment to develop a traffic model to identify future transport improvements in the Gungahlin region. The model has provided a tool to assist with developing the Gungahlin Transport Plan based on evidence-based infrastructure planning and prioritisation. The model comprises the base year which is calibrated to 2022 conditions, and future base year models for 2026 and 2031 periods. These models provide outputs for weekday morning and evening peak hour periods, including forecast traffic volumes, travel times, queue lengths, and congestion delays.

The Government is investing in feasibility and design work for a number of intersections in the Gungahlin Town Centre. The purpose of this work is to improve road, cyclist and pedestrian safety. Improvements for these intersections may include the installation of traffic lights, changes to speed limits and traffic calming. The three intersections identified as part of this program of works are:

- Hinder Street/Efkarpidis Street (preliminary sketch plans)
- Hinder Street/Ernest Cavanagh Street (preliminary sketch plans)
- Anthony Rolfe Avenue from Gungahlin Place to Manning Clark Crescent (intersections feasibility study).

A feasibility study will also be undertaken for the intersection of the Barton Highway and Victoria Street in Hall, along with progression of a number of Black Spot Program upgrades in planning for the Gungahlin Town Centre. In addition to these improvements, the ACT Government also committed funding in the 2023-24 Budget to design a number of active travel improvements within the Gungahlin Town Centre, which will improve safety, encourage mode shift and therefore reduce congestion on the roads.

For more information on these initiatives, please visit the City Services website at:

[www.cityservices.act.gov.au/Infrastructure-Projects/gungahlin/active-travel](http://www.cityservices.act.gov.au/Infrastructure-Projects/gungahlin/active-travel)

The ACT Government will always remain committed to the delivery of infrastructure projects that aim to build a more prosperous, connected city for everyone. Gungahlin, and all other parts of Canberra, will have improved transport networks that will give people greater choice over how and when they travel.

The ACT Government will continue its strategic approach to infrastructure planning and investment to ensure Canberra remains one of the most liveable cities in the world, and supporting people with moving between their homes, jobs, and services across the city.

I look forward to supporting the Gungahlin community through the completion of current infrastructure projects and the Gungahlin Transport Plan – which will inform and guide investment in further transport infrastructure and other initiatives – to meet the needs of the Gungahlin community now and into the future.

I trust this information is of assistance.

**Asbestos—proposed board of inquiry—petition 18-23**

By **Ms Vassarotti**, Minister for Sustainable Building and Construction, dated 13 December 2023, in response to a petition lodged by Mr Cocks on 24 October 2023, concerning the proposed establishment of a Board of Inquiry into the Voluntary Loose-Fill Asbestos Eradication Buyback Scheme.

*The response read as follows:*

Dear Mr Duncan

**Petition Number E-PET 018-23 – Mr Fluffy Board of Inquiry**

I refer to your letter of 24 October 2023 regarding petition E-PET 018-23 relating to the Loose Fill Asbestos Insulation Eradication Scheme (the Scheme) tabled in the Legislative Assembly on 24 October 2023.

I acknowledge the importance of transparency and accountability that is raised by the petitioners. These have been key attributes of the Government response and the Government remains committed to transparency and accountability regarding the ongoing implementation of the Scheme.

The Government does not consider an inquiry necessary to determine transparency and accountability of the Scheme, and so does not support the call for a Mr Fluffy Board of Inquiry. The Government stands by the integrity of the Scheme that was developed and delivered with full consideration of the human rights of the people impacted and the community in general.

The development and implementation of the Government's response to loose fill asbestos insulation has been subject to a comprehensive and multi-layered assurance framework providing robust scrutiny and oversight of the Scheme from the outset.

The ACT community has historically taken a proactive approach to asbestos and asbestos-related issues, therefore Asbestos management practices and legislation have evolved considerably over time. In August 2005, the *ACT Asbestos Task Force* published a report on Asbestos Management in the ACT in relation to residential properties, commercial properties and the building trades and asbestos industry. This was in accordance with the then statutory obligations in the *Dangerous Substances Act 2004*.

The ACT Government Response to the 2005 Task Force Report formed the basis for the ACT Asbestos Management Strategy (the Strategy) which was agreed to by Government in 2005. In 2010, the scheduled review was undertaken. The ACT Asbestos Management Review – 2010 (the Review) found that the majority of the recommendations in the Strategy had been completed. The ACT Government responded to this review in 2011 and accepted the recommendations of the review.

Prior to development and implementation of the 2014 Loose Fill Asbestos Eradication Scheme (the Scheme), the ACT Government consulted with industry, academic experts and cross government stakeholders, concluding that

there was no effective, practical and affordable method to render homes containing loose fill asbestos insulation safe to occupy in the long-term. The ACT Government released a report on the Long Term Management of Loose Fill Asbestos Insulation in the ACT detailing this advice.

In response to the Legislative Assembly's Standing Committee on Public Accounts 2014 Inquiry into the *Appropriation (Loose-fill Asbestos Insulation Eradication) Bill 2014-15*, the ACT Government agreed to table quarterly reports to the Public Accounts Committee (PAC). These reports supplemented more formal reporting processes embodied in the directorate annual budget process and included information on Scheme governance, progress on Assistance, Buyback, Demolition and Sales phase activities, financial impacts and community information and engagement. In 2018, in line with the scale of Scheme deliverables, these reports were reduced to half-yearly reports until closure of the Asbestos Response Taskforce on 30 June 2022.

Table 1 provides an overview of ACT Government reports tabled in the ACT Legislative Assembly:

<b>Report</b>	<b>Date tabled in the ACT Legislative Assembly</b>
<b>Public Accounts Committee</b> PAC Quarterly Reports 1 –13	2014-2017
<b>Public Accounts Committee</b> PAC Half Yearly Reports 14 –20	2018-2022

On 4 August 2022, following the closure of the Asbestos Response Taskforce (the Taskforce), the final Half Yearly report into the Scheme was tabled in the Legislative Assembly. This was followed by the tabling of the 'Asbestos Response Taskforce Closure Report' (the Closure Report) on 1 December 2022.

The Closure Report provided a summary of the work undertaken by the Taskforce until its closure on 30 June 2022, and an overview of the of Taskforce's key outcomes. This report also reflects the lessons learnt from the Scheme.

Over the lifetime of the Scheme, in addition to the directorate's internal audit program, ten independent audits were undertaken focusing on Scheme management, Buyback phase, Assistance phase, Demolition phase and the Sales phase.

Table 2 provides an overview of independent audits:

<b>Audit</b>	<b>Auditor</b>	<b>Date</b>
<b>ACT Asbestos Response Taskforce Review</b>	Price Waterhouse Coopers	September 2015
<b>The management of the financial arrangements for the delivery of the Loose fill Asbestos (Mr Fluffy) Insulation Eradication Scheme</b>	Auditor-General Report No. 4/2016	May 2016

<b>Assurance Framework Review (Asbestos Response Taskforce)</b>	Synergy Group	July 2016
<b>ACT Asbestos Response Taskforce Service Evaluation and Recommendations</b>	Dr Rob Gordon, Clinical Psychologist	June 2017
<b>Close Out Evaluation of Buyback Phase of the Loose fill Asbestos Insulation Eradication Scheme</b>	Synergy Group	May 2019
<b>Assistance Phase Review Summary Report</b>	Elton Consulting	April 2020
<b>Close Out Evaluation of Demolition Phase of the Loose fill Asbestos Insulation Eradication Scheme</b>	McGrathNicol	December 2020
<b>Close Out Evaluation of Sales Phase of the Loose fill Asbestos Insulation Eradication Scheme</b>	McGrathNicol	February 2021
<b>Scheme Delivery Closure Audit Final Report</b>	McGrathNicol	May 2022
<b>Lessons Learned, Asbestos Response Taskforce</b>	RPS Group	August 2022

A summary of all audit recommendations, examples of better practice responses, and areas for improvement was provided as an appendix to the Closure Report as part of the final Scheme Delivery Closure audit.

The 2016 Auditor-General's report titled 'Management of the Financial Arrangements for the Delivery of the Loose Fill Asbestos (Mr Fluffy) Insulation Eradication Scheme' (Report No.4 of 2016) examined the financial and governance arrangements surrounding the Scheme. The Auditor-General found that the planning for and management of the financial arrangements for the implementation of the Scheme had been effective and that the Taskforce's approach to governance and risk management reflected better practice. The ACT Government continued to report on financial management of the Scheme through formal performance planning and reporting (including on the achievement of outcomes) set out in the budget papers, annual reports and the PAC Quarterly/Half Yearly reports.

The 2022 Closure Report also provides an overview of Scheme financials. Over an eight-year period, the overall net cost of the Scheme to the Canberra community was \$268.38 million, which is 27 per cent less net cost than originally forecast. Principal repayments of the loan to the Australian Government commenced on 30 June 2018 and were to be paid annually until 30 June 2024 at which time the loan would be fully repaid. The ACT Government repaid the outstanding balance of the loan in full on 1 November 2019.

The final Scheme Delivery Closure audit reviewed all previous audits, and in relation to financial management concluded that the strategic objectives of the Scheme were achieved and noted that ‘the total net Scheme cost is only 27 per cent of the total \$1 billion loan from the Australian Government. This indicates that the Taskforce minimised the net costs to the Canberra community and the ACT Government.’

Throughout the delivery of the Scheme, the Government has engaged with current and former homeowners, principally utilising the Community Expert Reference Group (CERG)

To support a compassionate response and respond to feedback provided to CERG from the impacted community, CERG undertook a consultation process in 2019 to develop the Mr Fluffy Legacy Project. The ACT Government Response to the Legacy Project (Legacy Project) outlined the actions Government committed to undertaking to further support transparency and accountability including:

- supporting families now, and in the future;
- learning lessons and documenting knowledge;
- supporting education and research; and
- tracking ongoing health impacts.

#### Supporting families now, and in the future

The Taskforce engaged early with specialist training from Australian Psychological Society and internationally recognised disaster recovery expert, Dr Rob Gordon. Dr Gordon worked with the Taskforce on several occasions to develop resources and presentations, as well as host a community forum with CERG for the impacted community in 2015. In 2017, Dr Gordon evaluated the delivery of the personal support model employed by the Taskforce.

The report found the Taskforce Personal Support had been responsive with outreach, case coordination and community information, noting that the overall design of the Taskforce program and Personal Support model met the requirements of an effective recovery agency. Report recommendations to further improve recovery experiences and the personal support model were implemented from 2017 throughout the duration of the Taskforce.

#### Learning lessons and documenting knowledge

An important and key recommendation from CERG, based on their engagement with homeowners and other stakeholders, was to ensure lessons learnt continue to be applied and used for other government and community programs. Reflecting this strong view, the Government commissioned RPS Group Consulting to complete a lessons learnt process. The report from this process is included as an appendices to the Closure Report, and has been designed to be used by the ACT Government when implementing future responses to emerging problems.

#### Supporting education and research

ACT Government has funded two PhD scholarships to examine loose fill asbestos insulation to support research into the impacts of loose fill asbestos insulation.

Government has also committed to early release of records relating to loose fill asbestos insulation between 2000 to 2011 to support ongoing research and knowledge of asbestos related matters during this period.



### Tracking ongoing health impacts

In 2015 the Government commissioned the Australian National University to complete the ACT Asbestos Health Study. One component of this report included focus group discussions with impacted homeowners and residents to improve researchers' understanding of the long health risks of living in a house containing loose fill asbestos insulation, and to consider the impact of the situation on the mental health and wellbeing of study participants.

The ACT Asbestos Health Study also included a data linkage component to support better understanding of the risk of contracting mesothelioma for residents of affected properties. This provided an initial estimation that 1-2 people per year may present with a diagnosis of an asbestos related disease as a result of living in a 'Mr Fluffy' home. A second Asbestos Health Study repeating the data linkage component is underway, to better understand the long-term health impacts of exposure to loose fill asbestos insulation. Final results are anticipated to be available in 2024.

The ACT Government considers these studies, individually and collectively, along with other information publicly available such as Annual Reports and legislation updates register, provide the community with sufficient information to understand the matters raised in relation to the development and implementation of the Government's response to loose fill asbestos insulation in homes across the ACT.

I also note that the issue of a Board of Inquiry has been previously raised with the ACT Government, through the Legacy Project. The Government's response can be found by clicking [here](#).

In summary, it is evident by the breadth and depth of reporting, audits and assurance activities which are publicly available, that there has been a clear focus on transparency and accountability over an extended period, which the Government considers renders redundant the need for a Board of Inquiry into the Scheme's operation and implementation. As such, I reaffirm the Government's continued position to not support a Mr Fluffy Board of Inquiry.

In closing, I want to acknowledge that the Scheme is not simply a program about bricks and mortar. It is a significant social, financial and community response that has touched the lives of homeowners, tenants and neighbours, and is part of our city's history. The legacy work for how we, as a community, mark this part of our history and support households that are managing the impact of loose fill asbestos insulation continues.

### **Motor vehicles—licence plates—petition 19-23**

By **Ms Cheyne**, Minister for Government Services and Regulatory Reform, dated 13 December 2023, in response to a petition lodged by Mr Davis on 24 October 2023, concerning the introduction of Japanese domestic market number plates in the ACT.

*The response read as follows:*

Dear Mr Duncan

Thank you for your letter of 6 November 2023 regarding petition E-PET-019-23, lodged by former MLA, Mr Johnathan Davis, about Japanese Domestic Market Number Plates.

I acknowledge the concerns raised in this petition and agree there is a need to provide the option of number plates that fit Japanese Domestic Market vehicles. Based on earlier feedback from the community I have asked Access Canberra to work with Transport Canberra and City Services (noting Minister Steel has oversight of the legislation and policy in this space) to progress this change.

Section 51 of the *Road Transport (Vehicle Registration) Regulation 2000* provides that the Road Transport Authority (RTA) may determine the dimensions, layout and other characteristics with which numberplates must comply. In accordance with this section, the *Road Transport (Vehicle Registration) Design of Numberplates Determination 2023* details the numberplates available for purchase and use in the ACT.

Section 96 of the *Road Transport (General) Act 1999* provides that the Minister may determine fees payable under the road transport legislation. Under this provision the *Road Transport (General) Numberplate Fees Determination 2023* outlines the fees payable for number plates which is based on plate type.

To provide a new plate type with different dimensions suited to Japanese Domestic Market vehicles, changes to both of these determinations are required. Changes are also required to the ACT Government vehicle registration database to allow for the purchase and vehicle allocation of Japanese Domestic Market numberplates, along with updated staff procedures and communication to the community, motor vehicle dealers and staff.

We prioritise changes to the rego.act database that support the Vision Zero – no deaths or serious injuries on our road transport network and service improvements to enhance the liveability of the city. In the past twelve months the rego act work program has implemented stage 1A of Emissions Based Registration, 5 yearly medical assessments for heavy vehicle drivers, changes to the Vintage, Veteran and Historic Vehicle scheme, first aid course credit for learner drivers and warning notices for Mobile Device Detection Cameras.

In 2024, among the priorities for implementation are Direct Debit payments for vehicle registration, stage 1B of Emissions Based Registration, and new alcohol and drug infringements and suspensions. While Access Canberra have investigated the production and implementation of JDM, they have advised me that due to the already full work program of changes to rego.act, it is unlikely that the plates will be available before 2025.

I appreciate the time and effort taken to gather the views in this petition. If any information is required on progress for this change, the petitioners can contact Ms Rebecca Wilson, Senior Director, Licensing and Registration in Access Canberra at [Rebecca.Wilson@act.gov.au](mailto:Rebecca.Wilson@act.gov.au).

### **Parkrun—Point Hut Pond—petition 20-23**

By **Mr Steel**, Minister for Transport, undated, in response to a petition lodged by Mr Parton on 1 November 2023, concerning the proposed completion of a paved section of the Point Hut Pond Parkrun path.

*The response read as follows:*

Dear Mr Duncan

Thank you for your letter regarding Petition Number E-PET-020-23, lodged by Mark Parton MLA. The petition has requested improvement to the connection used as part of the Point Hut Pond Parkrun. My response to the petition is detailed below.

The ACT Government recognises the importance of improving community path and cycling facilities to provide safe and attractive routes in the ACT for people to use. The Parkrun charity's mission, which is to *transform health and happiness by empowering people to come together, to be active, social and outdoors* aligns closely with the ACT Government's Healthy Canberra ACT Preventative Health Plan 2020-2025 (the Plan). Supporting more people to participate in sport and active recreation across all stages of life enables active living and improves wellbeing.

Transport Canberra and City Services (TCCS) receives many requests each year for the construction of new community paths and path infrastructure to provide improved connectivity within the existing network. To deliver these requests in the best way and with available resources, TCCS assesses all path requests considering demand, proximity to community infrastructure like schools and public transport. Locations where there are acute safety hazards for pedestrians are given higher priority. The list of community path requests is dynamic as new requests are received, assessed, and added to the priority program.

As you may be aware, ACT Government has committed \$26 million in the active travel infrastructure program with a proportion of this funding dedicated to constructing path network 'missing links'.

This request for construction of a community path connection to complete the paved section of the Parkrun course at the northeast corner of Point Hut Pond, from the northwest of McGilvray Close in front of the car park through to Point Hut Pond District Park has been assessed and identified to be a high priority.

However, as mentioned, the community path priority list is dynamic as new requests are received and works are completed. The proposed path will be reconsidered as part of the annual review process and subject to relative priorities across the ACT may be included as part of a future capital works program.

With respect to the maintenance of existing paths used by Parkrun, Roads ACT regularly undertakes inspections of the path network, including of Fix My Street footpath maintenance requests. Individual specific path maintenance requests can be submitted through the Access Canberra Fix My Street form at [www.accesscanberra.act.gov.au/s/fix-my-street](http://www.accesscanberra.act.gov.au/s/fix-my-street).

I'm aware of the steady increase in popularity of Parkrun across the ACT (Ginninderra, Tuggeranong, Gungahlin, Burley Griffin, Coombs, Mount Ainslie, Wagi Bridge, Umbagog District and Point Hut Pond parkruns). I note that a recent post identified that for 11 November 2023, across the 9 Parkrun events in the ACT there were 2,051 finishes and 170 volunteers. Weekly Parkrun events are a fun free benefit available to everyone and the ACT Government is committed to improving community paths and cycling facilities to provide safe and attractive routes in the ACT for people to use.

I trust the information provided above has been helpful.

### **Belconnen—public transport—petition 23-23**

By **Mr Steel**, Minister for Transport, undated, in response to a petition lodged by Ms Cheyne on 24 October 2023, concerning improving public transport outcomes for Belconnen.

*The response read as follows:*

Dear Mr Duncan

Thank you for your letter regarding petition 023-23, lodged by Ms Tara Cheyne MLA, on behalf of her constituent Mrs Heidi Prowse OAM, regarding improved public transport outcomes for Belconnen.

The ACT Transport Strategy 2020 outlines the ACT Government’s vision for the transport system as one that “supports a compact, sustainable, and vibrant city”. With the ACT Government committed to building a city shaping light rail network for Canberra, progressively building travel demand through high-quality and reliable bus services.

The ACT Government recognises the importance of expanding the Belconnen Transitway. The Belconnen to City Transitway is one of the busiest public transport corridors in Canberra. It services three very popular rapid bus routes, the R2, R3 and R4, as well as several local bus routes.

The ACT Government commissioned and released the Belconnen to City Transitway Stage 1 options report in 2011. The government implemented a large portion of the recommended bus priority measures, including dedicated bus lanes and bus jumps at intersections, which have improved travel times between Belconnen and the City. The upgrades were progressed on priority and were delivered over two stages in 2013 and 2014. The bus priority measures were located in the City (along Barry Drive) and in Belconnen adjacent to the University of Canberra and Radford College along College Street and part of Haydon Drive.

Some bus priority measures were not progressed at the time due to being deemed not yet necessary. These measures were predominantly located in the central section of the Transport corridor between Hayden Drive and Belconnen Way. The Government agrees that the time has come to revisit these measures.

It must be noted that the study and design that has informed the original options report back in 2011 are now out of date and require updating to reflect changes in the region, including population and traffic growth. For example, the bus priority recommendations in the 2011 report may no longer be sufficient and more significant interventions may now be required. Measures recommended in the options report, such as an intersection bus jump may now require a dedicated bus lane to achieve the desired transport outcomes. This is why we need to undertake detailed investigations first to ensure the bus priority measures we deliver achieve their intended outcome, which is what I put forward in my amendment to recent Assembly business on this matter.

An updated feasibility study is required to determine what remaining improvements can be made to the corridor to make material enhancements to bus

travel times. The feasibility study would take into consideration new traffic modelling and the future development of housing, health, and tertiary education precincts in the region. In particular the analysis will take into consideration the future traffic impacts from the new North Canberra Public Hospital, precinct planning at the AIS, future expansion of Radford College and the University of Canberra. It would also consider Government's policy direction, such as the District Strategies, Planning Strategy, Transport Strategy, Climate Change Strategy, etc. These would need to be considered as part of eventual recommendations and options for further enhancements along the established corridor.

The Belconnen Transitway was the only ACT project listed on Infrastructure Australia's Infrastructure Priority List (Canberra public transport improvements). It was added in 2016 and identified as medium-term priority, with a 5-to-10-year timeframe. This initiative is at the IA Early Proposal stage, the next stage is Potential Investment Options. Undertaking an updated Feasibility Study, which focuses on the central section of the Belconnen Transitway corridor, will enable this initiative to progress. This will support the ACT to then seek co-funding from the Australian Government for this initiative in the future.

In addition to bus priority measures, an updated feasibility study would consider other opportunities to improve active travel infrastructure, improve connections between bus stops and key infrastructure and services, enhance other transport modes between Belconnen and the City, and preserve the corridor and support the future construction of Light Rail to Belconnen.

I trust this information is of assistance.

### **Trees—Scullin tree hollows—petitions 22-23 and 28-23**

By **Mr Steel**, Minister for Planning, dated 2 February 2024, in response to petitions lodged by Ms Clay on 2 November 2023, concerning tree hollows protection.

*The response read as follows:*

Dear Mr Duncan

Thank you for your letter of 2 November 2023 regarding Petition No. E-PET-022-23 and PET-028-23, lodged by Ms Jo Clay MLA, concerning tree hollow protection in relation to a development proposal at Block 20, Section 43 Scullin.

The ACT Government notes the matters raised in the petitions in relation to development application DA-202240865 and the protection of tree hollows in the ACT. It is noted that the petition does not oppose the development proposal, and is focused on specific hollow bearing trees and related processes. The following provides information addressing each of the matters raised in the petitions.

a) DA-202240865 – Retain hollow bearing trees approved for removal

Both petitions stated that DA-202240865 was approved and that a review should be undertaken, or withdraw or discontinue parts of the approval, to ensure hollow bearing trees are retained. The petition states that there some of the trees that are proposed for removal include hollows which provide important habitat for native birds. The trees referenced in the petition are trees identified in the DA as trees S6, S8 and C7.

On 20 February 2023, DA-202240865 was lodged with the independent planning and land authority (the Authority) for the demolition of the existing pathway and tree removal, the construction of six new single-storey dwellings with attached garages, new driveway and associated works. The application included an Arboricultural Impact Assessment Report, undertaken by Steve Griffiths Arborist, showing trees S6, S8 and C7 recommended for removal (see extract from arborist report at [Attachment A](#)). Although the assessment report recommended trees to be removed, the plans for DA-202240865 depicted trees S6 and C7 to be retained. On 24 August 2023, DA-202240865 was conditionally approved by the Authority.

On 10 November 2023, an amendment was lodged under section 197 of the *Planning and Development Act 2007* which included design changes to ensure tree S8 could also be retained (refer to approved amended demolition plan and site plan at [Attachments B and C](#)). On 6 December 2023, the Authority conditionally approved the amendment.

As a result, all hollow bearing trees which are subject to this petition are to be retained.

b) Requirements should be set for tree management plans

The petition is requesting that future tree assessment reports should require detail of hollow bearing values for all native trees proposed for removal. Transport Canberra and City Services (TCCS) has just undergone tree legislation reform which included new guidelines for the development of tree management plans for protected trees. These guidelines will require applicants to include details of hollow-bearing trees on these plans. Further details on the guidelines are available at <https://www.legislation.act.gov.au/ni/2023-823/>.

In addition, TCCS will be reviewing the current assessment report used, internally, by officers to assess protected trees and include the collection of details relating to hollow bearing trees and significant habitat elements.

c) Guidelines for tree removal

The petition is requesting a reference guide is prepared for consultants undertaking tree assessments which should set criteria for whether a tree should be retained, and only allow native trees with hollows to be removed in exceptional circumstances. As a result of TCCS's tree legislation reform work, the Urban Forest (Approval Criteria) Determination 2023 has now taken effect (see <https://www.legislation.act.gov.au/di/2023-270/>). The determination includes criteria for the Conservator of Flora and Fauna (the Conservator) when considering the removal of a protected tree and includes matters such as the importance of the tree in the surrounding landscape and whether the tree has ecological importance to the local environment.

If a tree is proposed for removal as part of the DA process, the Authority will seek advice from the Conservator who will provide advice based on the approval criteria. The Authority must consider the Conservator's advice in accordance with the *Planning Act 2023*. In addition to these considerations, the Authority must assess the DA in accordance with the new Territory Plan (2023). The new Territory Plan requires greater focus to areas with environmental significance, such as, the introduction of the ACT Biodiversity Sensitive Urban Design Guide.

The recent implementation of planning and tree reforms provides for greater environmental considerations including matters relating to tree hollows.

d) Improve Tree Protection Unit decision making process

The petition is requesting improvements are made to the Tree Protection Unit (TCCS) decision-making process, particularly in relation to hollow bearing trees. Tree Protection officers in TCCS will be attending training in the identification of Gang Gang habitat. TCCS will investigate further learning opportunities with regards to the urban trees containing habitat by threatened species.

e) Update the DA process to ensure thorough considerations

The petition also has requested that development approval policies and processes are updated to ensure tree reports in the DAs are not just taken on face value, community reports of active hollows are taken into account and on-site inspections are undertaken. A DA is assessed independently by the Authority, in consultation with relevant entities through a statutory process. The Authority must assess all applications against the *Planning Act 2023* and Territory Plan and cannot and do not just rely on the views of the applicant.

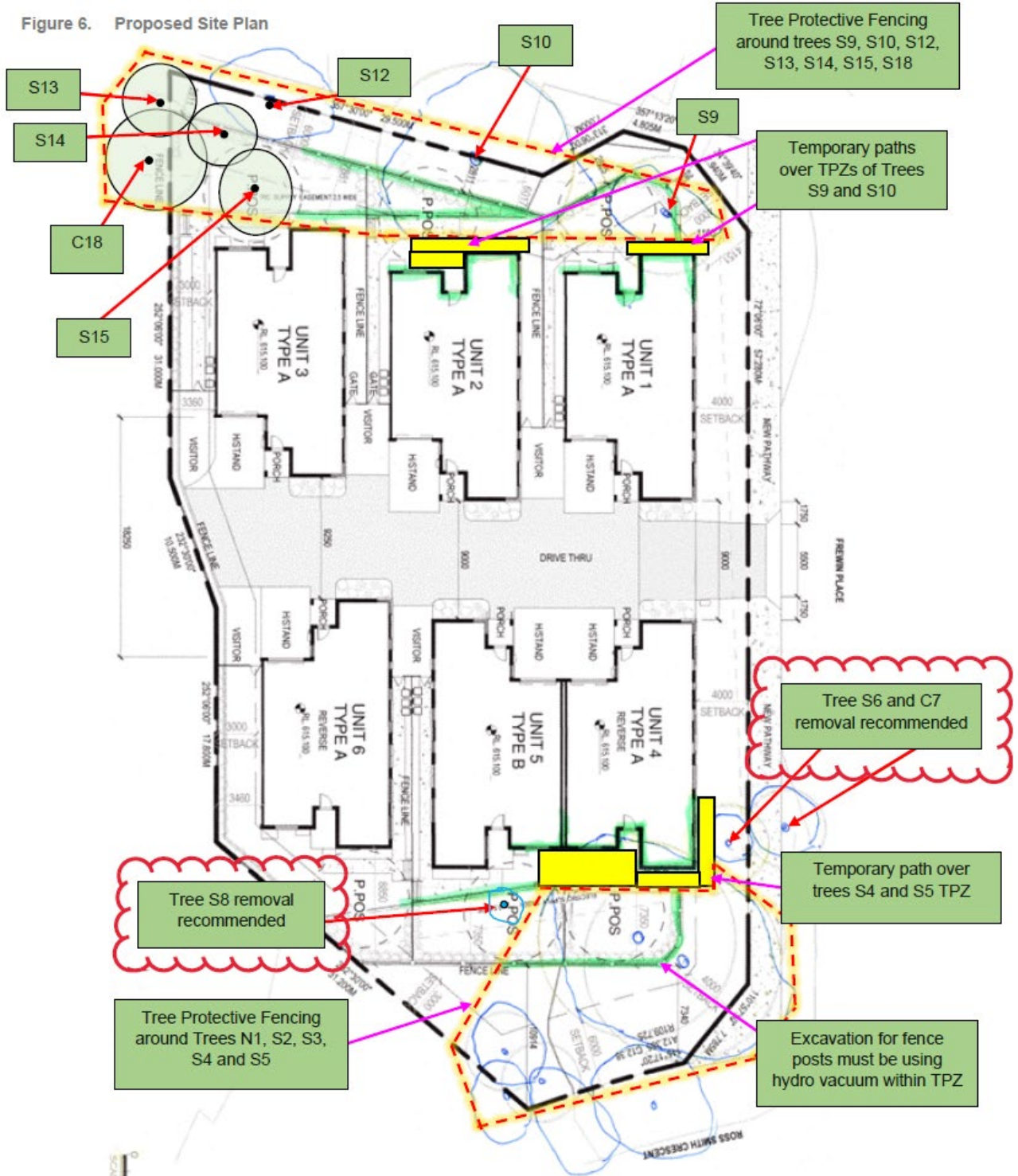
Currently, as part of the DA process, DAs are publicly notified where the community has an opportunity to make comments on the proposal or potential impacts. The Authority must consider all comments received during the public notification process, including comments on trees.

In relation to site inspections, when a DA is referred to the Tree Protection Unit (TCCS) the officers will undertake a site inspection to confirm the value of the trees are as outlined in the application. In addition, the Authority regularly undertakes site inspections for major developments.

The ACT Government has and continues to implement processes and procedures to deliver good planning and environmental outcomes. Planning and tree legislation reform recently undertaken and now taken effect, delivers ongoing improvements and represents the Government's commitment to sustainable development and environmental protection. With this reform work, the *Planning Act 2023* has been put into place as well as TCCS's *Urban Forest Act 2023*.

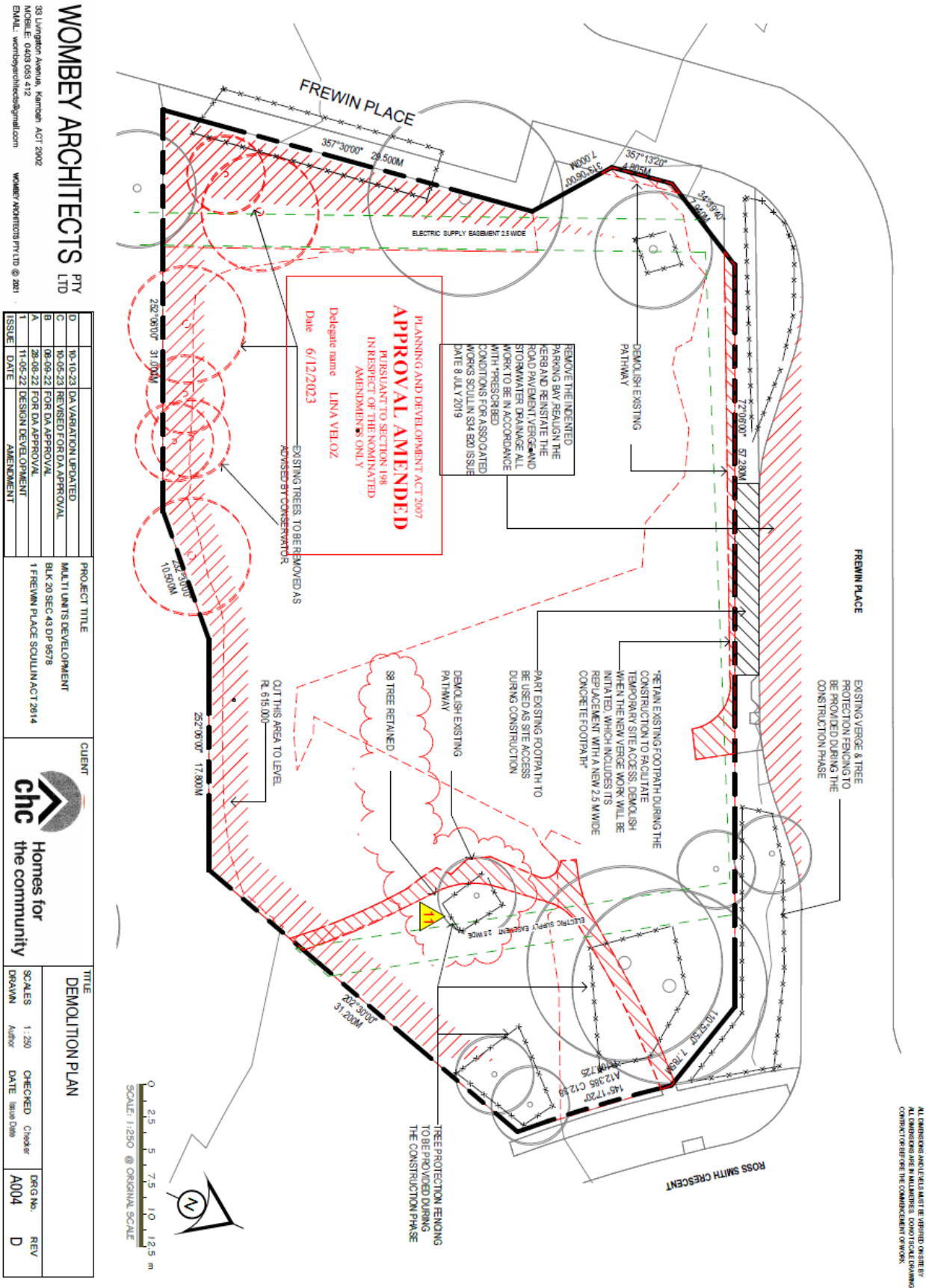
Thank you for providing me with this petition, I trust the information in this letter is helpful to the Principal Petitioner and the Sponsoring Member.

**Attachment A – Extract from Arboricultural Impact Assessment Report**





**Attachment B - Approved amended demolition plan**



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ISSUE	DATE	DESCRIPTION	AMENDMENT
D	10-10-23	DA VARIATION UPDATED	
C	10-05-23	REVISED FOR DA APPROVAL	
B	08-09-22	FOR DA APPROVAL	
A	28-06-22	FOR DA APPROVAL	
1	11-05-22	DESIGN DEVELOPMENT	

PROJECT TITLE	CIENT
MULTI UNITS DEVELOPMENT BLK 20 SEC 43 DP 9978 1 FREWIN PLACE SCULIN ACT 2014	<b>chc</b> Homes for the community

TITLE	SCALES	CHECKED	DATE	DRG NO.	REV
DEMOLITION PLAN	1:250	Checked	Issue Date	A004	D

12/10/2023 10:00:56 PM



## **Motion to take note of petitions**

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

That the petitions and responses so lodged be noted.

### **Justice—child sexual abuse—petition 27-23**

**MR BRADDOCK (Yerrabi) (10.21):** I wish to speak to the petition regarding the removal of the provision of good character references for paedophiles in the sentencing of child sexual abuse cases.

For the Your Reference Ain't Relevant group, I advocated to disallow people convicted of child sexual abuse to utilise the so-called good character references, especially when they have committed crimes against some of the most vulnerable members of our community. The Australian Child Maltreatment Study, with 8,500 respondents, found that 28.5 per cent of people in Australia had experienced child sexual abuse. That is almost one in four.

The current legislation is failing to protect and provide the justice and trauma informed approaches to sentencing that victim survivors are calling for, as demonstrated by the support for this petition.

Despite people being found guilty of committing acts of sexual violence against a child, defendants are still able to use these good character references in their sentencing. We have already recognised, to an extent, the issues around the use of a good character reference in these circumstances. Specific people are already prohibited from utilising good character references. These include teachers, religious leaders, scout masters, doctors, people of obvious good standing and positions of trust in the community and whose position allowed them to commit that abuse.

However, there are still many child abusers that are able to use good character references. These include parents, step-parents, siblings and other perpetrators, who are still able to use good character references during sentencing procedures. We know that the perpetrators of these crimes often act very differently in public when amongst members of the community; simultaneously grooming victims and their families so they can commit the crimes in private against the most vulnerable.

I have had the opportunity to meet with members of the ACT Bar Association to discuss their concerns about the calls from the petition, including the issue of good character references and what trauma informed approaches to sentencing could actually look like. We discussed several mechanisms through which we could provide victim-survivors with greater justice, including the removal of the word 'good' from the current phrase, 'good character references', as well as what additional training and other practice changes we could make to reform legal practice to assist in this area.

I am proud to be able to work with the Your Reference Ain't Relevant campaign, to bring this issue to the attention of the Assembly here today. Your Reference Ain't Relevant is headed by Harrison James and Jarad Grice, people who join us today in the Assembly for the lodging of this petition. Survivor advocates and staunch

community campaigners for justice for victim-survivors of child sexual abuse, they have highlighted the inconsistencies in our current legislation.

During our meetings, they have shared with me that they only began this campaign in May of 2023, less than a year ago; and yet, despite the short time, they have already been able to achieve so much for victim-survivors of child sexual abuse. I wish to thank them for their advocacy and community campaigning of this issue. The Your Reference Ain't Relevant campaign has already seen success in New South Wales, where the Attorney-General has referred proposed reforms to the Department of Communities and Justice.

If the ACT is serious about committing to addressing sexual violence in our community, then we need to continue listening to victim-survivors. Their lived experiences must inform the way in which we improve the experience of victim-survivors and contribute to progressive changes in our criminal justice system. We know that the criminal justice system, particularly in relation to child sexual abuse, is not meeting the standards expected. It is not providing the trauma informed responses that victim-survivors are calling for. Therefore I am pleased to sponsor this petition today.

### **Trees—Scullin tree hollows—petitions 22-23 and 28-23**

**MS CLAY** (Ginninderra) (10.26): I rise to speak to the petition to save Scullin's tree hollows and protect across the ACT for the future other trees with hollows. This petition was lodged by Ms Adele Sinclair, and she has been working with the local Scullin community. We got over 600 signatures on this petition in a very short space of time. This petition is a really good news story. It relates to important trees with hollows in them, and there were gang-gangs nesting in these hollows. A lot of the locals were taking photographs of these gang-gangs, and they were really upset when they saw a DA go up that was going to remove those trees.

The local community has been working with the developers. They have worked with Greens environment minister, Rebecca Vassarotti, and they have worked with City Services and the city services minister. I am really pleased to say it sounds like we have found a fantastic solution, whereby those trees, with those hollows being used by gang-gangs, can remain and the houses can still go up.

At the moment I am working in a number of capacities in planning in Canberra and I am seeing a really positive change in the conversation. We understand that we need homes for people; we need a home for everybody. We also understand that we need to protect our environment. It often means working together on the detail and on these individual projects to come up with a really good solution that meets all the needs.

It is a good petition that has raised awareness of some of our administrative mechanisms that are working and in play here. I am really pleased to see that the government has engaged with this so deeply and meaningfully and that the developers and the community have engaged. We have got some good results, and I think it is actually going to set a really good model for how we can do developments like this in future.

### **Roads—Tralee—petition 31-23**

**MR PARTON** (Brindabella) (10.28): Petitions are a very important component of this Assembly. When a constituent approaches you as an MLA to sponsor a petition,

I think it is important to facilitate that request. In my time here I cannot recall actually saying no to such a request, even though on occasions that meant that I was sponsoring petitions that I did not necessarily agree with.

I was approached some months ago by some ACT and New South Wales residents to sponsor a petition to the Assembly regarding road connections to South Tralee and I said yes. This is an important petition. I have been a little disappointed by the response in the media from Mr Steel. Mr Steel seems to believe that we should consider New South Wales to be pretty much another country to us and that no thought should be given to the road connections for those residents who are commuting every day to the ACT. I guess that is an extreme characterisation of what Mr Steel had to say, but it was certainly heading in that direction.

For this petition to be valid it must contain the signatures of ACT residents. Indeed, only ACT residents are actually counted. I would note that this petition has been supported by well over 500 ACT residents and that that puts it well and truly in the top half of petitions that come before this place. There are a lot of people who want the government to consider this petition.

The Tralee Community Association put out a media release on this yesterday. It was quite a long media release. This is my favourite paragraph: “Until a Simpson’s-like glass dome separates the ACT from the rest of the country and there is an agreed restriction of movement and employment between jurisdictions, then transport and planning consideration need to factor in regional cross jurisdiction traffic volumes.” The media release also refers to emissions from private car transport. This Labor-Greens government talks a big talk when it comes to emissions reduction and we go to enormous lengths to reduce emissions here in this jurisdiction whenever we possibly can. But, apparently, if these emissions are emitted immediately over the border, somehow they cease to be important. If there are massive CO<sub>2</sub> emissions just over there, that is apparently not going to impact us as heavily on the climate as emissions right here, which is quite clearly ludicrous.

The petition simply calls upon the ACT government to work with the Queanbeyan-Palerang Regional Council and others on ensuring that access to the Monaro Highway north and south of the Hume industrial estate is factored in by the ACT as part of the ongoing upgrade. They are simply asking that, as we move forward with this jointly funded project, consideration is given to all those who will use the road, and I cannot see that that is an unfair ask. Thank you.

Question resolved in the affirmative.

## **Government—infrastructure and services investment Ministerial statement**

**MR BARR** (Kurrajong—Chief Minister, Treasurer, Minister for Climate Action, Minister for Tourism and Minister for Trade, Investment and Economic Development) (10.31): At the commencement of the final parliamentary year in this 10th Legislative Assembly, the government’s priorities remain very clear. In 2024, the government will complete the progressive platform that the Canberra community

voted for in 2020. We will deliver new and renewed infrastructure for our city's future and we will support Canberrans with cost-of-living pressures across energy, education, health and transport.

Throughout this term of government, we have delivered key commitments in areas including affordable housing, the transition to a low-emissions future, equitable access to early childhood education and reforms of the criminal justice system. Over the last 12 months, more than 60 commitments from the Parliamentary and Governing Agreement have been met, including passage of planning reforms in this place to support building more affordable housing in established suburbs; establishing free three-year-old preschool one day a week for all families; switching on Canberra's first grid-scale battery; raising the minimum age of criminal responsibility in a way that supports young people and protects the community; commencing design of a major new hospital for North Canberra; and commencing the personal possession drug decriminalisation reforms—to name a few within that list of 60.

The government also released a series of updates to the territory's 2019 Infrastructure Plan, a plan to build Canberra's future. The rollout of the infrastructure plan will continue in 2024, so that everyone has a clear understanding of the territory's infrastructure priorities over the next 10 to 15 years. A priority is housing—housing for a growing city. Canberra is growing steadily, from a population of about 380,000 a decade ago to over 465,000 in 2023, and we will reach, on current growth patterns, half a million in the second half of this decade. People want to live in Canberra, and that is a great thing, and we expect that we will keep growing. We will grow because of our strong labour market, our high-quality higher education institutions and, importantly, our very high living standards—and the simple fact that Canberra is a great place to live. This means more housing will need to be built right across the city.

Of course, secure, affordable housing and the supply of it is a national challenge. The territory has been playing a leading cross-jurisdictional role to develop a comprehensive and consistent national approach. We are well placed to implement the national cabinet agreed reforms to increase housing supply and improve housing choice, improve access and improve affordability. We have already introduced the ACT's new Territory Plan and District Strategies, with residential zoning changes to provide more medium-density housing choices. The objective is simple: more housing for Canberrans where they want to live. The government will also implement a number of other initiatives to increase housing supply and choice. The Affordable Housing Project Fund, which the Deputy Chief Minister and I announced in last year's budget, is already being used to support more affordable housing projects in our city, with a great new project announced this morning.

Throughout this election year, I am sure we will hear a diversity of views on how to deliver more housing in Canberra. In the government's view, in Labor's view, it needs to be a carefully considered mix of expansion in the right areas and infill done in the right way to give residents options on how they want to live. The government is supporting the construction of more homes using a combination of these new planning reforms, the declaration of new urban renewal precincts, new suburban land release, significant build-to-rent incentives and stamp duty cuts to increase supply and to improve affordability of owner-occupier and rental housing in the territory. The

government will also be bringing forward a bill this year to implement the remaining elements of the Better Deal for Renters reforms that were agreed by national cabinet to harmonise and strengthen renters' rights across the nation.

The government recognises that, with all this growth in population and in housing, the city needs new and renewed infrastructure. In 2024, work will continue on a number of key projects that we have been outlining in the government's Infrastructure Plan updates. There will be important steps forward on the planning, design and construction of a number of once-in-a-generation projects, projects that the territory will only do once every 50 years or so. These shape our city's future but, importantly, will also support our growing economy. Examples include the new Woden CIT campus, the Molonglo Valley bridge, the city theatre precinct, light rail's extension to Commonwealth Park and onwards into the Parliamentary Triangle and Woden, the convention centre precinct, and the health, education and sports stadium precinct in Bruce.

In 2024, Canberrans will also see progress on active transport infrastructure such as the Garden City cycle route, the Bowen Drive to Kingston Foreshore upgrade, improvements to the Lake Ginninderra pathway and the Sulwood Drive cycleway at the base of Mount Taylor. There will be upgrades to the Monaro Highway and the Molonglo River bridge crossing as well as regular road resurfacing throughout the city. Finally, the major refurbishment of the Fitzroy Pavilion at Exhibition Park will mark a further step in the renewal of that major event venue. The Fitzroy Pavilion upgrade will support larger-scale multicultural and community events, weddings and national celebration days, and is, of course, the next important step in broader improvements to Exhibition Park.

We know that cost-of-living pressures are impacting some Canberra households and, together with our federal colleagues, we are acting decisively to help. We cannot solve everything at a territory level. Mortgage costs and grocery prices are largely outside ACT jurisdictional control. But, in areas that we can influence, such as health costs, energy bills and educational expenses, the government will continue to implement policies that ease pressure on households. This work will build on a number of key cost-of-living initiatives introduced in 2023 that saved tens of thousands of Canberrans last year, just as the national and international inflation spiked. This practical assistance included more than 43,000 Canberra households being eligible to receive a direct \$800 territory utilities concession from the territory government. We increased eligibility from around 31,000 Canberra households to 43,000 households for that \$800 payment.

We partnered directly with the commonwealth government to provide further energy bill relief throughout the financial year, particularly targeting lower-income households. We provided an additional payment of \$250 to households on Housing ACT's priority housing waiting list and we increasing the Taxi Subsidy Scheme's cap by 15 per cent, removing the requirement to apply for additional trips.

This is on top of ongoing cost saving measures for essential services, such as the government's provision through the network of nurse-led walk-in centres of quality free health care—health care that assists Canberrans with a range of minor illnesses and injuries without needing to make an appointment; our new Education Equity Fund,

to ensure that kids get to experience the full benefits of school, like attending school camps, assistance in purchasing sports equipment and new uniforms, and music lessons—a range of things that make life at school easier for students; the introduction of free three-year-old preschool one day a week; the provision of free Chromebooks for every student in high school and college, and Chromebooks at a ratio of one to every three students in our primary school, so that children are not at a digital disadvantage in their classroom; provision of the Rent Relief Fund to help tenants stay in their homes during a period of severe financial stress, by providing rent assistance for four weeks up to about \$2500; and, of course, the FuelCheck scheme so that service stations report their prices in real-time, so motorists who have internal combustion engine cars can find the cheapest price near them.

This year, our cost-of-living focus will also involve working closely with the federal government, which, as we know, are delivering tax cuts from 1 July and offering consumer price relief to the Australians who need it most, through a range of federally focused policies. A clear benefit for Canberrans is the capacity for the commonwealth and territory governments to work closely together. Whether that is in cost-of-living initiatives or in jointly funded infrastructure projects, Canberrans are the winners. After years of neglect from the previous federal government, it is pleasing to see that we are now receiving a much fairer share of the national infrastructure funding under the Albanese Labor government.

Through the National Capital Investment Framework, which the Prime Minister and I jointly announced last year, we are already seeing significant new investment come into the ACT. This includes the additional \$125 million investment to progress construction of light rail to Commonwealth Park, on its way through the Parliamentary Triangle and to Woden. But this policy framework is about more than that commonwealth funding partnership; it is about building a close working relationship with the commonwealth, a government that respects Canberra both as a city in its own right as well as being the nation's capital.

In 2023, at the close of the year, national cabinet agreed to a substantial program of reforms for health funding, the National Disability Insurance Scheme and the distribution of the goods and services tax. These reforms offer potentially significant benefits to the ACT, but they will be large in scale with a number of complex interconnections. We will also be prioritising our engagement in significant national reforms to health funding arrangements and service delivery over this year. Through the process that we are embarking on, the ACT government is aiming to provide long-term sustainability for our health system, a system that supports not only ACT residents but also tens of thousands of people in New South Wales who are part of the broader Canberra region. But these negotiations on health funding arrangements are just one feature of what will be a very important year for health care in the territory.

We will be opening a major expansion of the Canberra Hospital in the middle of the year, the largest health infrastructure project to be completed in the territory's history. These facilities will support more Canberrans with access to emergency care and elective surgeries. Our nurse-led walk-in centres will be offering more free health services, and work will continue with our new network of community healthcare centres. As we expand our health system, we are hiring and training hundreds of new nurses, doctors and allied health professionals. We need to build the infrastructure and



staff the facilities. We met our commitment of hiring 400 more health professionals in this term over a year early. We are now working to make sure that our new facilities are fully staffed and operational.

We will also be improving the accessibility of mental health services in the territory, including work to deliver a second Safe Haven facility at the Canberra Hospital and continuing the design of a safe assessment space for people presenting to North Canberra Hospital with high-risk behaviours. We will build on the successful implementation of reforms to the Drugs of Dependence Act in 2023 and continue supporting a health-based approach to drug use, including the delivery of an Aboriginal and Torres Strait Islander community-controlled residential drug and alcohol rehabilitation service. Despite the histrionics of some in this Assembly—who sit further and further away from the centre of the table, I note—the ACT’s approach to drug decriminalisation and to pill testing has seen users diverted to the information, care and support that they need to stop their abuse of dangerous substances. Recent data shows that, of the 70 people found with personal possession of drugs, the overwhelming majority are choosing diversion. This is a good thing. It is early days, but it does show that the scheme is beginning to work.

One of the most significant issues that this Assembly will debate this year is the Voluntary Assisted Dying Bill. It was introduced last year and there is a committee process underway. It will certainly be a priority for this Assembly in the first half of 2024. I have said on the public record, and I will repeat again, that I am hopeful that this place will demonstrate to the community that it is a mature and thoughtful parliament and that the debate in this place on this legislation will demonstrate what I believe to be true—that this Assembly can consider these issues in a mature and thorough way. Subject, of course, to the Assembly’s final consideration, the public service will be setting up systems and safeguards for the implementation of the final legislation to ensure that voluntary assisted dying becomes a legal option for eligible Canberrans as quickly as possible after the Assembly has dealt with the legislation.

In education, this year, we welcome three-year-olds into our free preschool education system, starting with one day per week. This is a great reform developed by the Deputy Chief Minister and will improve equitable access to early childhood education and care. Inclusive education will also be a priority, driven by implementation of the government’s Inclusive Education Strategy, and responding to the Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability. As we have always done, the government will continue to respond to the growth of our city by building new schools and investing in the existing schools we all know and love throughout this year.

Turning to matters economic, I think it is important to acknowledge that, over the past decade, the territory economy has been the No. 1 performer in Australia. Our economy has grown by nearly 41 per cent over the 10-year period. The national growth rate was 27 per cent—so a significant, above national average performance from this economy. I am pleased to report that, in fiscal year 2022-23, our gross state product grew by 4.3 per cent, higher than the 10-year average. We enjoy effective full employment, record tourism numbers and strong tertiary and trade graduate recruitment.

The ACT has seen nation-leading business growth in recent years. Between July 2019 and June 2023, the number of businesses in the territory grew by 21.2 per cent. This

was the highest percentage growth of all jurisdictions and, again, well ahead of the national average, which was 14.1 per cent. Businesses in the ACT are also growing at a national leading level. The business growth rate was the highest of any state or territory for fiscal years 2020-21 and 2022-23. For the government's part, we will continue to help business to get the skilled employees that they need. We will do this through our focus on skills training, free CIT courses and, of course the opening of the new Woden CIT campus. We will support night-time economy and creative industry reforms to drive further investment and job growth in that growing sector of our economy. We will implement the ACT Small Business Strategy 2023-2026 and we will deliver the Better Regulation Agenda and Access Canberra's Business and Regulatory Improvement Program, improving the efficiency of government service provision and the ease of doing business with government.

Over the past four years, the government made a deliberate decision to focus our budget investment on keeping Canberrans healthy, to provide a strong public health response to the pandemic, to reach 100 per cent, or as close as, COVID vaccination in our community, to support our community through this significant global event and to save local businesses. The total direct cost so far of all of these COVID-19 initiatives is estimated at over \$650 million. In addition to this, the cost of broader health, community and economic supports announced by the territory government since the start of the pandemic was more than a further \$1 billion. Cost-of-living and concessions supports for the fiscal year 2023-24 amounts to an estimated total of \$145.2 million. I make these observations to be clear that we have not shirked away from making the investments that our city needed at a time of global crisis and in response to a cost-of-living crisis in this fiscal year.

We also have not shirked away from making the infrastructure investments that this city needs to set us up for the next 50 years. Our growing city needs investment in major infrastructure. We intend to deliver that—and deliver it in partnership with the commonwealth government, which cares about Canberra. We want to ensure that we maintain our standard of living as our city grows, that we provide ongoing water security as our population grows and that we invest in public transport and active travel to reduce road traffic congestion.

The government is forecasting an operating surplus in fiscal 2025, as the budget recovers from this COVID period and our economic performance continues to be nation leading. The fiscal repair task will be set out in more detail in the budget review that I will release by 15 February and, of course, in this year's annual budget in late June.

Before I close, I want to acknowledge that it has been a very busy start to the year for our City Services team. We have had some pretty extraordinary weather over this summer. It is a reminder that a changing climate necessitates different approaches to the city's repair and maintenance services. I acknowledge that Minister Cheyne in her new role has begun engaging with the teams who are out there on the ground across the territory undertaking the task of mowing and cleaning the city—every day doing a lot of overtime in this period, to ensure that we are responding to what has been an unprecedented summer of rain that reflects a change in climate. This will continue to be a focus for the government throughout 2024.

In closing, for the remainder of this parliamentary term the government will be focused on completing our ambitious agenda, building Canberra's future and helping Canberrans with the cost of living. We are willing to make difficult calls but the right calls to invest in our city's future so that all will benefit over the coming years. I present the following paper:

2024 Government Priorities—Ministerial statement, 6 February 2024.

I move:

That the Assembly take note of the paper.

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

## **Transport Canberra—bus fleet Ministerial statement**

**MR STEEL** (Murrumbidgee—Minister for Planning, Minister for Skills and Training, Minister for Transport and Special Minister of State) (10.55): The ACT government continues to be a leader in transitioning to zero-emissions vehicles in Australia. The Zero-Emission Transition Plan for Transport Canberra is one of the first holistic plans in place Australia-wide and outlines the ACT's accelerated pathway to reducing public transport bus emissions, achieving a 100 per cent zero-emissions bus fleet by 2040 or earlier.

With this plan, the ACT government continues to take nation-leading action to transition our city's bus fleet to zero emissions, including delivering the infrastructure, investment and skills needed to make the transition operationally successful. A key element to achieving this is our commitment to only purchasing zero-emissions buses from 2022, with an exception for short-term leasing of buses to meet peak operational requirements.

In early 2022 the ACT government entered into a contract for a short-term lease of 26 low-emission diesel buses, which were scheduled to arrive by the end of 2022. The leasing of these buses was planned as a short-term solution to replace our old non-Disability Discrimination Act compliant buses while we transition to an entirely zero emissions fleet.

The response from the supplier at the time of procurement indicated that they would be able to deliver the low-emission diesel buses during the 2022 year. However, the bus industry in Australia is experiencing supply chain issues, price increases and resource shortages which have continued to impact the delivery of the supply contract for the 26 low-emission diesel buses. In October 2023 I advised the Assembly that we were expecting that all of the Renault PR100.2 series buses would be retired by early 2024. That expectation was based on Scania Bustech's delivery schedule, which they have not delivered against.

Today I am providing a further update to the Assembly on the delivery of these low-emission diesel buses and will outline the impact this is having on the replacement of the old Renault P100.2 buses. Since my last update to the Assembly, last year,

international supply chain issues for the supply of raw materials and parts to complete buses on the production line have continued to greatly impact the delivery of the remaining low-emission diesel buses. There are also significant resourcing issues that the bus industry and bus manufacturers are experiencing with the ability to hire skilled labour to complete buses. Not only is this impacting the supply of this contract but the issue is being felt by a number of suppliers and manufactures Australia-wide.

Transport Canberra has been closely managing the bus production and monitoring progress with primary contractor Scania and body supplier Bustech. The impact of supply chain disruption on the provision of raw materials has continued to be significant, with impacts to the supply of steel and components, air-conditioning units, internal fit-out components as well as shortages of fibreglass components. Changes to the original delivery schedule have been reset on 11 occasions since contract execution.

As at today, Transport Canberra has taken possession of nine of the 26 Scania Bustech diesel buses, with all nine buses in service. Transport Canberra has now been advised by Scania that all remaining vehicles will be received before the end of 2024 and is expecting to receive confirmation of an updated scheduled in the coming weeks for delivery dates. Transport Canberra will continue to monitor the compliance of Scania against this advice.

In addition to Transport Canberra ensuring the delivery of procured buses, it is undertaking to reduce the number of Renault PR100.2s in service, through operational interventions and initiatives that will not compromise service reliability. Transport Canberra also continues to support passengers who require accessible services, through the immediate response by transport officers to provide transport if an issue is identified during service or through assisting passengers with planning journeys.

As transport minister, I am disappointed by Scania Australia and its partners' performance under this contract, and I continue to seek advice on what options are available to government. Despite putting in place the contracts to support the replacement of non-compliant buses, revised delivery dates, on multiple occasions, for the remaining buses on order have meant that Scania Australia has not been able to deliver the buses on time as per the terms of the contract.

In August of 2023 I met with the peak body, the Bus Industry Confederation, to discuss the broader challenges the Australian bus manufacturing industry is facing. This discussion centred around the difficulties that the industry is experiencing, inclusive of several converging challenges: inflation, costs and wage escalations, labour and skills shortages, supply chain uncertainty and inconsistent approaches to local procurement and standards. As of today, more than half of the old Renault PR100.2 series buses have been replaced by the new battery electric buses and low-emission diesel buses that have been delivered and are in service. All the remaining Renault PR100.2 series buses will be decommissioned once further buses have been received and fully commissioned.

Due to the delays in the arrival of replacement vehicles, the remaining Renault PR100 series buses will need to be actively managed. If we were to remove all of the Renault buses from service today, this would significantly risk service reliability for Canberrans. However, Transport Canberra will continue to reduce the use of these

buses in deploying the fleet as much as possible until all vehicles have been replaced. Transport Canberra is working to only operate Renault PR100.2s when the only alternative would be to cancel a service.

Real-time customer information identifies all services that are accessible, and a process is in place for customers to request an accessible bus on a specific route through Transport Canberra customer service.

The ACT government is committed to transitioning our fleet to clean, quiet, comfortable and accessible buses, integrated with light rail and running on 100 per cent renewable energy. It is unfortunate that it is the delayed delivery of conventional diesel buses that has been the greatest problem in managing the renewal of the fleet during the transition. Transport Canberra is continuing to manage the public transport fleet to ensure that there are reliable services for Canberrans, and I will continue to update the Assembly as we actively manage the transition away from the small number of remaining non-compliant vehicles.

I present a copy of the statement:

Update on Transport Canberra's Bus Fleet—Ministerial statement, 6 February 2024.

I move:

That the Assembly take note of the paper.

**MR PARTON** (Brindabella) (11.02): In response to the minister I would say: you are serious, aren't you? You could not actually make this stuff up. Could you imagine, Madam Speaker, if the Liberals were in government and we did this? Can you imagine the hand-wringing and the hue and cry that would come from the likes of Mr Steel? This is unacceptable and inexcusable. The minister spoke, in his statement, about short-term solutions. I guess the question you have to ask is: given the warning time that was offered to all jurisdictions, why were we scrambling around for short-term solutions?

We heard the inaugural speech from Miss Nuttall this morning. Let me put this in context. The newest of the Renault diesels, bus 982, was commissioned into service in June of 1993, so it is about six years older than Miss Nuttall—and that is the newest of them. We all need to understand that the retirement of these dinosaur diesel buses was foreshadowed as a priority for this government a decade ago. It is wonderful to sit here and blame the pandemic, the war in Ukraine, the weather and everything else, but the government have had 11 years to sort this out. These buses became noncompliant more than a year ago and, despite the statement today, we still do not know when or if they will ever be removed, because the time line just keeps on shifting.

Mr Steel consistently says one thing and does another. I know, Madam Speaker, that you have previously ruled that the word "gaslighting" is unparliamentary, so I would not dare use that term in the context of this debate. I would like to bring another word to the lexicon this morning: what Mr Steel and his government are doing is "buslighting". Buslighting is what they do—and there is no better buslighter than

Mr Steel—because they assure us every day that they are committed to electrifying the bus fleet. Is it not ironic and weird that the party in this place which is genuinely committed to electrifying the bus fleet is the Canberra Liberals?

I know we will hear some words from Ms Clay and she will express her great commitment, but I would remind Ms Clay that she is a member of government. Her party is in a power-sharing agreement with Labor. It is wonderful to come on down here and speak some strong words. They assure us every day that they are committed to electrifying the bus fleet. They assure us that the reduction of emissions from transport is really important. They are not serious. They keep on revising time lines; they keep on coming up with excuses. This is buslighting at its finest. It keeps on going, and there is no better buslighter than Mr Steel. He is the best that ever was.

**MS CLAY** (Ginninderra) (11.05): I am really disappointed by these further delays to the rollout of our fully accessible bus fleet and the replacement of the inefficient, inaccessible Renault buses. These buses entered service between 1990 and 1993. They are older than almost 200,000 Canberrans. They are older than almost half our population. If they were cars, they would classify as vintage cars. They would be historic motor vehicles under the ACT government's own classification.

These buses belong in a museum, but they are on our roads because Labor did not get rid of them when they should have. They should have been replaced with modern, accessible buses, and that could have been done any time from 2003 until before January last year.

If we had wanted to get rid of these buses in a timely manner, we would not have finalised the contract for the replacement buses in March 2022, nine months before a 20-year deadline. We, in our office, cannot understand why the replacement was left to the last minute like this, unless it just is not high priority. For comparison, that is like knowing you have an hour to do something and starting it two minutes and 25 seconds before it is due and then you miss the deadline. There is no reason government could not have bought these buses five years ago, but they did not buy them five years ago because it was not a priority.

This is affecting people now. I am really, really pleased to hear about the amount of work and effort that has gone into negotiating this contract now, coming up with alternative arrangements for people with mobility issues and people who are living with a disability who cannot use the old buses properly. It is really good to see that there is a lot of effort and legwork going on, but if we had just started this earlier, if we had just ordered these buses and got them in before the pandemic, before COVID caused supply chains to collapse, before all of these delays, we would have our buses. People who need these buses and are living with a disability would be able to get around Canberra easily and simply and with convenience, the way that they should be.

We are getting worried about the priority that is being put on public transport here. The ACT Greens are committed to public transport. We are concerned that our partners in government are not. There is a multi-year delay on the Woden bus depot. We have an indefinite delay on delivering the additional new north-side bus depot. We heard comments in the Riotact from the Chief Minister yesterday. I listened very carefully to the Chief Minister's statement of priorities today, but in his comments

yesterday he very clearly said that he has deprioritised light rail stage 2B so that he can focus on other priority projects. We have a lot of things that we need to get on with. We do need to build more than one project at once, but we should not be downgrading light rail. We should be doing all of these things, and we should be managing them well.

We are really concerned that Canberra is not getting the public transport system that we need—and we need this public transport system now. The cost of living means that not everybody can afford a car. Congestion means that we do not want everybody to afford a car. Not everybody should be able to drive everywhere they can go in a growing city. It just does not work and, frankly, people cannot afford the petrol at the moment anyway. We need a public transport system that is convenient and accessible and that works for all of our population. We need to do this for the sake of the climate as well, so we need to make sure that we are prioritising public transport and that we are delivering these projects in a timely manner.

Question resolved in the affirmative.

## **Government—human resources and information management system**

### **Ministerial statement**

**MR STEEL** (Murrumbidgee—Minister for Planning, Minister for Skills and Training, Minister for Transport and Special Minister of State) (11.08): On 15 December 2023 the ACT Auditor-General tabled report No 10 of 2023: *Human Resources Information Management System (HRIMS) Program*. I rise today to speak to the report, present the government's detailed response and update the Assembly on the steps the ACT government is taking in response to its findings.

The HRIMS program had multiple failings at all levels. The government acknowledges the failings of the program and accepts the findings of the report and the Auditor-General's recommendation. Today, on behalf of the government, I apologise to the community for the failures of this ICT program. The government must improve and do better to manage future ICT projects in the territory, and I want to assure Canberrans that we are addressing the clear lessons learned from this program. Canberrans deserve an open and transparent explanation of what we will do to change the way we deliver ICT projects, and I offer that today.

The HRIMS project raises serious questions about management, capability and accountability in relation to ICT projects. In response to the Auditor-General's recommendation, I am tabling a detailed response to the failings of the HRIMS program, drawn from both the Auditor General's report and from the reviews that the government has already commissioned into the program. Most importantly, the government's response details the actions we have undertaken to address those failures and how we are applying lessons learned for future projects, to give Canberrans confidence that the mistakes identified will not be repeated.

The HRIMS program was intended to deliver a contemporary, whole-of-government payroll and human resources solution to integrate and modernise the human resources practices across 18 directorates and for 28,000 ACT government employees. This

significant program required the extensive integration of systems, processes and procedures, including managing numerous different workplace requirements and enterprise agreements. The HRIMS program was developed in 2017 in response to earlier findings from the Auditor-General about improvements needed to the ACT payroll and human resource systems. The program faced a range of avoidable and unavoidable challenges. The scale and complexity of the change required was underestimated.

During the COVID-19 pandemic, officials across the public service with responsibility for human resources functions reprioritised their work and engagement with the program. In December 2020 I became Special Minister of State, with responsibility for the program. The advice from the public service made it clear that the program would not meet its first deliverable. This led to a decision in 2021 to pause the program, and several reviews were commissioned, both technical and non-technical, to inform the future of the program.

The ACT government undertook three separate reviews prior to the Auditor-General's report. These included a 2021 review of the design and technical solution for HRIMS by SAP, a 2022 detailed review by Deloitte to identify learnings and improvements the ACT government could make in the management of the program, and a 2023 review by Geoff Leeper which identified issues with project governance, from options considered through to implementation.

These reviews and a reconsideration of the requirements of the ACT public service led to the decision by the government not to reset the HRIMS program to get it back on track but to end the program in the 2023-24 budget. The decision that we made to end the program is a responsible one and will avoid an estimated additional cost of \$140 million to continue to implement the HRIMS program. Instead, we will invest in upgrades to our existing payroll and human resources systems, CHRIS21 and HR21, and will develop a new time and attendance system, at less risk and at a lower cost to the territory. This new program is known as the payroll capability and human resource management, or PC-HRM, program.

In undertaking the reviews of HRIMS, the ACT government has proactively identified lessons learned and has already been applying these to all future ICT projects, including the PC-HRM program. The ACT government will now focus on the delivery of the new program to upgrade existing payroll and HR systems through the PC-HRM program. This program will take the important lessons learned from HRIMS, the report by the Auditor-General and the three reviews undertaken by the ACT government to make better decisions at all stages.

PC-HRM will have better project management, governance and procedures to deliver an effective and reliable HR system. Upgrades to the existing systems will address the challenges currently faced and reduce risks for the project by reducing the need for heavy customisation. This is now possible due to the evolution of the existing HR and payroll software, changes to business processes and extensive knowledge gained through reviews of the HRIMS project.

A key finding and lesson learned from the HRIMS program is better planning for success. In response to the findings by the Leeper review and the Auditor-General



about the need for better planning to understand scope and design, the new PC-HRM program will be delivered under our new best practice design and delivery guide. These principles that are now in place require more work to scope realistic options, understand business practices better and ensure better analysis of risk and data.

We are also implementing better governance structures, in line with the findings of the Auditor-General, to ensure clearer roles and responsibilities for everyone involved in an ICT project. This includes identifying a responsible business owner who is ultimately responsible for ensuring that the project will meet the expected business outcomes; resolving program issues and risks; and controlling and prioritising scope or change requests through the program. The PC-HRM program has also gone through a new business case evaluation process to ensure that, from the very beginning, it is set up with the right time lines, the right understanding of the opportunities and limitations of the technology, and considers whole-of-government priorities for ICT investment.

One of the key lessons from the HRIMS program is about governance at a range of levels. Each review undertaken, and the report by the Auditor-General, identified the need for improved and strengthened governance and clearer roles and responsibilities. The PC-HRM program will be delivered with strengthened governance practices, following structural changes within the ACT public service, and in response to recommendations from the Leeper review.

The new Office of Industrial Relations and Workforce Strategy, OIRWS, provides the formal structure to lead the ACTPS industrial and employment agenda, including bringing payroll and human resources functions together as a whole-of-government service provider. The Deputy Director-General of OIRWS will be the responsible business outcome owner for the new PC-HRM program and will be supported by the Chief Digital Officer and the Under Treasurer to make the right strategic and whole-of-government decisions needed in delivering the program. The program will be supported by a program board, with clear terms of reference and clear responsibilities for each of its members, to drive the program forward. The board will be supported by an independent external member with experience in large and complex HR projects.

Another finding and lesson learned relates to contract management in the delivery of services. The ACT government is committed to supporting all public servants to keep better records and document decisions in managing contracts and delivering services. This is a key priority of the ongoing Procurement Reform Program which began in 2022. Through the reform program, work is underway to ensure better oversight of high-value, higher risk procurements through the Government Procurement Board.

We are also working to establish an accreditation program which assigns accreditation to a government agency and provides better support during a procurement, based on capability and capacity. The accreditation program will be supported by a tiered service delivery model which provides tailored support to officials to understand the scope, scale and risk of their procurement. This system will support the delivery of PC-HRM by providing better advice to the project board and the business outcome owner as they prepare an approach to market.

We are also supporting a skills uplift across the public service to embed all of these changes, especially as they relate to project management and establishing a program plan. Training is being provided to help public servants better understand the plans they need to have and the decisions they need to make before embarking on delivering a project. The ACT government is also taking other steps to establish better practices into the future to support project delivery and our digital acceleration. This will include work over the coming year to update our best practice design and delivery guide, establish more dedicated multidisciplinary teams to manage complex projects, build better guidance on project reporting, and identify how best to make digital investments.

The ACT government is committed to learning the lessons from the HRIMS program and applying those lessons to make systemic changes to the way that government manages future ICT projects. The findings by the Auditor-General, and the reviews the government had already commissioned, provide an important foundation in understanding where change must occur and where reform and better practices can deliver better results for Canberrans in the approach to planning; identifying roles and responsibilities; the consideration of options; adequate time lines; the preparation of business cases; providing a single source of truth; supporting a skills uplift in the public service; and additional work to support best practice and multidisciplinary teams.

The government's response to this report shows that we are serious about applying lessons that we have learned, both to the new PC-HRM program and to all future ICT projects that the ACT government undertakes. As outlined in the response I am tabling today, work has been completed or is underway to address the issues identified. These actions address acknowledged failures of the HRIMS program and will inform the lower cost, lower risk solution to the human resources needs of the ACT government through the PC-HRM program. I thank the Auditor-General for his report and present a copy of the government response.

I present the following papers:

Auditor-General Act, pursuant to section 21—Auditor-General's Report No 10/2023—Human Resource Information System (HRIMS) Update—Government response, dated February 2024.

Human Resource Information System (HRIMS) Update—Ministerial statement, 6 February 2024.

I move:

That the Assembly take note of the ministerial statement.

**MR CAIN** (Ginninderra) (11.20): How many major projects does this minister have to be responsible for before he does the obvious thing and steps down from his ministerial responsibilities? We have heard of two significant failures this morning—failures not just by him but by his Chief Minister—in making sure that the government keeps its own promises to the community and, in one case, its own promises to its Greens partner in government.

As we have seen, the minister has issued a statement in response to the Auditor-General's damning indictment of a significantly failed project that cost this

community at least \$78 million—and I suspect that the amount has continued to grow. Indeed, there have been multiple failings at all levels. While the minister has issued an apology and mentioned how important it is to demonstrate accountability for this failure, this misuse of taxpayers’ money, he has not done the obvious thing and stepped down from his oversight of this important area of governance in the ACT.

If \$78 million had been lost under a minister’s supervision in a responsible government, that minister would not have been kept in his position. My goodness! If \$78 million or a lot less had been lost under the supervision of a senior executive in business, they would not be in their position. This government has demonstrated that it is basically incapable of delivering on its own promises. When that fails, it just issues an apology and—my goodness!—creates a new director-general to look after things. That is an extra cost, isn’t it?

After committing a relatively modest amount to this project, which continued to grow and grow and grow, it finally dawned on the minister to say, “We might be spending money that is not going to be producing anything.” Too little, too late. Where was the supervision and, ultimately, where is the accountability?

We have heard this morning in this Assembly, the first day of 2024, from a minister who has actually been given a promotion by the Chief Minister in recent reshuffles but has been responsible for the failure of the delivery of two significant government promises. One, as Mr Parton so openly put it, was the failure to phase out the dinosaur diesels in the time that they promised. The second was to not be accountable for the wastage of \$78 million—and growing—of ACT taxpayers’ money.

Shame on you, Minister, and on the Chief Minister for not holding a minister accountable for significant failures in the government’s management of its own project and of the funds entrusted to it by this community.

Question resolved in the affirmative.

## **Planning, Transport and City Services—Standing Committee Reporting date—amendment**

**MS CLAY** (Ginninderra) (11.24): I move:

That notwithstanding the provisions of the resolution of the Assembly of 30 November 2023, the Standing Committee on Planning, Transport and City Services shall present its report on the Property Developers Bill 2023 by 30 March 2024.

On 30 November 2023 the Assembly resolved:

That, notwithstanding the provisions of standing order 174, this Assembly refers the Property Developers Bill 2023 to the Standing Committee on Planning, Transport and City Services for consideration of inquiry and, should the Committee decide to inquire, report by the last sitting day in March 2024.

At its meeting on 14 December 2023 the committee resolved to inquire into the Property Developers Bill 2023. Normally when bills are referred they are dealt with

under standing order 174, which, as of October 2023, provides that a committee has three months from the date of presentation to inquire into a bill, with the exception of bills which are presented in the last sitting week of the year, in which case the committee has four months.

I note that, if the Property Developers Bill had been dealt with under standing order 174, our PTCS committee would have until 30 March 2024 to inquire into the bill, as it was presented during the final sitting week of 2023. However, because of the Assembly resolution of 30 November 2023, our committee now has only until 21 March 2024. My motion asks for the reporting date on our Property Developers Bill 2023 inquiry to be extended so that we have the same amount of time to inquire as the standing orders would provide for any other bill presented during the last sitting week of a calendar year. We are seeking that extra nine days back that we would have had under the standing order.

This bill is a significant piece of legislation, and therefore the committee is of the view that the bill should receive the same amount of focus as other bills that are inquired into, not less. Our committee therefore requests that an extension be granted to ensure that this important piece of legislation receives the appropriate amount of time for inquiry. The committee asks that the reporting date be extended to 30 March 2024.

Question resolved in the affirmative.

## **Justice and Community Safety—Standing Committee Scrutiny report 38**

**MR CAIN** (Ginninderra) (11.26): I present the following report:

Justice and Community Safety—Standing Committee (Legislative Scrutiny Role)—Scrutiny Report 38, dated 30 January 2024, together with a copy of the extracts of the relevant minutes of proceedings.

I seek leave to make a brief statement.

Leave granted.

**MR CAIN**: Scrutiny report 38 contains the committee's comments on five bills, three pieces of subordinate legislation, proposed amendments to one bill and eight government responses. The report was circulated to members when the Assembly was not sitting. I commend the report to the Assembly.

## **Administration and Procedure—Standing Committee Report 11**

**MS BURCH** (Brindabella) (11.27): I present the following report:

Administration and Procedure—Standing Committee—Report 11—*Report on the conduct of Mr Cain MLA*, dated 6 February 2024, together with a copy of the extracts of the relevant minutes of proceedings.

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

That the report be adopted.

## **Justice and Community Safety—Standing Committee Report 22**

**MR CAIN** (Ginninderra) (11.28): I present the following report:

Justice and Community Safety—Standing Committee—Report 22—*Inquiry into the Human Rights (Healthy Environment) Amendment Bill 2023*, dated 24 January 2024, including a dissenting report (*Mr Cain*), together with a copy of the extracts of the relevant minutes of proceedings.

I move:

That the report be noted.

I note that the committee has supported the passage of the Human Rights (Healthy Environment) Amendment Bill. There are a range of recommendations to which I draw members' attention. The report will be available to them.

I would like to speak briefly, in my capacity as an individual member, to my dissenting report, which draws attention to a couple of concerns in the bill. From my point of view, they are very significant concerns.

The first concern is that, with respect to complaints about a breach of this new human right, the bill removes the Supreme Court from scrutinising unresolved conciliations in the Human Rights Commission. It specifically excludes a human right that is unresolved within the Human Rights Commission conciliation process; it removes it from judicial review.

Call me a legal nerd, but it is of great concern to me that, in regard to something that is a process under the Human Rights Act for all of the rights listed in the Human Rights Act—a longstanding process that is not opposed by me—they are saying, “This won't apply to this new right.” It does concern me that there will be a lack of transparency as to how these complaints about breaches of this right are dealt with. If they are dealt with by way of a conciliated approach within the Human Rights Commission, who is to know how that right is being processed under review? Again, it is being done by the executive branch of the government, as the human rights will be operating within that part of government.

It is very concerning to me, as shadow attorney-general, that, if this bill passes unamended, there will be no opportunity for a complainant to say, “I'm not satisfied with how this was dealt with at first instance within the human rights process. I'm not satisfied with the outcome.” Under the bill in its present form, they will have nowhere to go to have their complaint reviewed, while every other human right under the Human Rights Act will have that option available. That is of grave concern to me, and I note that many of the submissions expressed the same concern.

I note that the committee has recommended—again, I fully support this recommendation by the committee—that the review period of five years is far too long when reporting back to the Assembly as to the operation of this new right and how complaints and breaches of it are managed. It should be brought within three years, not five years, from commencement of the act, which would bring it up for review within the next term of government, as opposed to five years, which would mean, arguably, that it could skip a whole term of government before it is brought forward for examination by the Assembly.

**MR BRADDOCK** (Yerrabi) (11.32): I wish to speak as an individual member who also happens to be a member of the committee that provided the report on the right to a healthy environment bill. I would also like to thank my fellow committee members for their participation in the inquiry.

I want to thank Mr Cain for his dissenting report. It surprises me to say that. It had not occurred to me that he would be making this dissenting recommendation. If I had realised that, I may have been better prepared to have some negotiations about what we could have included as a majority report recommendation. Both of us clearly have concerns about the non-justiciability of the right to a healthy environment, even if we might have our own reasons for reaching that conclusion. This was a recurring and strong theme in submissions to the inquiry.

In my view, the government does have a reasonable argument for why time is needed to work out the probable caseload and associated matters before this right becomes justiciable. But therein lies the rub: if it is meant to be temporary, why doesn't the bill actually plan for its introduction? This practice of leaving it for future legislation following a review presumes that it may happen in the future if like-minded people get around to it, but that it is not a priority of the government of the day. There is no guarantee that it will actually happen. There is no certainty for stakeholders as to what the arrangements will be going forward and what the direction of the government is on this matter.

Influence here in the Assembly grows and wanes over time. It is important to do what you can while you can, before you risk that influence not necessarily being there to achieve the change that you want to see for the people of Canberra. We do not wish to leave things to chance. It is better to do the job properly, in full, so that it does not take forever and so that long-term certainty is provided for the community of Canberra.

That is why I am advocating for a sunset clause on the non-justiciability, so that it automatically happens unless a government, informed by the statutory review, deliberately and consciously intervenes through new legislation passed by this place. This will provide certainty to community stakeholders as to where the legislation will be going in the future. It provides time for the government to put in place the resources, systems and processes in order to ensure that it will be successfully implemented.

I am looking at what amendments can be moved regarding how we can put such a sunset clause around this justiciability question. I look forward to having discussions with members across the chamber about those amendments. But I have to ask: why are we talking about it now, and why wasn't this incorporated in the bill's original design?

I have had discussions with NGOs about their concerns on this very issue. It was remarked to me that, in their view, despite the justiciability being raised in government consultation sessions as a significant issue and one that was of interest to them, there was no mention of the subject in the government's YourSay listening report. The listening report goes no further than talking about a complaints mechanism. They were disappointed by the fact that this was not accurately reflected and they were upset about the understatement contained within the listening report.

We have heard this type of complaint before regarding other listening reports from the government. Just last week, Greens offices received complaints about the YourSay listening report on the Lawson mixed-used development, which makes no mention of the established and valuable habitat areas that workshop participants raised during those very sessions, when they pointed out how these areas needed to be valued and preserved.

Environmental stakeholders have a justifiable reason to feel that the government's consultation systems are designed to relate to what the government wish to receive as feedback and what they wish to hear and discarding what they do not. It reminds me of how our federal environmental laws are designed to get around environmental concerns rather than actually protect the environment. But that is a discussion for another time.

I would like to ask both ministers and senior public servants, particularly in the fields of planning and human rights, to please note that there are concerns that community feedback being presented during government consultation is not being reflected accurately in the listening reports. Please do not let them be proved right.

Question resolved in the affirmative.

## **Economy and Gender and Economic Equality—Standing Committee**

### **Statement by chair**

**MR MILLIGAN** (Yerrabi) (11.38): Pursuant to standing order 246A, I wish to make a statement on behalf of the Standing Committee on Economy and Gender and Economic Equality relating to statutory appointments in accordance with continuing resolution 5A.

I wish to inform the Assembly that, during the reporting period 1 July 2023 to 31 December 2023, the committee considered seven statutory appointments. I will now table the schedule of the statutory appointments considered during this period. I present the following paper:

Economy and Gender and Economic Equality—Standing Committee—Schedule of Statutory Appointments—10th Assembly—Period 1 July to 31 December 2023.

## **Public Accounts—Standing Committee**

### **Statement by chair**

**MR COCKS** (Murrumbidgee) (11.38): Pursuant to standing order 246A, I wish to make a statement on behalf of the Standing Committee on Public Accounts relating to statutory appointments in accordance with continuing resolution 5A.

I wish to inform the Assembly that, during the period 1 July 2023 to 31 December 2023, the standing committee considered no statutory appointments. In accordance with continuing resolution 5A, I will now table a schedule of statutory appointments considered during this reporting period. I present the following paper:

Public Accounts—Standing Committee—Schedule of Statutory Appointments—  
10th Assembly—Period 1 July to 31 December 2023.

## **Standing committees—membership**

**MADAM SPEAKER:** Pursuant to standing order 223, the opposition whip wrote to the Speaker on 13 December 2023, advising of the following proposed changes to committee membership: Ms Castley to be discharged from the Standing Committee on Economy and Gender and Economic Equality and Mr Milligan to be appointed in her place; Mrs Kikkert to be discharged from the Standing Committee on Public Accounts and Mr Cocks to be appointed in her place. I agreed to the changes on 13 December 2023. I present the following paper:

Standing Committees—Change of membership—Copy of email correspondence between the Opposition Whip and the Speaker, dated 13 December 2023.

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

The change to the memberships of the Standing Committee on Economy and Gender and Economic Equality and the Standing Committee on Public Accounts as proposed to and agreed by the Speaker, pursuant to standing order 223 be adopted.

## **Children and Young People Amendment Bill 2024**

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

Title read by Clerk.

**MS STEPHEN-SMITH** (Kurrajong—Minister for Aboriginal and Torres Strait Islander Affairs, Minister for Children, Youth and Family Services, Minister for Disability and Minister for Health) (11.40): I move:

That this bill be agreed to in principle.

I rise to present the Children and Young People Amendment Bill 2024. This bill delays the automatic commencement of the Children and Young People Amendment Act 2023 from 31 March 2024 to 1 July 2024. The amendment act was passed by the ACT Legislative Assembly in November 2023 with the support of all parties.

The 2023 amendment act starts the process of fully embedding the Aboriginal and Torres Strait Islander Child Placement Principle in the Children and Young People Act. It also changes the language used in the ACT child protection context from “wellbeing, care and protection” to “safety, welfare and wellbeing” and amends the



concept of “risk of abuse and neglect” to consider “risk of significant harm”. These seemingly straightforward changes have important benefits for the critical work done by Child and Youth Protection Services and its partners.

The amendment act also changes the process for considering mandatory and voluntary reports from people who are concerned about the welfare of a child or children in our community. Where the current act requires a two-stage assessment of child concern reports escalating to child protection reports, the new process will enable a more child and family-focused assessment of risks and support needs. Clearly, this will require changes in policy and practice.

The government’s intention was for the amendment act to commence on 1 July 2024. However, due to a regrettable administrative error, this was not reflected in the bill when it was introduced and passed. Instead, the amendments are currently scheduled to commence on 31 March. This new amendment bill seeks solely to correct this unfortunate error.

Correcting the commencement date of the amendment act will give services the additional time they need to implement the changes. It is important that both government agencies and our community partners have time to ensure a seamless transition and successful implementation across affected services.

The amendment act is one of several tranches of legislative reform proposed for the Children and Young People Act 2008, which is among the territory’s most complex pieces of legislation. This overarching reform agenda responds to recent inquiries, reviews, research and feedback from system users, and developments in other jurisdictions.

Modernisation of the Children and Young People Act is a priority under Next Steps for Our Kids 2022-30, the ACT’s strategy for strengthening families and keeping children and young people safe. The ultimate objective of this reform process is to provide for the safety, welfare and wellbeing of children and young people in the territory.

As the next sitting week is less than a fortnight before the amendment act is currently scheduled to commence, this week is, unfortunately, the only opportunity to debate and pass legislation to extend the commencement date in a way that provides certainty for our child protection agencies. The Manager of Government Business will therefore be seeking the Assembly’s leave to debate this bill on Thursday. I appreciate the understanding of other parties in this matter on the need for expediting the usual process. I thank particularly Ms Castley for taking the time to discuss this with me and with relevant officials last week.

I commend this very simple yet urgent bill to the Assembly.

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

## **Standing orders—suspension**

Motion (by **Mr Gentleman**), by leave, agreed to, with the concurrence of an absolute majority:

That, in relation to the Children and Young People Amendment Bill 2024, standing orders 172, 174, 175 and 176 be suspended to allow the Assembly to debate the bill in the same sitting period, having not been considered by the relevant standing committee or the Standing Committee on Justice and Community Safety in its legislative scrutiny role.

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

Debate resumed from 20 September 2023 on motion by **Ms Cheyne**:

That this bill be agreed to in principle.

**MS LEE** (Kurrajong—Leader of the Opposition) (11.45): I rise to speak briefly on this bill on behalf of the Canberra Liberals. This bill includes a number of provisions which the Canberra Liberals will be supporting, specifically the provisions that relate to allowing a parent who has been granted sole parental responsibility for a child to apply to change the child's name and sex without the consent of the other parent. In addition, the Canberra Liberals will also be supporting the amendments which allow a parent who has changed their name or sex to apply to update the birth certificate of their child to reflect their change of name and any parental descriptor and to have their prior and current registered sex reflected on their birth certificate. These are sensible amendments and we will be supporting them.

However, there are several provisions in the bill which we do have some concern with, and I will speaking more on those matters during the detail stage of the bill. It is our understanding that the Greens have developed some amendments to this bill and that the minister responsible will be seeking to adjourn this bill after the in-principle stage to allow all members an opportunity to go through those amendments in more detail. The Canberra Liberals will agree to that proposal, and I look forward to considering the Greens' amendments in more detail once formally circulated.

**MISS NUTTALL** (Brindabella) (11.47): I rise today to express the ACT Greens' sincere and unwavering support for the LGBTQIA+ community and extend that appreciation to the minister for bringing forward a bill that will make tangible improvements to the lives of trans and gender diverse Canberrans.

It should not be a hard process to update the documents to reflect your gender, but for a lot of trans people it still is. The changes that we see today allow for trans people to have their birth and marriage certificates, with the consent of their partner and/or children, reflect their transition to husbands, fathers, wives, mothers, spouses or parents. Most of us do not give a second thought to our birth or marriage certificates. Even so, all of us rely on our birth certificates for a number of crucial government services, like enrolling in school or getting a passport, a driver licence or Medicare card. If your birth certificate does not accurately reflect your gender, accessing that documentation can be a fraught process.

Under our current system, there is a risk that people will avoid applying for these essential services because they cannot guarantee that it is personally safe for them to do so. The ACT Greens wholeheartedly support this bill in its intent to remove

administrative barriers for trans and gender-diverse Canberrans who seek to amend their birth and marriage certificates to reflect their given name and gender.

I am really glad to see the ACT government acknowledge that young people are mature and independent and therefore deserve to be taken seriously in conversations about their own gender. Trans and gender-diverse young people face serious mental health hazards from the way parts of our society treat them. We are talking about almost 10 times the rate of depression and up to 13 times the rate of anxiety as their cis-gender counterparts. So we need to take them seriously and make sure our systems make it as easy as possible to affirm an integral part of their person.

Another key part of this bill is making it easy for parents to update their parental details on their child's birth certificate to reflect their own transition. This is a really important process to protect the privacy of parents and ensure continuity across documents where their gender is reflected.

The accommodation to allow an individual to keep their previous name and gender listed on their birth certificate is not one that has to be used by an individual. However, if they chose to do so, individuals could still include those details for processes where they are strictly required, like applying for passports.

The last provision I would like to highlight is one that allows a sole parent to apply to change their child's name without the consent of the other parent. This change limits the risk of re-opening stressful and expensive proceedings for something that should actually just be a happy and uncontroversial affirmation for the child in question.

I also wish to briefly use this time to foreshadow the contributions that the ACT Greens wish to make to this legislation in due course. Having picked up a great and meaningful body of work from the team, we have been working really hard to refine and strengthen further amendments to this bill in collaboration with our wonderfully engaged community organisations. Our amendments would seek to remove the requirement for clinical verification when someone seeks to change their gender on their birth certificate. These clinical requirements are at best unnecessary and at worst expensive and complicated and undermine the accessibility of a basic right to self-determination.

We also wish to enable people to describe their own gender on their birth certificate. In the current act, the outdated term used for anything outside of the gender binary is "indeterminate/unspecified/intersex". Genders are so wonderfully diverse, and our language is still very much evolving to reflect our community. We would like to make sure the individual is the one to express their gender on their own terms. Finally, we are eager to make it optional for someone's birth certificate to display the sex marker. It puts the choice back in the hands of the individual.

I would like to profusely thank all the community groups that have contributed to our work over the past few months. I would particularly like to thank A Gender Agenda and Equality Australia for the passion, compassion and intellectual rigour they have brought to their contributions and for their willingness to work so closely and productively with us. I ask for their forbearance and the forbearance of all members in this chamber in granting us additional time to make sure we get these amendments

right. I reflect that, as I am still finding my legislative footing, they have shown the utmost kindness and professionalism as we work to bring these changes to fruition.

With the chamber's agreement, we would sincerely appreciate the opportunity to refine these amendments over the next few weeks to make sure they are the strongest, most progressive and sincere versions that genuinely improve the lives of trans and gender diverse Canberrans. I remain hopeful that this government prioritises the welfare and self-determination of trans and gender-diverse Canberrans. I commend the intent of this bill to the Assembly.

**MS CHEYNE** (Ginninderra—Minister for the Arts, Culture and the Creative Economy, Minister for City Services, Minister for Government Services and Regulatory Reform and Minister for Human Rights) (11.51), in reply: I would first like to table a revised explanatory statement for the Births, Deaths and Marriages Registration Amendment Bill 2023 which responds to the comments of the Standing Committee on Justice and Community Safety (Legislative Scrutiny Role) in its *Scrutiny report 35*.

Recognition is the key aim in the Births, Deaths and Marriages Registration Amendment Bill 2023. To achieve equality, we need to recognise and value each individual, their lived experiences and the contribution they make to our vibrant and diverse community. For young people who are transgender or gender diverse, acceptance and recognition of their lived identity can be incredibly important. Legal recognition can be even more significant for young people who are not fully accepted and recognised for who they are by their families, peers and others.

Legal recognition and identification affirming their gender can allow young people to access education, employment and other opportunities without being constantly confronted by their former identity or having to explain themselves and face stigma and discrimination. Georgie Stone OAM, in her Press Club address on 4 April last year, so powerfully told us:

... having the freedom to affirm my gender didn't remove me from a childhood in which I could 'just be a kid'... it actually unlocked it for me. I was finally able to enjoy school. My head wasn't plagued by self-doubt and fear anymore. There was finally space to learn, dream, make friends and at last get excited about my future.

Transgender rights activist Janet Mock shared a similar reflection, saying:

When I was younger, I wish I would have been told more often that I was right and nothing was wrong with me, that I was deserving of everything this world has to offer, and that my visions for my future were worthy of pursuit. So often, young trans folk—especially those from low-income, people of color communities—are met with barriers every step of the way.

The amendments in this bill will help remove those barriers for people seeking to have changes to their name and sex formally recognised in their identity documents. Currently, young people between 16 and 18 years of age may apply directly to the Registrar-General to change their registered sex and/or given name when they do not have the support of both parents. The bill makes amendments to lower the age at

which young people may apply independently to the Registrar-General to change their registered sex and/or given name to 14 years. While it was a landmark step to reduce the age to independently apply to the Registrar-General to 16, young people have told us that 16 is still too long to wait when they have known their own identity from a very young age.

While it is possible for a young person to go to the ACT Civil and Administrative Tribunal to determine whether they have sufficient decision-making capacity, this is an option that has not been widely used, and we have received feedback that, even though every step has been taken to make this a welcoming and accessible process, for young people the idea of going to a tribunal is simply overwhelming and remains a significant barrier.

Studies of children and young people who have undergone social transition have found remarkably good outcomes, that “socially transitioned transgender children who are supported in their gender identity have developmentally normative levels of depression and only minimal elevations in anxiety,” and that, if you adjust for harassment at school, associations between adolescent social transition and adverse mental health outcomes are no longer significant.

The age of 14 years is understood across the statute book as an age at which young people are assumed to have capacity to be able to begin making decisions for themselves. This amendment will remove barriers for young people seeking to update their registered name and/or sex while preserving the tribunal pathway to ascertain capacity for young people below the age of 14. This amendment and the legal affirmation of the identity of young people is an important way that we, as a community, can show that we support them, that we believe them and that they are right just the way they are. It is important to confirm that this change does not authorise or affect any medical treatment or procedure. It is purely a step to recognise in our register and on a certificate the name and sex that the young person knows themselves to be.

The bill will also support recognition for parents by allowing them to apply to update their name and parental descriptor on their child’s birth certificate, better supporting proof of identity and privacy. Stakeholders have told us that, for a parent who has changed their registered sex, it can be confronting and challenging to have to continue to use a child’s birth certificate that shows their old identity—for example, when enrolling a child in child care or in school. This amendment will allow a parent who has changed their registered sex to apply to change their name and descriptor—for example, from mother to father—on their child’s birth certificate.

To align with the approaches in the Births, Deaths and Marriages Registration Amendment Act 1997 in relation to other changes to a child’s birth certificate, the amendment will require the consent of the other parent and the consent of the child if they are 14 years or over, but it will include the option for a gender-neutral parental descriptor of “parent” without requiring the consent of the other parties. It is this amendment that will have a delayed commencement, as detailed in the revised explanatory statement I have tabled today. It is to ensure that there is sufficient time to update systems to ensure that the databases are able to retain information about past and current identities for security purposes and to work with the national Document Verification Service so that the changes are effectively implemented.

We acknowledge that stakeholders have raised some concerns that requiring consent of the other parent of a child over the age of 14 can raise issues where there are family disputes. During this 12-month delayed commencement, the Justice and Community Safety Directorate will consult with stakeholders about possible mechanisms to resolve such conflicts.

The bill also introduces additional flexibility to allow someone who has changed their registered sex to request a birth certificate that reflects both their prior and current registered sex. The current provision, which only allows certificates to reflect a person's current registered sex, was originally designed as an important protection against discrimination. However, the government has listened to community feedback that having the option for both prior and current registered sex to be reflected on a certificate will remove barriers to identification processes, such as applying for a passport.

Finally, the bill will allow parents who have been granted sole parental responsibility for a child by a court to apply to change the registered name and/or sex of that child. This will address a concern that has been raised with the ACT government by stakeholders that parents who have already been through legal proceedings to obtain sole parental responsibility must then apply to the ACT Supreme Court to make the change without the other parent's consent. This amendment will reduce the burden on parents who have already been through difficult and time-consuming court proceedings, and it will save them from having to commence further proceedings and will avoid questions of the best interests of the child having to be relitigated in court.

We pursue these reforms because they are the right thing to do and we are listening—listening to the people whose lives are affected by our laws and about how the decisions that we make about their lives in this place affect them day to day—and our understanding is evolving. These reforms are about ensuring that people have a right to personal identity and that the available structures and systems we have in place are supportive of that right. The success is not measured by the number of people who access them but in the existence of avenues for self-identification that have the person at the very centre.

This bill will make a positive difference for transgender and gender-diverse people in our community. It is the result of thoughtful feedback and ideas from the community and from our valued non-government sector organisations about how to improve the operation of the births, deaths and marriages registration legislation, and it removes barriers for Canberrans seeking to update and prove their identity to live, through their documents, who they are.

Could I put on the record briefly, which I will also do later, my huge thanks once again to the Justice and Community Safety Directorate. We reflected last year just how huge the legislative program has been within the human rights portfolio, let alone the extraordinary number of other initiatives and reforms that they are undertaking. They have again approached this task with sensitivity, their expertise and, quite simply, their excellence. We are very, very lucky to have such dedicated, hard-working and smart people working through these. I also thank them, as Ms Nuttall did, for their patience as we work through some further amendments that Ms Nuttall has

provided. Of course, huge and underlined thanks go to the Parliamentary Counsel's Office as well. They are bearing with us as we have had many moving parts to this over the last few weeks, but we greatly value their support in anticipation of any further changes.

With Ms Nuttall having circulated further amendments, that leads me to say that we value and support their intent generally; but, as Ms Lee and Ms Nuttall acknowledged, all parties need just a little more time to reflect on those. So, after we vote on this in-principle stage of the debate, I will be adjourning this debate so that the detail stage can occur in the next sitting week, in March. I commend the bill to the Assembly.

Question resolved in the affirmative.

Bill agreed to in principle.

### **Detail stage**

Clause 1.

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

**Sitting suspended from 12.03 to 2 pm.**

### **Questions without notice Government—taxation**

**MS LEE:** My question is for the Chief Minister in his capacity as Treasurer. Chief Minister, I refer to media reporting last week where you admitted once again that you are unlikely to deliver a surplus this year, and that revenue from payroll tax has slumped. Chief Minister, how much more will you be taxing Canberrans through increased rates and charges to cover this significant shortfall in the budget?

**MR BARR:** The government never intended to deliver a surplus in this fiscal year. It would not be economically appropriate given some of the cost-of-living pressures households are facing. Ms Lee, of course, does know that it is not for me to make policy announcements in response to questions in question time. The government's position on stage 3 tax reform is that rates are increased by 3.75 per cent per annum. That is below inflation.

**MS LEE:** Chief Minister, how much more interest on your ever-increasing debt will Canberrans have to pay?

**MR BARR:** I am pleased that inflation appears to have peaked. It is now falling at a rate faster than the Reserve Bank anticipated. The bond markets are now pricing in two interest rate reductions in calendar year 2024. Some columnists are predicting the first could occur early in the second half of this calendar year. It is anticipated the cost of borrowing will fall in the medium term as a result of inflation being brought under control. Therefore, the Reserve Bank will be in a position to normalise the official cash rate, which will then have flow on implications; I note, for example, that the 10-year commonwealth bond rate in recent times has dropped below four per cent.

**MR CAIN:** Chief Minister, will you be upfront with Canberrans today and tell them what will be the “bigger than expected deficit” for 2023-2024?

**MR BARR:** The deficit for 2023-24 will be known at the conclusion of the financial year, as part of the government’s audited statements. There are many months to go yet in this financial year, Mr Cain, so I cannot put a figure on that now ahead of events transpiring. What normally happens is that, following the commonwealth budget in May, they bring forward a range of grants to states and territories, and that often significantly improves the budget position for the current fiscal year. Time will tell on that question, but it is clear that the GST pool is smaller and payroll tax has been impacted. But, on the positive side, we are seeing other own-source revenue lines performing quite strongly.

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

**MS LEE:** My question is to the Chief Minister and is in relation to the GP payroll tax. Chief Minister, freedom of information documents reveal that the director of general practice in ACT Health advised the ACT Revenue Office in response to your policy of tying bulk-billing rates to an amnesty for the GP payroll tax that it would be “both unwise and unachievable”.

Chief Minister, why did you ignore the director of general practice’s advice that the tying of bulk-billing rates to an amnesty was “unachievable”?

**MR BARR:** There are GP practices who are taking advantage of this, and I was pleased to see that the rate of bulk-billing has increased in the territory. Those opposite did not believe that was possible, but it has occurred. I encourage the commonwealth government to take a further step as part of strengthening Medicare to further incentivise bulk-billing, particularly for children and seniors.

**MS LEE:** Chief Minister, why did you attack hardworking GPs when your own officials said that this would be “unwise and unachievable”?

**MR BARR:** I did not attack GPs. What I sought to do was to defend the integrity of the tax system and put the emphasis where it should be, which is that the commonwealth government is responsible for the Medicare system. The commonwealth government made an excellent decision—after 10 years of neglect by your colleagues, Ms Lee, of the Medicare system—to triple the bulk-billing rebate incentive. What that did was lift the rate of bulk-billing in the ACT. I am calling on the commonwealth to take the next step and further incentivise bulk-billing, particularly for children and seniors.

**MS CASTLEY:** Chief Minister, why did you ignore the advice from the director of general practice to consider an amnesty until June 2025?

**MR BARR:** We provided an amnesty until 2023 and a pathway to encourage an increase in bulk-billing, and we are starting to see bulk-billing increase in the territory. I know those opposite have no interest in that happening. Their political party put in place policies for a decade that saw the rate of bulk-billing fall. We are about increasing bulk-billing.



**Ms Lee:** Madam Speaker, on a point of order: standing order 117 clearly articulates that question time is not for arguments. Can you ask that the Chief Minister be direct in terms of answering the question that was asked, which was very, very clear.

**MADAM SPEAKER:** The Chief Minister did respond. The question was about advice that was provided to him. Chief Minister, you have time left if you have anything further to add.

**MR BARR:** I have concluded my answer, Madam Speaker.

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

**MS CASTLEY:** Madam Speaker, my question is to the Chief Minister, and is in relation to GP payroll tax. Chief Minister, you said in the Assembly last year, whilst justifying your policy to tie an amnesty with bulk-billing rates, that you have listened to the public policy experts and you have provided a very strong incentive to get bulk-billing above 65 per cent. Chief Minister, freedom of information documents reveal that the Deputy Under Treasurer admitted, in relation to the proposal, that bulk-billing would increase: “This is a long stretch. It might do so at the margin, but only if the practice was close to the 65 per cent mark already.” Chief Minister, who is right—you or your Deputy Under Treasurer?

**MR BARR:** The government’s policies, combined with the federal government’s policies, have seen bulk-billing increase, which kind of undercuts the argument put by the Deputy Leader of the Opposition.

**MS CASTLEY:** I have a supplementary question. Chief Minister, who were the public policy experts you were listening to, given we now know that you ignored the Health Directorate and Treasury in relation to tying an amnesty to bulk-billing rates?

**MR BARR:** The Under Treasurer of the ACT and, indeed, the heads of treasuries around the states and territories. This issue was discussed at the board of treasurers. All states and territories put forward their views and had a discussion on this matter.

**MR COCKS:** Chief Minister, did you listen to anyone who did not agree with your own opinion, given you ignored advice from GPs, the AMA, the RACGP, the federal health minister, the director of general practice and your own Treasury officials.

**MR BARR:** I listened to the most important advice—that being the desire of the community to see bulk-billing increase and to put in place an incentive that supported that. And the outcomes, combined with what the federal government has done—and I encourage them to do more—has seen bulk-billing to lift. Those opposite, and their party, presided over a decade of decline in bulk-billing. Medicare is a federal responsibility.

**Ms Lee:** I have a point of order. The Chief Minister continues to do what I know he wants to get to, because he wants to deflect from the question. But it is very clear, under the standing orders, about how you answer the question. It does not get into arguments.

**Ms Berry:** On the point of order, Madam Speaker, I think the Chief Minister answered in the first sentence, part of the question, and then he continued to answer and discuss the issue.

**MADAM SPEAKER:** I remind members that I cannot direct a member in how they answer. The question was around who he spoke to and listened to. The Chief Minister has replied to that, and I think the rest of the narrative is in the policy context of GP payroll tax.

### **Education—support**

**MS ORR:** My question is to the Minister for Education. Minister, with students heading back to school, what cost-of-living relief is the ACT government providing for families?

**MS BERRY:** I thank Ms Orr for her question. The ACT government is delivering targeted cost of living relief to Canberrans who need it most, and this includes the ACT Labor election commitment in 2020 to establish a \$12 million Future of Education Equity Fund. This is the third year that families have been able to access the education equity fund. The fund helps low-income families with the cost of education expenses, such as uniforms, stationery, excursions, camps, music lessons as well as sports equipment.

Education should be a great equaliser, but we know that children and families start their education from an unequal place. Eligible families can access payments of \$400 for preschool students, \$500 for primary school students and \$750 for high school and college students.

In 2023, Madam Speaker, the fund supported more than 5,000 students, with more than \$2.9 million distributed to families who needed it. 2024 applications for the fund opened on 17 January this year, and since 30 January we have had over 1,500 applications to access the fund.

Low-income families, families who are facing financial difficulty, from both public and non-government schools are eligible to access this assistance. Families can check out more about the fund and access to the fund from the Education Directorate website for more information.

**MS ORR:** Minister, what other education supports does the ACT government offer to families?

**MS BERRY:** When equity is improved in education, outcomes improve for all students. ACT Labor gets this. It is why the ACT government is continuing to invest in equitable access to technology for all ACT public school students. In 2018, free Chromebooks were provided to ACT public school students in years 7 to 12. Last week, more than 4,400 ACT public senior secondary students received their new Chromebooks.

The ACT government also recognises that the first few years of a child's life are their brain-building years. The cost of early learning should not prevent families from giving their child a great, equal chance at a good start in life. That is why the ACT government is now delivering 300 hours of free preschool to three-year-olds across the ACT. Not only is this great for kids; it saves the average family around \$1,329.

Do not forget that we are also continuing to provide free period products and other hygiene products to students across our public school system.

**DR PATERSON:** Minister, how is the ACT government ensuring our public education system continues to meet the needs of our growing city?

**MS BERRY:** I thank Dr Paterson for her supplementary. The ACT government is continuing to invest heavily in public school infrastructure across the ACT. In 2024, the ACT's newest public school, Shirley Smith High School in Kenny, opened its doors for the first time, welcoming 81 year 7 students. The school is all-electric, consistent with the ACT government's commitment to action on climate change. It has fantastic facilities, with priority use for the school community but they also more broadly for the community to use outside of school hours.

The ACT government is also building a new high school in north Gungahlin and a second college in Gungahlin. We are also building new schools in Whitlam and Strathnairn. We are expanding and modernising Telopea Park School, Majura Primary School, Narrabundah College and Garran Primary School.

These major projects are in addition to the ongoing program of maintenance and upgrades across the ACT public school system. This includes the ACT government's \$99-million public school infrastructure renewal program, which in 2023-24 sees funding allocated to 51 projects across 37 schools.

## **Visitors**

**MADAM SPEAKER:** Members, I draw your attention to the presence in the chamber and the gallery of the delegation from our twin parliament, the members from Kiribati. They are being led by the Chair of the Business Committee.

On behalf of all members here, warmest welcome to the ACT Legislative Assembly and to our wonderful community of Canberra as well. Welcome.

**Members:** Hear, hear.

## **Questions without notice Thoroughbred Park—development**

**MS CLAY:** My question is to the Minister for Planning. Minister, you recently announced that you are currently in discussions with the Canberra Racing Club about the redevelopment of Thoroughbred Park. Can you confirm that the Canberra Racing Club has applied to the planning authority for a major amendment to the Territory Plan for this?

**MR STEEL:** I thank Ms Clay for her question. No, I cannot confirm that. The ACT government is aware that the owners of Thoroughbred Park and the Canberra Racing Club are considering a proposal that retains the race track in its current location, along with modernisation and consolidation of facilities and diversification of underutilised land. Of course, Thoroughbred Park is included within the Inner North and City draft district strategy and is identified as a change area and a key site. Such a proposal would require amendment to the Territory Plan to rezone the land or part of it. A variation to the crown lease would also be required. I understand that, to date, the CRC has not submitted an application to amend the Territory Plan to the territory's planning authority.

**MS CLAY:** Minister, in discussions with the Canberra Racing Club, have they raised public housing for the site?

**MR STEEL:** I am not aware of a specific proposal at this point in time for the whole site or in relation to public housing, but I do understand that ACT government officials are starting to have discussions with the Racing Club about their proposal, and I look forward to hearing more about the plans as they develop. Those would, of course, be required to be put on notification and to have consultation with the community as part of any process in the future.

**MR BRADDOCK:** Does the ACT government support establishing public housing on the site?

**MR STEEL:** I thank the member for his question. As he is aware, whilst we do not have specific inclusionary zoning requirements, there are requirements around making sure that we have 15 per cent affordable housing in these types of developments, so we will be certainly looking at what opportunities there are to provide more affordable housing—potentially public housing as well—as part of any development. Of course, there is further detail in the *Draft district strategy - Inner North and City* about the opportunity that could be provided on this site, in terms of providing more higher-density residential housing.

### **ACT Health—Digital Health Record system**

**MS CASTLEY:** My question is to the Minister for Health. Freedom of information documents show that 231 patient referrals from clinicians did not go through to the Digital Health Record and were lost and undetected for up to 10 months. A review found that of the 231 referrals, eight of these were high-risk referrals which needed immediate clinical review and triaging. Sadly, two of these referrals were for patients who have subsequently died or were put on palliative care.

Minister, can you reassure Canberrans that none of the patients' conditions deteriorated over the 10 months due to the referrals having been lost in the problem-plagued Digital Health Record system?

**MS STEPHEN-SMITH:** I categorically reject Ms Castley's description of the Digital Health Record. The reality is that this system has a lot of checks and balances in place, which is why this issue was identified. It needs to be clear: the 231 referrals, while a

problem, were identified and have been addressed, and some of these issues did need to be escalated. I have no information that the outcomes for individuals who have passed away or were on palliative care were related to the referrals that were not received. The processes and the systems that were replaced by the Digital Health Record were far from perfect, and what the Digital Health Record is enabling is for the system to continue to improve and for these things to be identified in a systemic way.

As Ms Castley would be aware from the freedom of information documents, there was a thorough investigation of this matter, and a very, very tiny proportion of these were required to be escalated and addressed. I have received no further advice that these matters have resulted in poor clinical outcomes. I will go back and ask again, just to double-check, and if that information is different, I will advise Ms Castley of that.

**MS CASTLEY:** Minister, have all the 231 patients been advised that their referrals were lost for 10 months, and if not, why not?

**MS STEPHEN-SMITH:** The usual processes were followed in relation to this matter and following up these processes. Those processes are outlined in the documents that Ms Castley has received under FOI.

**MR COCKS:** Minister, is it the true that the IT system used for referrals, and which cost taxpayers \$3.7 million, was in use for just 436 days before being decommissioned and written off?

**MS STEPHEN-SMITH:** There was advice in response to a question on notice in relation to this matter. The way that Mr Cocks has, again, put this in the public domain is absolutely incorrect. I would refer him back to the question on notice response, which talks about what happened with this system. Yes, it was in place for a period of time, did its job and then was subsequently replaced; so part of that cost was written off. That process was well described in the question on notice and is not in any way being accurately represented by Mr Cocks in this place.

### **Housing ACT—maintenance**

**MR PARTON:** My question is to the Minister for Housing and Suburban Development. Minister, recent *RoGS* data has once again highlighted that almost one in four public housing dwellings have structural problems, which technically classifies them as being “not of an acceptable standard.” Minister, what do you say to the thousands of tenants living in unacceptable properties given Housing ACT is supposed to be a model landlord?

**MS BERRY:** As Mr Parton will know, the ACT government has made significant investment in growing and renewing our public housing to ensure that it meets the needs of our tenants of today, and also tenants into the future, ensuring they are at least class c adaptable, or gold where possible, to ensure they are accessible to all public housing—

*Opposition members interjecting—*

**MADAM SPEAKER:** Ms Berry, I would just concentrate on your response.

**MS BERRY:** No. It is an important issue and I thank Mr Parton for raising it but giggling about it—I do not think is the appropriate response from the Leader of the Opposition. It is important that we make sure that public housing tenants have exactly the same kind of housing that every other person enjoys in this community, which is why the ACT government invested heavily into renewing our public housing. At the end of our program, we will have renewed 20 per cent of public housing in the ACT. We remain the second highest per capita of public housing in the country, behind only the Northern Territory. It is our commitment to continue that legacy and ensure that as we renew public housing it meets the needs of our all tenants and is of the highest possible standard.

**MR PARTON:** Minister, regarding the one in four public housing dwellings with structural problems, how many of these properties have scheduled works to be completed in this financial year?

**MS BERRY:** I will have to take that question on notice. I do not have that kind of detail available for the Assembly today, but I am happy to provide it, if it is available. Of course, there is a continuing renewal program within public housing in the ACT. I note during the previous growth and renewal program, the Canberra Liberals stood in front of that and stopped renewal from happening; stopped new houses from being built; and delayed the chance for tenants to be living in homes that best suited their needs. We are ploughing on with making sure that we provide homes that best meet the needs of all of our tenants, wherever they want to live in the city, because they are entitled to decent and good homes, just like the rest of us.

**MS LAWDER:** Minister, why are so many public housing tenants forced to live in unacceptable properties?

**MS BERRY:** The ACT government has invested heavily, and the Canberra Liberals know that. I have always worked very closely with the housing spokesperson, Mr Parton, on addressing issues if they are raised with me and following them up to ensure issues raised around property are resolved, whether the tenancy needs support or whether the tenant needs to move into a new home that better suits their needs. I will continue to do that because I think it something that we actually agree on. We want the best for the people in our community who do not have the same kind of chances as the rest of us to a decent and happy life, and they should have. That is why I am committed to the millions of dollars that the ACT government is funding into renewal, into new housing, and continuing to build more homes in our community that meet our needs.

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

**MS CASTLEY:** My question is to the Minister for Health. Minister, three years ago you promised Canberrans that you would fix Emergency Department wait times within nine months by having 70 per cent of ED patients seen within a clinically acceptable time. *RoGS* data released last week shows that, rather than getting better, the wait times are getting worse. You have previously admitted that some measures to fix ED wait times have not worked. Minister, can you explain to Canberrans why year after year you continuously fail to fix ED wait times?

**MS STEPHEN-SMITH:** Again, Ms Castley completely demonstrates her lack of understanding of the difference between wait times and the time that people are in the Emergency Department and treated and then leave. It is absolutely not true that the *RoGS* data showed that wait times are getting worse. In fact, the *RoGS* data showed—

*Ms Lee interjecting—*

**MS STEPHEN-SMITH:** Ms Lee can laugh as much as she wants.

**Ms Lawder:** Madam Speaker, on a point of order: under standing order 118, answers to questions without notice shall not contain inferences or imputations, for example. If you could direct the member to not—

**MADAM SPEAKER:** This is a new standing order for question time that got introduced at the back end of last year. So, Members, please be aware.

**MS STEPHEN-SMITH:** Madam Speaker, for your information, Ms Castley is incorrect in claiming that the *RoGS* data showed that waiting times have got worse. In fact, the *RoGS* data showed that waiting times had improved in the ACT Emergency Department system. There was a slight decline in the number of people who had been seen, treated and discharged from the Emergency Department or admitted into the hospital within four hours. These are two different things—two different pieces of data—which are constantly confused by those opposite. I am pleased to say that both pieces of data have continued to improve in the time since the end of the last financial year that *RoGS* was reporting on. Ms Castley would be aware that I tabled the quarter one 2022-23 performance report in this place towards the end of last year, which showed the improvement in the six months of that year, and this has continued to improve in the last six months.

**MS CASTLEY:** Minister, what were those measures that did not work and how much taxpayers' money did you waste on these failed measures?

**MS STEPHEN-SMITH:** As maybe a bit of a history lesson for Ms Castley and others who were not necessarily paying full attention at the time, at the time, I did a long interview with a journalist from the ABC and she took one snippet of it and turned it into this particular story, which was a lesson learnt for me. We had implemented a number of measures that did not have additional cost but were different ways of doing things in the Emergency Department. One of those things that did not last was what is called multidisciplinary triage. That was having a doctor as well as a nurse at the triage space. That turned out to be unsustainable and not a particularly helpful initiative.

What has helped is having a number of navigator positions—medical navigators and nurse navigators—in the Emergency Department. What has helped is standing up the Acute Medical Unit to ensure that those people with undifferentiated complex conditions can be admitted straight into the hospital without having to determine which subspeciality they would need to be admitted to. That has made a big difference in the flow through the Emergency Department. The Clinical Director of the Canberra Hospital Emergency Department, Sam Scanlan, stood up with the Chief Minister and me yesterday and talked about that as one of the initiatives.

There were a number of initiatives that have worked, that we have seen. But, as Dr Scanlan also talked about, this is a whole-of-hospital issue. So it has actually been having the whole hospital focused on ensuring timely discharge and really paying attention to and being held to account for that that has also contributed as well as the changes in the Emergency Department model of care.

**MR COCKS:** Minister, isn't it more accurate to say that you have failed in your commitment, given that so many indicators and experiences are getting progressively worse?

**MS STEPHEN-SMITH:** We are obviously going to debate this matter in detail this afternoon. But, again, Mr Cocks is categorically wrong that these things are getting worse. I have this week released the quarters 1 and 2, 2023-24 monthly performance report. This is a performance report that has been updated to provide monthly data rather than quarterly data. It was released earlier this week. It shows that, across the ACT as a whole, of the category 3 patients—urgent patients—in December 2023, 57.3 per cent were seen on time or commenced their treatment on time. That is a huge improvement. At Canberra Hospital, which is what we normally talk about, the percentage of patients leaving the ED within four hours of presentation, by month, was 67.1 per cent in December 2023—again, an enormous improvement on the data that we saw in the *RoGS*.

This data is publicly available to the opposition. So they have absolutely no excuse for making these false claims that things are not improving. Our hospital staff have worked so hard in implementing new models of care with the support of the government making additional investments in our Emergency Department and across our hospitals to enable them to do this and to achieve these improvements in outcomes, and all the opposition can do is stand up and criticise them again.

### **Housing—homelessness**

**MR PARTON:** Madam Speaker, my question is to the Minister for Homelessness and Housing Services. Minister, recent *RoGS* data shows that there has been no real improvement in homelessness data, highlighting significant government failures. The data shows that 11.5 per cent of homeless clients return to being homeless after achieving housing, and that one in four people did not have their accommodation needs met. These figures are alarming, and they have stretched OneLink and other community organisations to well beyond capacity. Minister, given the increased funding to homelessness services, why is there such a high percentage of people not having their accommodation needs met and returning to homelessness?

**MS VASSAROTTI:** I thank the member for the question. The *RoGS* data is always a really important moment for us to have a look at what is happening, not only here in the ACT, but across the nation. Certainly, we see in the *RoGS* data for homelessness services this year that we are seeing some positive moves. Unmet needs, particularly for homelessness services other than accommodation, was the lowest in the ACT, but we do see some challenges, particularly those that have been highlighted by the member.



One of the challenges, particularly around homelessness services, is that we are not going to solve homelessness through a specialist homelessness service system. Homelessness is actually a result of issues around affordable housing across the territory, whether it be in private rental or across the board in terms of the financial stress which we have seen, particularly because of big economic drivers such as the rising interest rates and persistently high rental rates here in the ACT.

Certainly, the significant investment in homelessness services in the ACT has made a big difference. We have seen an increase in the numbers of accommodation and other services provided to people who are experiencing homelessness, and we have been able to provide additional funding support to services that are already operating within the sector. This is a big challenge both here and across the nation, and we will continue to work to reduce homelessness, but it requires a response much bigger than within the specialist homelessness service sector.

**MR PARTON:** Minister, how do you personally reconcile promising a home for everyone before the last election and then failing so badly on this front?

**MS VASSAROTTI:** Certainly, from my perspective, from my party's perspective and from the government's perspective, we are committed to ensuring that we do provide a good, decent home for all, because we know that that is the basis of a good life. There have been some significant challenges, and I am really personally disappointed in terms of our inability to provide more public housing for people who are struggling and who sit on the wait list, particularly on the priority housing list. We have seen the wait list increase, and that is because of these broader pressures on people around housing stress and people that are experiencing homelessness.

I am actually really proud of the work that we have done, specifically within the specialist homelessness services, in terms of—as the member has noted—putting significant additional investment into the sector. But it is a sector that has seen increasing pressure. I do not resile from my ongoing vision to see homelessness as rare and non-recurring, and I will continue to work on that every day.

**MS LAWDER:** Minister, will you now acknowledge that your policy of a home for all has completely failed?

**MS VASSAROTTI:** I continue to say that my vision, and the vision of our party, is for every person to have a decent home. This is an issue that we need a multi-pronged approach to. We need significant investment, and we need to work across a whole range of areas, from planning, rental reform, direct investment into public housing and supporting our community housing providers to providing support to our specialist homelessness service.

This is a vision that I maintain and will continue to champion and work towards every single day.

### **Police, Ambulance and Clinician Early Response program—funding**

**MR MILLIGAN:** Madam Speaker, my question is to the Chief Minister. Chief Minister, recent media reporting shows that your government has refused to expand

the successful PACER teams, despite the ACT Deputy Police Commissioner saying that demand has outstripped the two current teams. Chief Minister, will you fund an expanded PACER program in the upcoming budget review?

**MR BARR:** Thank you, Madam Speaker. We have already announced that the budget review contains additional funding for the PACER program, and we will look forward to considering its future beyond the current fiscal year in the coming budget round.

**MR MILLIGAN:** Do you consider that around 40 per cent of police attendances are due to mental health issues, and that those resources could have been better utilised, considering if the PACER program could have attended those callouts instead?

**MR BARR:** I think the gist of the question was on the level of police-only attendance as opposed to PACER program attendance and if there could be a rebalance between the two. I think there possibly could be, and we will certainly look at that, Mr Milligan, in the context of the forthcoming budget, noting of course that the PACER response is multidisciplinary. It involves police, ambulance and, of course, mental health expertise.

**MR COCKS:** Chief Minister, have you consulted with police, ACT Ambulance Service and mental health clinicians on the need to commit funding to expand the PACER program?

**MR BARR:** Yes, we obviously as a government have expanded the program, and as I say, we will consider future expansion as part of the coming and future budgets, Madam Speaker.

### **Education—Future of Education Equity Fund**

**MISS NUTTALL:** My question is to the Minister for Education and Youth Affairs. Minister, the report from the inquiry into cost-of-living pressures in the ACT includes several concerns around accessibility of the Future of Education Equity Fund. Applications opened on 17 January and it takes families four weeks to receive the funds. This results in families not necessarily being able to access the funds before school starts on 31 January. Families tend to consider education expenses primarily in the lead-up to the start of the school year, so what accommodations were in place for families who needed the funds at the very start of the school year?

**MS BERRY:** It was ACT Labor's commitment to make sure that families who needed support got that support and to provide improved equity for those children and families who do not start school from an equal starting point. That is why we started the allocation of the fund earlier this year, which was the announcement that we made on 17 January, to ensure that families got access to funding to access the school equipment and school uniforms that they needed most. What we have found from the fund so far is that families are accessing the fund for the cost of excursions, uniforms and stationery, so Ms Nuttall is right in that people needed to access that funding prior to school starting.

Following the first couple of years of the fund being allocated, the Education Directorate worked on bringing the fund forward but also making sure that the process

for applying for funding was much more streamlined, and then actually prioritising families who needed to access the funding more quickly so that they could access the supplies that they needed for school. We will continue to make sure that the fund is allocated in a way that meets the needs of families and, most importantly, that it supports those families who need it most.

**MISS NUTTALL:** Last year, it was reported that many families were unaware of the fund, so what measures are being taken to ensure that eligible families have the opportunity to apply this time around?

**MS BERRY:** We are in the third year of implementing the provision of the fund. Making sure that it is available earlier in the year was from the direct feedback that we received from the P&C council, the P&Cs across our public schools, and the Parents and Friends across the non-government school sector—making sure that it is available earlier, that it is more accessible to families who need it, and that the funds are allocated in a timely manner. That is what the Education Directorate has been implementing. As I said, we are always ready to listen about improvements that we can make to ensure that families get access to that fund when they need it. Importantly, having that fund available for families who need it most to support their children with their education has been a priority of this government.

**MS LEE:** Minister, out of the 1,500 applications that were received in January this year, how many applicants have been approved and received funding?

**MS BERRY:** I have that detail. As I said, for some of the families who are accessing the fund, it is for stationery and uniforms. Of course, they are required at the start of the school year. Other items that families might require, such as excursions, might not be immediately required. Regarding funding that has been allocated, out of the 1,500 or so applications, 532 have been processed, with 381 applications being approved for payment. There is \$450,000 of committed funding. The average payment amount per application increased from \$1,175 in 2023 to \$1,260 in 2024. The 2024 fund closes on 29 November 2024. That ensures that families, at different times during the year, who might experience financial disadvantage can access the fund when they need it most.

### **Rural Fire Services—location**

**MR MILLIGAN:** My question is to the Minister for Fire and Emergency Services. Minister, last year the Rural Fire Service was moved into temporary accommodation at the back of the Gungahlin Joint Emergency Services Centre, which I have been told is unsuitable. In the 2021-22 budget, your government committed \$8.2 million to be invested in the JESC to improve the accommodation. However, in March 2023, in response to a question on notice, you stated that the RFS would be moved to Mitchell and that a suitable site had been reviewed in 2021.

It is now February 2024. How long will the RFS have to remain in this unsuitable temporary accommodation?

**MR GENTLEMAN:** I thank Mr Milligan for the question. Of course, the Justice and Community Safety Directorate has been working with the ACT Rural Fire Service and SES chief officers and their volunteers throughout this process. They have

established the capital works and infrastructure team and the ESA commissioner approved, back in 2023, the 100 per cent preliminary sketch plan designed for the Mitchell site following an open tender process.

Monarch Building Solutions was contracted to complete the detailed design and construction for the Mitchell facility and CWI has worked closely with Canberra Health Services and ACT Property Group to ensure site possession of the Mitchell location that is expected to occur in quarter 1 this year. Once the site possession is granted, construction will commence, with an anticipated completion time frame of quarter 4, 2024.

**MR MILLIGAN:** Minister, how much of the \$8.2 million budgeted two years ago has been spent on the renovations?

**MR GENTLEMAN:** I will have to take the detail of that on notice.

**MS CASTLEY:** Minister, can you guarantee that the move to Mitchell is still on the cards and going ahead?

**MR GENTLEMAN:** I most certainly can.

### **Government—skilled migration**

**MR BRADDOCK:** My question is for the Special Minister of State.

Minister, Azadi-e Zan has been liaising with the ACT government about the Talent Beyond Boundaries program to bring skilled refugees from Afghanistan to Australia. They would then be able to obtain employment with the ACT government in roles in which we are normally experiencing skill shortages. I understand they met with parts of the ACT government in September and October last year. Can you please provide an update on discussions with the government on this program?

**MR STEEL:** The ACT government recognises the struggles being faced by women from Afghanistan and will continue to work with the organisation mentioned by Mr Braddock. I can confirm that both my office and also officials from Skills Canberra met with Azadi-e Zan in November to discuss the possibility of a program within the ACT government. The development of such a program does require collaboration between several government agencies and we are considering a proposal at the moment, but I do not have an announcement to make today in question time in relation to that issue. We have a strong skilled migration agenda in the ACT government, we regularly engage the commonwealth on this topic and will continue to consider this proposal.

**MR BRADDOCK:** Minister, what measures has the ACT government taken to ensure the mutual recognition of overseas qualifications in the areas where we need these skills?

**MR STEEL:** I am happy to take that on notice and draw from across government work that is being done in relation to that particular issue. We know that migrants from overseas often bring a strong skillset but it is not always recognised officially when they get here. That means the investment they have made for themselves in

undertaking training or university study is not always put to use, which is a wasted effort. We do want to seek opportunities to better recognise those skills so they can be fully utilised in our labour market.

**MISS NUTTALL:** I do not want to ask the minister to pre-empt any policy decisions—

**MADAM SPEAKER:** No preamble, Miss Nuttall; to the question.

**MISS NUTTALL:** But I was wondering whether the minister could draw our attention to the directorates where these kinds of skills could be put to good use?

**MR STEEL:** We know that our skilled migrants bring a wide variety of skills that could be employed not just in the ACT government but right around the ACT, in private businesses and in our federal public service as well. The ACT government has a strong track record of supporting people who are newly arrived from overseas to obtain employment. We did that under the Jobs for Canberrans program because we knew that particular group were suffering significant disadvantage in Australia during the pandemic. We were able to employ them in different roles to make sure they could gain meaningful employment for a period of time during that time. Of course, there are other pathways through our skilled migration program with the visas we have control over, and we are working with the commonwealth government to be able to provide opportunities to obtain a visa and work here in the ACT in a range of different occupations that are listed on the ACT Skills Needs list.

## Visitor

**MADAM SPEAKER:** Members, I draw your attention to the presence in the gallery of Michael Moore, who was a former member here. On behalf of members, welcome back. Do not get up to any mischief, Dr Moore, in the gallery!

## Questions without notice Canberra Hospital—Critical Services Building

**DR PATERSON:** My question is to the Minister for Health. Minister, as part of the mid-year budget review, you announced an exciting boost in funding to deliver more health services as part of the opening of the new Critical Services Building. Can you please provide an update on progress of the construction and preparation for opening this significant investment in health infrastructure?

**MS STEPHEN-SMITH:** I thank Dr Paterson for the question. Yesterday, the Chief Minister and I announced a further \$17 million investment in operational funding for the new Critical Services Building, on top of our \$122 million investment in the 2023-24 budget. The new Critical Services Building is the centrepiece of the \$660 million Canberra Hospital expansion project, delivering a state-of-the-art health facility with more treatment spaces for Canberra and the surrounding region.

By mid this year, construction on the Critical Services Building will be complete. Operating theatre pendants are now being installed, and later this month two MRI machines will be craned into the new building. The fit-out of inpatient wards is

finishing, incorporating the design features consumers told us were important to them. All major building services have been installed and are progressively being commissioned in this first of its kind, all electric green star rated major hospital building. In the third quarter of this year, CHS will transition services into the new Building 5, as it is now known on campus. Canberra Health Services has been heavily focussed on finalising models of care, and a detailed operational commissioning program has been underway in the run-up to the opening of clinical services.

The \$17 million announced yesterday will further expand our health workforce to support even more services in the new building. There will be a new six-bed behavioural assessment unit in the Emergency Department, two triage corners that will enhance patient flow, more MRI services and, across the hospital, an expanded medical emergency team that will support the expanded hospital campus. It is an exciting time as we continue to transform the Canberra Hospital campus, just as the Labor government has been doing for more than the last decade.

**DR PATERSON:** Minister, how are the government's investments in the health system supporting the community to better access health services and benefit from our new state-of-the-art health infrastructure?

**MS STEPHEN-SMITH:** The ACT government has invested more than \$2.1 billion in health infrastructure over the past decade and \$1.4 billion in additional investments into our public health system and services in this term of government. The Barr Labor government has a comprehensive plan for our public health services that will deliver better health infrastructure for our growing city and ensure patients can access the right care in the right place at the right time.

Of course, planning for the new more-than-\$1-billion northside hospital is well underway, with work in 2024 focussing on detailed planning and design. This will be supported and informed by ongoing engagement with the community, clinicians, consumers and key stakeholders. The nation-leading engagement with consumers on the Canberra Hospital expansion project resulted in changes to the Australasian Health Facility Guidelines, and we will use this as a blueprint for consumer and carer engagement into the future.

The next stage of the Canberra Hospital Master Plan is also taking shape. Planning is underway to deliver a new pathology and clinical support building, new inpatient buildings and other critical campus infrastructure changes. We are also upgrading health facilities in our community to provide high-quality health care closer to home, with our four new health centres, the Watson Health Precinct and the Southside Hydrotherapy Pool.

We are supporting access to health care for our growing city now and into the future. We have delivered community medical imaging facilities, an expanded hospital for women and children and much more. We are currently in the process of finalising a research centre and wellbeing hub at the Canberra Region Cancer Centre to deliver a truly comprehensive cancer centre. I was there last week with Senator Gallagher, formally opening the last of the linear accelerator machines, co-funded between the ACT and commonwealth governments, demonstrating our capacity to build partnerships with commonwealth governments of all stripes—but it is even better when it is a Labor government that is committed to public health care.

**MS ORR:** Minister, our public health workforce are vital to delivering high-quality health services in the ACT's new health infrastructure. How are you supporting them in the government's work to deliver this extensive program?

**MS STEPHEN-SMITH:** I thank Ms Orr for the supplementary question. The Barr Labor government has invested in more health workers, a positive culture and state-of-the-art health infrastructure because we have listened to our health workforce. We will ensure that they have great places to work. Over this term, Labor have not only met our commitment to an additional 400 health professionals; we have gone well beyond that to bring on more than 500 doctors, nurses, midwives and allied health professionals to our public health services.

Our healthcare workers have been heavily involved in the design of the Critical Services Building. The Clinical Advisory Group and the clinical working groups were absolutely vital in defining clinical requirements. This input has ensured that we are delivering a purpose-built facility that can provide the best possible outcomes for clinicians, patients and the wider Canberra community. The ACT's health workforce is continuing to work closely on developing the next stage of the Canberra Hospital Master Plan, our new Northside Hospital and our community based services.

Yesterday we announced a \$27 million investment in initiatives to attract and retain talented staff and recognised specialty development across nursing, midwifery and allied health. This builds on our investments over the term in wellbeing, the Health Workforce Strategy, support for students studying at our local universities and phase 1 of the nursing and midwifery ratios, to name just a few.

The Labor government is growing our health workforce, providing a great place to work and ensuring our healthcare workers remain among the best paid in the country—and I am sure we all thank them for their incredible efforts.

**Mr Barr:** Madam Speaker, further questions can be placed on the notice paper.

## **Legislative Assembly—conduct**

**MR CAIN** (Ginninderra) (2.56): I have had the advantage of reading the committee's report, including the advice from the Standards Commissioner. I note that there are two recommendations out of four that recommend that I apologise to the Assembly, and I do so accordingly.

## **Papers**

**Madam Speaker** presented the following papers:

Auditor-General Act, pursuant to subsection 17(5)—Auditor-General's Reports—

No 10/2023—Human Resources Information Management System (HRIMS) Program, dated 15 December 2023.

No 11/2023—2022-23 Financial Audits—Financial Results and Audit Findings, dated 19 December 2023.

Bills, referred to Committees, pursuant to standing order 174—  
Correspondence—

Bills—Not inquired into—

Assisted Reproductive Technology Bill 2023—Copy of letter to the Speaker from the Chair, Standing Committee on Health and Community Wellbeing, dated December 2023.

Domestic Violence Agencies (Information Sharing) Amendment Bill 2023—Copy of letter to the Speaker from the Chair, the Standing Committee on Health and Community Wellbeing, dated December 2023.

Liquor Amendment Bill 2023—Copy of letter to the Speaker from the Acting Chair, from the Standing Committee on Justice and Community Safety, dated 6 December 2023.

Integrity Commission Act, pursuant to section 213—Special Report in relation to a corruption complaint concerning the identified transactions as part of the City to the Lake Project, dated 15 December 2023.

Resolution of the Assembly of 28 November 2023—Review, Pursuant to Assembly Resolution, Relating to the Handling of Certain Allegations made against a Member, prepared by Lynelle Briggs AO, dated 6 February 2024.

Standing orders—

99B—Petitions—Referral advice—Correspondence—

e-Petition 004-23—Car parking on public green open spaces—Copy of letter to the Speaker from the Chair, Standing Committee on Planning, Transport and City Services, dated 18 January 2024.

e-Petition 017-23—Indian (Common) Myna control—Copy of letter to the Speaker from the Chair, Standing Committee on Environment, Climate Change and Biodiversity, dated 18 December 2023.

191—Amendments to:

Building and Construction Legislation Amendment Bill 2023, dated 6 December 2023.

Justice and Community Safety Legislation Amendment Bill 2023 (No 2), dated 6 December 2023.

**Mr Gentleman** presented the following papers:

Coroners Act, pursuant to subsection 57(4)—Report of Coroner—In the matter of four deaths by drowning in the Australian Capital Territory—Inquests into the deaths of Najeebullah Rafee, William Spencer Hooley, Meredith Nancy Hooley, and Dinh Ta Nguyen—

Report, dated 30 June 2023.

Government response, dated February 2024.

Domestic Violence Agencies Act, pursuant to subsection 16W(3)—ACT Domestic and Family Violence Review—Domestic and Family Violence Homicides 2000-2022—Biennial Report—2023, dated 31 October 2023.

Economy and Gender and Economic Equality—Standing Committee—Report 9—Inquiry into future of the working week—Government response, undated.



Planning, Transport and City Services—Standing Committee—Report 15—  
Inquiry into electronic vehicle (EV) adoption in the ACT—Government response,  
dated December 2023.

**Subordinate legislation (including explanatory statements unless otherwise stated)**

Legislation Act, pursuant to section 64—

ACT Teacher Quality Institute Act—ACT Teacher Quality Institute  
Amendment Regulation 2023 (No 1)—Subordinate Law SL2023-32 (LR,  
30 November 2023).

ACT Teacher Quality Institute Act and Financial Management Act—ACT  
Teacher Quality Institute Board Appointment 2023 (No 4)—Disallowable  
Instrument DI2023-290 (LR, 30 November 2023).

Animal Welfare Act—Animal Welfare (Management of Animals in Pounds,  
Shelters and Rescue Establishments) Mandatory Code of Practice 2023—  
Disallowable Instrument DI2023-255 (LR, 16 November 2023).

Board of Senior Secondary Studies Act—Board of Senior Secondary Studies  
Appointment 2023 (No 4)—Disallowable Instrument DI2023-291 (LR,  
30 November 2023).

Building Act—

Building (ACT Appendix to the Building Code) Determination 2023  
(No 3)—Disallowable Instrument DI2023-304 (LR, 14 December 2023).

Building (General) Amendment Regulation 2023 (No 1)—Subordinate Law  
SL2023-42 (LR, 21 December 2023).

Building and Construction Industry Training Levy Act and Financial  
Management Act—Building and Construction Industry Training Levy  
(Governing Board) Appointment 2023 (No 1)—Disallowable Instrument  
DI2023-253 (LR, 13 November 2023).

Circular Economy Act—

Circular Economy (Prohibited Products) Exemption Declaration 2023  
(No 1)—Disallowable Instrument DI2023-248 (LR, 9 November 2023).

Circular Economy (Prohibited Products—Special Circumstances) Exemption  
Declaration 2023 (No 1)—Disallowable Instrument DI2023-247 (LR,  
9 November 2023).

Circular Economy (Prohibited Products—Special Circumstances) Exemption  
Declaration 2023 (No 2)—Disallowable Instrument DI2023-249 (LR,  
9 November 2023).

Circular Economy (Prohibited Products—Special Circumstances) Exemption  
Declaration 2023 (No 3)—Disallowable Instrument DI2023-250 (LR,  
9 November 2023).

Circular Economy (Public Event) Declaration 2023 (No 1)—Disallowable  
Instrument DI2023-251 (LR, 9 November 2023).

Circular Economy Regulation 2023—Subordinate Law SL2023-27 (LR,  
9 November 2023).

Climate Change and Greenhouse Gas Reduction Act—

Climate Change and Greenhouse Gas Reduction (Greenhouse Gas Emissions  
Measurement Method) Determination 2023—Disallowable Instrument  
DI2023-273 (LR, 27 November 2023).

Climate Change and Greenhouse Gas Reduction Amendment Regulation 2023 (No 1)—Subordinate Law SL2023-33 (LR, 29 November 2023).

Court Procedures Act—Court Procedures Amendment Rules 2023 (No 2)—Subordinate Law SL2023-36 (LR, 18 December 2023).

Duties Act—Duties (Pensioner Duty Deferral Scheme) Determination 2023 (No 2)—Disallowable Instrument DI2023-281 (LR, 24 November 2023).

Energy Efficiency (Cost of Living) Improvement Act—Energy Efficiency (Cost of Living) Improvement (Eligible Activities) Determination 2023—Disallowable Instrument DI2023-299 (LR, 14 December 2023).

Food Act—Food (Fees) Determination 2023 (No 1)—Disallowable Instrument DI2023-264 (LR, 23 November 2024).

Gambling and Racing Control Act and Financial Management Act—Gambling and Racing Control (Governing Board) Appointment 2023 (No 2)—Disallowable Instrument DI2023-296 (LR, 11 December 2023).

Government Procurement Act—

Government Procurement (Non-Public Employee Member) Appointment 2023 (No 2)—Disallowable Instrument DI2023-256 (LR, 16 November 2023).

Government Procurement (Non-Public Employee Member) Appointment 2023 (No 3)—Disallowable Instrument DI2023-257 (LR, 16 November 2023).

Health Records (Privacy and Access) Act—Health Records (Privacy and Access) (Fees) Determination 2023 (No 2)—Disallowable Instrument DI2023-259 (LR, 23 November 2023).

Land Titles Act—Land Titles (Fees) Determination 2023 (No 2)—Disallowable Instrument DI2023-298 (LR, 11 December 2023).

Liquor Act—

Liquor (Fees) Determination 2023 (No 2)—Disallowable Instrument DI2023-305 (LR, 18 December 2023).

Liquor Amendment Regulation 2023 (No 1)—Subordinate Law SL2023-38 (LR, 18 December 2023).

Magistrates Court Act—

Magistrates Court (Public Unleased Land Infringement Notices) Amendment Regulation 2023 (No 1)—Subordinate Law SL2023-31 (LR, 28 November 2023).

Magistrates Court (Urban Forest Infringement Notices) Regulation 2023—Subordinate Law SL2023-28 (LR, 23 November 2023).

Medicines, Poisons and Therapeutic Goods Act—

Medicines, Poisons and Therapeutic Goods (Fees) Determination 2023 (No 1)—Disallowable Instrument DI2023-263 (LR, 23 November 2023).

Medicines, Poisons and Therapeutic Goods Amendment Regulation 2023 (No 3)—Subordinate Law SL2023-34 (LR, 11 December 2023).

Medicines, Poisons and Therapeutic Goods Regulation—Medicines, Poisons and Therapeutic Goods (Vaccinations by Pharmacists) Direction 2023 (No 2)—Disallowable Instrument DI2023-294 (LR, 11 December 2023).

Motor Accident Injuries Act—

Motor Accident Injuries (Premiums and Administration) Amendment Regulation 2023 (No 1)—Subordinate Law SL2023-37 (LR, 14 December 2023).

Motor Accident Injuries (Quality of Life Benefit) Guidelines 2023—Disallowable Instrument DI2023-311 (LR, 21 December 2023).

Motor Accident Injuries (Reportable Conduct) Guidelines 2023—Disallowable Instrument DI2023-312 (LR, 21 December 2023).

Motor Accident Injuries (Significant Occupational Impact Assessment Referral) Guidelines 2023—Disallowable Instrument DI2023-313 (LR, 21 December 2023).

Motor Accident Injuries (Significant Occupational Impact Assessment) Guidelines 2023—Disallowable Instrument DI2023-243 (LR, 6 November 2023).

Motor Accident Injuries (Treatment and Care) Guidelines 2023—Disallowable Instrument DI2023-310 (LR, 21 December 2023).

Planning Act—

Planning (Amount payable for, and term of, further rural lease) Determination 2023—Disallowable Instrument DI2023-267 (LR, 24 November 2023).

Planning (Fees) Determination 2023—Disallowable Instrument DI2023-258 (LR, 20 November 2023).

Planning (Fees) Determination 2023 (No 2)—Disallowable Instrument DI2023-292 (LR, 30 November 2023).

Planning (Land Rent Payout) Policy Direction 2023 (No 1)—Disallowable Instrument DI2023-266 (LR, 24 November 2023).

Planning (Lease Variation Charge Deferred Payment Scheme) Determination 2023—Disallowable Instrument DI2023-282 (LR, 24 November 2023).

Planning (Lease Variation Charges) Determination 2023—Disallowable Instrument DI2023-278 (LR, 24 November 2023).

Planning (Protected Matters) Declaration 2023—Disallowable Instrument DI2023-268 (LR, 24 November 2023).

Planning (Reduction of Lease Variation Charges for Environmental Remediation) Determination 2023—Disallowable Instrument DI2023-280 (LR, 24 November 2023).

Planning (Reduction of Lease Variation Charges for the Housing Commissioner) Determination 2023—Disallowable Instrument DI2023-277 (LR, 24 November 2023).

Planning (Reduction of Lease Variation Charges) Determination 2023—Disallowable Instrument DI2023-276 (LR, 24 November 2023).

Planning (Transitional Provisions) Regulation 2023—Subordinate Law SL2023-29 (LR, 24 November 2023).

Public Health Act—Public Health (Fees) Determination 2023 (No 1)—Disallowable Instrument DI2023-265 (LR, 23 November 2023).

Public Place Names Act—

Public Place Names (Acton) Determination 2023—Disallowable Instrument DI2023-260 (LR, 30 November 2023).

Public Place Names (Dickson) Determination 2023—Disallowable Instrument DI2023-289 (LR, 27 November 2023).

Public Place Names (Jacka) Determination 2023—Disallowable Instrument DI2023-272 (LR, 27 November 2023).

Public Place Names (Macnamara) Determination 2023 (No 2)—Disallowable Instrument DI2023-246 (LR, 9 November 2023).

Public Place Names (Macnamara) Determination 2023 (No 3)—Disallowable Instrument DI2023-314 (LR, 21 December 2023).

Public Place Names (Watson) Determination 2023—Disallowable Instrument DI2023-242 (LR, 2 November 2023).

Public Unleased Land Act—Public Unleased Land (Movable Signs) Code of Practice 2023 (No 1)—Disallowable Instrument DI2023-244 (LR, 13 November 2023).

Radiation Protection Act—Radiation Protection (Fees) Determination 2023 (No 1)—Disallowable Instrument DI2023-262 (LR, 23 November 2023).

Road Transport (General) Act—

Road Transport (General) Application of Road Transport Legislation (Manuka Oval) Declaration 2023 (No 2)—Disallowable Instrument DI2023-293 (LR, 4 December 2023).

Road Transport (General) Application of Road Transport Legislation (Traffic Offence Detection Device) Declaration Revocation 2023—Disallowable Instrument DI2023-307 (LR, 20 December 2023).

Road Transport (General) Application of Road Transport Legislation (Use of Specialised Child Restraint) Declaration 2023 (No 1)—Disallowable Instrument DI2023-269 (LR, 24 November 2024).

Road Transport (General) Application of Road Transport Legislation Declaration 2023 (No 7)—Disallowable Instrument DI2023-254 (LR, 15 November 2023).

Road Transport (General) Application of Road Transport Legislation Declaration 2023 (No 8)—Disallowable Instrument DI2023-302 (LR, 12 December 2023).

Road Transport (General) Exclusion of Road Transport Legislation (Summernats) Declaration 2023 (No 1)—Disallowable Instrument DI2023-317 (LR, 21 December 2023).

Road Transport (General) Act and Road Transport (Safety and Traffic Management) Act—Road Transport (Road Rules) Amendment Regulation 2023 (No 1)—Subordinate Law SL2023-40 (LR, 18 December 2023).

Road Transport (Public Passenger Services) Act—Road Transport (Public Passenger Services) Maximum Fares for Taxi Services Determination 2023 (No 1)—Disallowable Instrument DI2023-303 (LR, 14 December 2023).

## Road Transport (Safety and Traffic Management) Regulation—

Road Transport (Safety and Traffic Management) Parking Authority Declaration 2023 (No 1)—Disallowable Instrument DI2023-274 (LR, 24 November 2023).

Road Transport (Safety and Traffic Management) Parking Authority Declaration 2023 (No 2)—Disallowable Instrument DI2023-295 (LR, 14 December 2023).

Road Transport (Safety and Traffic Management) Parking Authority Declaration 2023 (No 3)—Disallowable Instrument DI2023-297 (LR, 8 December 2023).

## Senior Practitioner Act—Senior Practitioner Regulation 2023—Subordinate Law SL2023 41 (LR, 21 December 2023).

## Taxation Administration Act—

Taxation Administration (Amounts Payable—Ambulance Levy) Determination 2023—Disallowable Instrument DI2023-309 (LR, 21 December 2023).

Taxation Administration (Amounts Payable—Disability Duty Concession Scheme) Determination 2023 (No 2)—Disallowable Instrument DI2023-285 (LR, 24 November 2023).

Taxation Administration (Amounts Payable—Duty) Determination 2023 (No 2)—Disallowable Instrument DI2023-286 (LR, 24 November 2023).

Taxation Administration (Amounts Payable—Home Buyer Concession Scheme) Determination 2023 (No 2)—Disallowable Instrument DI2023-288 (LR, 24 November 2023).

Taxation Administration (Amounts Payable—Loose-fill Asbestos Insulation Eradication Buyback Concession Scheme) Determination 2023—Disallowable Instrument DI2023-283 (LR, 24 November 2023).

Taxation Administration (Amounts Payable—Loose-fill Asbestos Insulation Eradication Buyback Concession Scheme—Eligible Impacted Properties) Determination 2023—Disallowable Instrument DI2023-284 (LR, 24 November 2023).

Taxation Administration (Amounts Payable—Pensioner Duty Concession Scheme) Determination 2023 (No 2)—Disallowable Instrument DI2023-287 (LR, 24 November 2023).

Taxation Administration (Off the Plan Unit Duty Exemption Scheme) Determination 2023 (No 2)—Disallowable Instrument DI2023-275 (LR, 24 November 2023).

Taxation Administration (RZ1 Unit Duty Exemption Scheme) Determination 2023—Disallowable Instrument DI2023-279 (LR, 24 November 2023).

Taxation Administration (Special Arrangements—Lodging of Returns) Approval 2023—Disallowable Instrument DI2023-245 (LR, 9 November 2023).

## Terrorism (Extraordinary Temporary Powers) Act—

Terrorism (Extraordinary Temporary Powers) Public Interest Monitor Panel Appointment 2023 (No 2)—Disallowable Instrument DI2023-301 (LR, 18 December 2023).

Terrorism (Extraordinary Temporary Powers) Public Interest Monitor Panel Appointment 2023 (No 3)—Disallowable Instrument DI2023-300 (LR, 18 December 2023).

Tobacco and Other Smoking Products Act—Tobacco and Other Smoking Products (Fees) Determination 2023 (No 1)—Disallowable Instrument DI2023-261 (LR, 23 November 2023).

Urban Forest Act—

Urban Forest (Approval Criteria) Determination 2023 (No 1)—Disallowable Instrument DI2023-270 (LR, 27 November 2024).

Urban Forest (Canopy Contribution Agreements—Financial Settlement) Determination 2023 (No 1)—Disallowable Instrument DI2023-315 (LR, 21 December 2023).

Urban Forest (Canopy Contribution Agreements—On-Site Canopy Contribution) Determination 2023 (No 1)—Disallowable Instrument DI2023-316 (LR, 21 December 2023).

Urban Forest (Fees) Determination 2023 (No 1)—Disallowable Instrument DI2023-306 (LR, 18 December 2023).

Urban Forest (Prohibited Activities) Authorisation 2023 (No 1)—Disallowable Instrument DI2023-333 (LR, 21 December 2023).

Urban Forest (Registration and Cancellation Criteria) Determination 2023—Disallowable Instrument DI2023-271 (LR, 27 November 2023).

Urban Forest Regulation 2023—Subordinate Law SL2023-39 (LR, 15 December 2023).

Variation in Sex Characteristics (Restricted Medical Treatment) Act—

Variation in Sex Characteristics (Restricted Medical Treatment) Assessment Board Appointment 2023 (No 1)—Disallowable Instrument DI2023-318 (LR, 21 December 2023).

Variation in Sex Characteristics (Restricted Medical Treatment) Assessment Board Appointment 2023 (No 10)—Disallowable Instrument DI2023-327 (LR, 21 December 2023).

Variation in Sex Characteristics (Restricted Medical Treatment) Assessment Board Appointment 2023 (No 11)—Disallowable Instrument DI2023-328 (LR, 21 December 2023).

Variation in Sex Characteristics (Restricted Medical Treatment) Assessment Board Appointment 2023 (No 12)—Disallowable Instrument DI2023-329 (LR, 21 December 2023).

Variation in Sex Characteristics (Restricted Medical Treatment) Assessment Board Appointment 2023 (No 13)—Disallowable Instrument DI2023-330 (LR, 21 December 2023).

Variation in Sex Characteristics (Restricted Medical Treatment) Assessment Board Appointment 2023 (No 2)—Disallowable Instrument DI2023-319 (LR, 21 December 2023).

Variation in Sex Characteristics (Restricted Medical Treatment) Assessment Board Appointment 2023 (No 3)—Disallowable Instrument DI2023-320 (LR, 21 December 2023).

Variation in Sex Characteristics (Restricted Medical Treatment) Assessment Board Appointment 2023 (No 4)—Disallowable Instrument DI2023-321 (LR, 21 December 2023).

Variation in Sex Characteristics (Restricted Medical Treatment) Assessment Board Appointment 2023 (No 5)—Disallowable Instrument DI2023-322 (LR, 21 December 2023).

Variation in Sex Characteristics (Restricted Medical Treatment) Assessment Board Appointment 2023 (No 6)—Disallowable Instrument DI2023-323 (LR, 21 December 2023).

Variation in Sex Characteristics (Restricted Medical Treatment) Assessment Board Appointment 2023 (No 7)—Disallowable Instrument DI2023-324 (LR, 21 December 2023).

Variation in Sex Characteristics (Restricted Medical Treatment) Assessment Board Appointment 2023 (No 8)—Disallowable Instrument DI2023-325 (LR, 21 December 2023).

Variation in Sex Characteristics (Restricted Medical Treatment) Assessment Board Appointment 2023 (No 9)—Disallowable Instrument DI2023-326 (LR, 21 December 2023).

Variation in Sex Characteristics (Restricted Medical Treatment) Assessment Criteria Guidelines 2023 (No 1)—Disallowable Instrument DI2023-331 (LR, 22 December 2023).

Variation in Sex Characteristics (Restricted Medical Treatment) Declared Person Declaration 2023 (No 1)—Disallowable Instrument DI2023-332 (LR, 22 December 2023).

Variation in Sex Characteristics (Restricted Medical Treatment) Regulation 2023—Subordinate Law SL2023-35 (LR, 14 December 2023).

Waste Management and Resource Recovery Act—

Waste Management and Resource Recovery (Fees) Determination 2023 (No 2)—Disallowable Instrument DI2023-308 (LR, 18 December 2023).

Waste Management and Resource Recovery (Waste-to-Energy) Code of Practice 2023 (No 1)—Disallowable Instrument DI2023-252 (LR, 13 November 2023).

Work Health and Safety Act—Work Health and Safety Amendment Regulation 2023 (No 2)—Subordinate Law SL2023-30 (LR, 24 November 2023).

## **Environment Protection (Fossil Fuel Company Advertising) Amendment Bill 2024**

**Ms Clay**, pursuant to notice, presented the bill, its explanatory statement and a climate impact analysis.

Title read by Clerk.

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

That this bill be agreed to in principle.

This bill deals with a very simple issue: should we let companies like Woodside, Santos and BHP advertise fossil fuel in our ACT government venues?

The bill amends the Environmental Protection Act to stop fossil fuel companies from being able to advertise their climate-wrecking products in our sports venues. This is part of a national campaign. Many local councils, cities and countries are taking action on fossil fuel sponsorship. I have put up a really modest, local step that targets the venues our government directly controls. This is climate action. It is practical. It is powerful. I do not understand how anyone could dismiss it out of hand.

I was shocked at the reaction from Labor when I brought this up last year. I consulted with ACT Labor, and after that I tabled my discussion paper. I was watching floods destroy our country, and my family and I were bracing for another Black Summer and another smoke apocalypse. ACT Labor came out in the press publicly and instantly and said no. They did not wait to see the draft. They did not listen to the results of consultation. They did not check-in with the community on whether Canberrans think ACT government venues should promote fossil fuel. They just reacted. They said, "It is not something ACT Labor are considering." I could not understand this reaction. I was looking out my window and looking at what is happening in our country, and all I could think was, "Are you looking through a different window?"

I really hope this conversation changes. I have spoken to the community, to sports clubs, venues, climate activists, Frontrunners, the Climate Council and to Comms Declare. I have put up some legislation. Everyone has engaged thoughtfully and meaningfully with this, and I urge everybody in here to do the same.

We have had a good summer here in the ACT, and I am really grateful for that. We all needed the break. But the rest of our country has not fared so well. We have got fires in Western Australia, and flooding and major storms down much of the east coast. Lismore residents are still living in tents and caravans. Most have not yet rebuilt, and many of them cannot. They do not have the means, the supplies or the labour. Many are wondering whether to bother rebuilding at all. They cannot get insurance if they do. This is the world we live in.

The ACT missed those major floods, but we have had a bit of rain here too. Three weeks ago in Tuggeranong, local floods cut TV and radio broadcasts. Floods associated with the extremes of climate change cut broadcasts. Meanwhile, our colleagues said they will not consider regulating fossil fuel broadcasts from within government venues. Let us just think about that for a moment. In 2020, Canberra had record smashing 44-degree days. It is getting worse. The Climate Council tells us that by 2040 we will have 50-degree heatwaves.

I rode to the ANU Climate Update last night. I was meant to be leading a bike-bus there, but that was cancelled because of the weather. It is getting pretty common to cancel because of the weather. I rode anyway, and I kept half an eye on the flood warnings, and, yes, the ANU got flooded during the climate update, and, yes, everyone made wry apocalyptic jokes about how very ironic that was.

The climate news is not good. Last year we heard about the anomalous temperatures in that climate update. Those temperatures were hotter than we expected. Everyone



thought things would be bad and, actually, they are worse. Climate change is moving quicker than anyone imagined.

But last night at the ANU Climate Update, the message of hope was clear: we have got the technology we need to fix this right now. We are not developing it. We already have it. We have got the information we need to combat this. We know what we need to do. We just need to get on and do it. There was a really clear call from Professor Mark Howden and all of our speakers at that update: we need government and business and community working together on real climate action. It is as simple as that.

I table the climate impact analysis with my bill. This is a new requirement for private members' bills, and I think I might be the first one to table a climate statement. I have got to say, completing that checklist was pretty confronting. I had to consider the impacts of climate change here in the ACT. I thought about what event managers and sports groups have been telling me during this consultation. I thought about what it is like to run an event in a world of climate change. Here are a few of the risks I identified in that. We have got governance risks, pressure on our emergency services, our transport and our supply chains. We have got economic risks, difficulty getting insurance, and skyrocketing public liability and premiums. We have got bushfires, floods, drought and difficult maintaining our sports grounds. We have risks in our built environment. We have got extreme heat in our buildings and in our outdoor venues. We are worried about poor air quality from smoke.

These are all the same risks that sports managers are dealing with. These are the same issues they raised with me during consultation. And these risks are made worse by burning more coal and gas and by letting fossil fuel companies tell us that that is okay—totally fine and normal! I feel like I am stuck in an Honest Government Ad. Why do we let fossil fuel companies buy social licence when our sports managers tell us climate change, driven by fossil fuel, is their biggest threat? We know what we need to do for the climate: no new coal and gas. Stopping fossil fuel begins with stopping fossil fuel ads.

In 2019, we declared a state of climate emergency here in the ACT. We have taken many steps in law, policy and programs to reduce our climate emissions and to adapt to the effects of climate change that are already locked in, but we continue to allow fossil fuel companies to sponsor our professional sports teams in our own government venues. ACT government venues are promoting fossil fuel. This is ridiculous! It does not match our community values. It undermines our really good government policy. It undermines climate action. It goes against local council and national moves to stop sportswashing. It is unacceptable in a climate crisis.

We have made a lot of progress here in the ACT, but new steps—obvious steps—are a really good way to show the difference in the attitude across different political parties. When it comes to climate leadership, ACT Labor do not want to do it without the Greens pushing every step of the way. Labor are timid on climate, and we need to be bold, and we need to get loud. We need to be a climate-activist government. We have got to disrupt what has always been and what used to be allowed. The status quo—that system of buying social licence—is not working for us or for our planet.

Federal Labor particularly worry me. They seem to live in a different realm. Federal Labor is still approving new coal and gas. The IPCC has finally agreed to internationally recognise words to transition away from coal and gas, and federal Labor is still approving it. They keep saying yes to fossil fuel.

Coincidentally, we have had a lot of conversation in the media lately about fossil fuel sponsorships and donations to political parties. Woodside, Santos, and other mining companies, donated hundreds of thousands of dollars to federal Labor last year. I cannot help but wonder about those donations. Is that why ACT Labor is happy to declare a climate emergency but do not want to consider regulating the fossil fuel companies who are advertising in our government venues? Please, please, reconsider.

We cannot meet our net zero goals while allowing rampant and unregulated promotion of fossil fuel companies. These companies are undermining our clean energy transition.

The ACT signed up to endorse a fossil fuel non-proliferation treaty in 2021. I was really happy about that. I put up the motion to do it, and I was really pleased when it passed. The ACT became the highest-level jurisdiction in the world to sign up to that call. In a city like ours that does not produce fossil fuels, we have got fewer levers to pull to make an impact, but if we want signing up for a treaty to be more than some empty gesture, we need to take action where we can to support the phasing out of fossil fuel. Banning fossil fuel ads in our sports venues is one of the steps under that call for a treaty. You should not endorse a treaty and then dismiss all of the actions to implement it as out of hand. That is not how leadership works. We need to show that we are not just talk. It took leadership to sign up, and it takes leadership to follow through.

This bill is part of a national movement. The Climate Council has launched a Fossil Fuel Free Sponsorship Code as part of a national campaign to get fossil fuel sponsorship out of our events. Fifteen Australian councils have already signed up for a fossil fuel ad ban: the Blue Mountains, Byron Bay, Charles Sturt, Darebin, Fremantle, Glen Eira, Inner West, Lane Cove, Maribyrnong, Merri-bek, Mitchum, Sydney, Waratah-Wynyard, Wingecarribee and Yarra. Sydney, Amsterdam and Stockholm have also voted for a ban. France has legislated a ban on fossil fuel energy advertising. Climate activists are calling for change. Fans are calling for change. Athletes in cricket, AFL and netball have made headlines protesting their teams' fossil fuel sponsorship.

I do not watch a lot of sport in my house. I am busy, and I actually prefer doing things to watching other people do them, but I do watch *Ted Lasso*. I binge watch *Ted Lasso*. I find him quite inspirational. Whenever I have a leadership problem I think, "What would Ted Lasso do?" There was an episode in *Ted Lasso* about this issue. The players decided that they wanted to black out the logo of a company causing pollution in one of the player's home countries, and Ted Lasso, of course, backed that. Regulating fossil fuel advertising in sport is so common that it is on mainstream TV, and it is what Ted Lasso tells us we should do.

Frontrunners are calling for change. Frontrunners is a national organisation that helps sport go from sideline to centre court on climate action. It was co-founded by Emma

and David Pocock. David Pocock has been pretty vocal on this topic. Just this morning he was on the radio welcoming this push from the Greens and referring to fossil fuels as the “new tobacco”. It is time to act. It is certainly time to consider a bill in detail and not dismiss it as out of hand!

The ACT can lead the way here. We could be the first state-level jurisdiction in Australia to ban fossil fuel ads from our professional sports venues. Imagine the AFLW and AFL players running out with BHP and Woodside logos blacked out on their jerseys. Imagine the conversations that would spark.

This is not new ground. We have made regulations like this before. Our venues and our sports teams do not run cigarette ads. That would be outrageous. Could you imagine if we let them run cigarette ads in those venues? We banned that decades ago. It was wildly out of step with our values.

The ACT also regulates advertising in a lot of different ways. We have got the Tobacco and Other Smoking Products Act 1927, which prohibits smoking advertisements. We have banned many types of advertising from buses and light rail, including tobacco and fossil fuels. We have got strict limits on public billboards, and nine out of 10 Canberrans want to keep it that way. We are a community that places really high standards on our advertising. Fossil fuel sponsorship does not meet those standards. It is a relic of the past, and it is a dangerous relic. It has lost its social licence, just like tobacco did, and it is desperately trying to buy it back. We do not have to let them.

I ran consultation on this bill. I consulted with the Climate Council; Frontrunners; Comms Declare; the climate movement; ACT sports organisations and ACT venues; the Minister for Water, Energy and Emissions Reduction; the Minister for the Environment; the Special Minister of State; the Minister for City Services; and the Minister for Sport and Recreation. I spoke about this issue, and I tabled a public discussion paper in this Assembly. I ran media and social stories, and I sought public input into the bill.

Consultation found really broad support to regulate fossil fuel advertising in the ACT. As I have noted before in this speech, venue managers said their primary challenge at the moment for their sports facilities and their events is climate change itself. Their biggest challenge is coming from extreme heat, drought, downpours, difficulty in watering greens, and difficulty in finding insurance and making their PL payments. Their biggest challenge is not sponsorship or ad regulation: it is climate change.

There were a number of questions raised about the details of the bill. There were questions raised about which premises it should apply to. Some people thought it should apply to all property in the ACT—that is the approach a lot of local councils have taken. Some thought that there should be more clarity about which facilities it applies to. Some thought there should be exemptions. There were questions raised about when this should commence and how it should commence. This is a really good conversation—transitions are really good for us to be talking about. We need to make sure that this comes into being in a simple and sensible way, and that everybody understands how it works.

There were also quite a lot of objections to the greenwashing term of “natural gas”. People engaged with this work. They did the work themselves, they looked at the issue and they looked at the bill. It was fantastic to see so many people engage with the detail and understand how important this issue is, and I am really looking forward to practical amendments to make this work.

I am hoping we do not end up with the same type of debate from our colleagues in government and in the opposition that we have had so far. Please do not dismiss this without thought. Please look at the issue. Please look at the bill, please engage and please tell me how to make it better.

The bill will be referred to a Legislative Assembly committee for consideration, and I am really hoping we have a committee inquiry on this. I think it would be a great chance for the public and for organisations to tell us exactly how this issue is affecting them.

The ACT is the perfect place to set a new standard. We do not have to allow fossil fuel ads in our government venues. I think we will look back on this moment in a few years and we will wonder how we ever let this come about in the first place. It will be like looking back at tobacco advertising in sport. We look at tobacco advertising in sport and we wonder, “What were we thinking? How did we let that happen?”

With Greens in government pushing for change, we are already climate leaders here in the ACT. We have got 100 per cent renewable electricity. We are phasing out fossil fuel gas. We are phasing in EVs. We have changed our building standards and our planning laws to deal with increasing heat. We have committed to Australia’s first ever right to a healthy environment; although, from all of the commentary and all of the submissions I have seen on that, there is clearly more work to do on that commitment.

It is time to take the next step and stop fossil fuel companies from being able to buy social licence in our ACT government-owned venues. This bill deals with a very simple issue: should we let fossil fuel companies like Woodside, Santos and BHP advertise fossil fuel in ACT government venues? I commend the bill to the Assembly.

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

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

**MS CASTLEY** (Yerrabi) (3.16): I move:

That this Assembly:

(1) notes:

- (a) the statement by the Minister for Health, Rachel Stephen-Smith, in 2021, in relation to emergency department (ED) wait times that “Our target - and the national target - is 70 percent. We are nowhere near that at this point in time. We want to get to that target within nine months.”;
- (b) according to the Productivity Commission’s Report on Government Services for Health, in 2022-23 the ACT was again among the worst jurisdictions for ED wait times;

- (c) only 51 percent of ED patients were treated within clinically recommended wait times, well under the national average of 65 percent, and only marginally up on the 2021-22 figure of 48 percent;
  - (d) the ACT performed the worst of all jurisdictions on measures of patients' length of time in the ED, with only 47.9 percent of patients staying for four hours or less, compared to a national average of 55.8 percent;
  - (e) the ACT was also the worst jurisdiction for treating Aboriginal and Torres Strait Islander people within recommended wait times—coming in at 50 percent compared to NSW at 74 percent and a national average of 67 percent;
  - (f) the ACT was by far the worst jurisdiction for the percentage of Aboriginal and Indigenous patients spending four hours or less in the ED;
  - (g) elective surgery waiting times in the ACT also ballooned—with 30 percent of elective surgery patients in public hospitals in 2022-23 not admitted within clinically recommended times, up from 24.6 percent in 2021-22 and 15 percent in 2020-21; and
  - (h) the ACT has the lowest ratio of general practitioners to 100,000 people of any major Australian city; and
- (2) calls on the Minister for Health to fulfil her 2021 undertaking to fix ED wait times in nine months by having 70 percent of ED patients seen within clinically acceptable times.

So it begins again: a new year and another damning Productivity Commission report on the Barr government's delivery of health services. As if Canberrans do not know it themselves from whenever they try to get to see a doctor or whenever they go to one of our public hospitals' emergency departments!

Last week's Productivity Commission *Report on Government Services*, or *RoGS*, as we know it, showed that in 2022-23 only 51 per cent of ED patients were treated within clinically recommended time frames—well under the national average of 65 per cent. Only 47.9 per cent of patients stayed in the ED for four hours or less, compared to the national average of 55.8 per cent. Embarrassingly, the ACT is the worst jurisdiction for treating Indigenous people within clinically recommended ED wait times and for time spent in ED.

The ACT also has the lowest ratio of GPs to 100,000 people of any major Australian city, putting even more pressure on our emergency departments. Elective surgery waiting times have ballooned, with 30 per cent of patients in public hospitals not admitted within clinically recommended time frames, up from 24.6 per cent in 2021-22 and 15 per cent in 2020-21.

Exactly three years ago, the health minister undertook to fix emergency department wait times in nine months and to have 70 per cent of ED patients seen within clinically acceptable times. "Canberra emergency department wait times are the worst in the country, but the Health Minister says she'll fix it in nine months" the ABC news headline read. In this ABC interview, the health minister said:

Our target—and the national target—is 70 per cent. We are nowhere near that at this point in time. We want to get to that target within nine months.

So how has she fared? For the last three years, the percentage of ED patients treated within clinically recommended wait times has stuck stubbornly around 50 per cent, embarrassingly below the national averages. And each year we have heard excuses from the health minister about why she has not fixed the crisis.

We have had all the fruit excuses! When this issue came up last year, she said that Canberra is different, that we are unique, that these reports do not compare apples to apples, that it is swings and roundabouts, that we are doing as well as our peers. The minister has now run out of cliches, and after 23 years in government, there really are no excuses. After a decade below the national average, and no improvement, Canberrans are tired of excuses and spin from this government.

As the nation’s capital, with an affluent, concentrated population, Canberra should have the best performing public hospital system in the country. Indeed, in a rare moment of candour, the minister last year admitted her failures when she said, “I think, also, it is a fair criticism to say we have tried a lot of things in our emergency department that either haven’t been sustained, or we haven’t seen the impact of those yet.” When she was asked if these things had not worked as she wanted, the minister said, “Yeah, they have not worked as we wanted.”

So, having run out of excuses, what is the government’s solution? Unfortunately for Canberrans, it is more spin and worthless promises. What do we get in the wake of the latest *RoGS* figures? We get pictures of the health minister and the Chief Minister again donning their hi-vis and hard hats and touring Canberra Hospital’s new emergency department, due to open in six months, and we get the announcement of an extra \$44 million mainly going to expand emergency services at the new Critical Services Building.

We need to look at the sorry history of this Critical Services Building. The new \$600 million Critical Services Building is actually a downscale on the \$800 million expansion of the Canberra Hospital Labor promised in 2012, the first stage of which was costed at \$375 million. After the 2012 election, this hospital rebuild was cancelled, and this exact amount of \$375 million was allocated for the first down payment on the tram.

The next proposal for Canberra Hospital’s Woden campus was the SPIRE Centre: a 2016 election commitment that Labor pledged would open in 2022, but by the 2020 election, work had not even begun. Not a sod had been turned. After being called in, work finally started on a revamped Critical Services Building in November 2021. Completion is now expected in August 2024, just before the territory election.

This marathon stuff-up in the provision of critical health infrastructure has led to the longest ED wait times in the country, and thousands of Canberrans languishing on surgery waiting lists. In other words, the ACT’s appalling ED wait times are the fault of this government—no two ways about it—and a direct result of the government’s diversion of money to the tram.

It is unfortunately the norm for health infrastructure projects in the ACT to protract for years. The 2023-24 ACT budget showed estimated completion dates for at least 20 projects further delayed since the last budget. Canberrans have been let down time and time again. The government abandoned plans for an elective surgery centre at the University of Canberra Hospital precinct, which was promised at the last territory election and was expected to be finished by 2025. It is not just major projects. A new MRI machine for Canberra Hospital, promised in 2019 for installation by March 2021, was not installed until September 2023.

The bottom line is this: Labor just cannot be trusted to deliver health infrastructure on time, in full, if at all. With such a woeful record, you would have to doubt whether Labor's promised \$1 billion northside hospital will commence construction in 2025-26 or be operational by 2030-31! It is certainly a way off from being shovel ready.

But rest easy! There is a hive of activity: a small army at work in the ACT Health Directorate and Canberra Health Services. A small army of communications staff generates a steady stream of media stories to make the government look active while infrastructure delivery declines. While health infrastructure remains underfunded and underdelivered, announcements about these projects are recycled on an industrial scale.

Two separate communication units in CHS and ACT Health are working overtime to distract Canberrans from the fact that the public health system is in serious decline due to this Barr government's adhocery and underfunding. Thirty-seven communications staff with a total annual budget of over \$6 million are employed in two separate units in the health minister's portfolio. One unit with up to 20 communications staff is in Canberra Health Services, and there is another in the ACT Health Directorate with 17 staff; hence the latest hi vis and hard hat event about a new emergency department hot on the heels of this damning *RoGS* report on emergency department wait times!

We have had all manner of stories about aspects of this build, but they fail to detract from it being behind schedule nor from it being a scaled back project compared to what was originally promised more than a decade ago. Who could forget the memorable "name the crane", and the Critical Services Building's topping-out ceremony! I have remarked previously on the resemblance to the television series *Utopia*, which also happens to be what Canberra Health Services' strategic communication engagement unit call their intranet. Instead of a stream of photos ops and puff pieces, Canberrans just want their hospitals to be safe, waitlists to be short and promised infrastructure to be delivered in full and on schedule.

Another driver of long emergency department wait times is the Barr government's neglect of primary care in the ACT. The *RoGS* data also shows that the ACT has the lowest ratio of GPs to 100,000 people of any major Australian city, which has put even more pressure on our emergency departments. You will be relieved to know that after years of neglect, the ACT government has finally updated some of the wellbeing indicators on its wellbeing data dashboard, including data on access to health services. And guess what, Mr Assistant Speaker? Ease of access to GP services has steadily declined over the last three years. In January 2020, 75 per cent of Canberrans found it

easy to see a GP; by January 2021, this was 64 per cent, and by January 2023 it had dropped to 50 per cent. In 2020, 5.5 per cent of Canberrans found it hard to access a GP, and by 2023 this had almost quadrupled to 19 per cent.

What it is, at present, is anyone's guess, but I can tell you this: it will not have become easier for Canberrans to access their GP. This situation has been aggravated by the Chief Minister's determination to slug medical clinics with payroll tax on contractor GPs. Again, the bottom line is that Canberrans who cannot get to see GPs will place more pressure on our overstretched emergency departments and our hardworking frontline health workers.

It is the Chief Minister and the health minister who bear most responsibility for the ACT's emergency department wait times being the worst in the country, and Canberrans who know this firsthand can see through their desperate attempts. I commend my motion to the Assembly.

**MS STEPHEN-SMITH** (Kurrajong—Minister for Aboriginal and Torres Strait Islander Affairs, Minister for Children, Youth and Family Services, Minister for Disability and Minister for Health) (3.27): Ms Castley is right: we have had this debate in the Assembly on numerous occasions, so it is astonishing that she started this debate yet again by completely misrepresenting—or, rather, misunderstanding—what it was that I said previously.

Ms Castley talked about waiting times in the emergency department; then she used data that related to people being seen, treated and discharged or admitted to hospital. These are two different datasets. As I said in question time, it is not that complicated; there are two different, key sets of data for emergency departments, and it is astonishing to me that those opposite still continue to fail to understand that very basic difference.

It is good to see that Ms Castley is also continuing the tradition of sticking by a proposal for Canberra Hospital that would see more money spent than we have spent. Thank you, Ms Castley, for pointing out that the Critical Services Building, in the way that it was designed and delivered, was actually a more cost-effective solution than the solution that those opposite preferred.

What is the solution that those opposite preferred? The former Deputy Leader of the Opposition talked about it regularly, and it has now been inherited by the new Deputy Leader of the Opposition, who talks about it and goes back in history regarding it. The solution, apparently, that they would have preferred that we implement was one where buildings that deliver clinical services—buildings with wards, buildings with patients, buildings that deliver clinical services—would have been demolished. Through the entire demolition and construction process, Canberra would have had fewer hospital beds, and that is really clear to see if we go back through all of the analysis. There would have been fewer hospital beds for years under this proposition that continues to be the preferred option of the opposition.

As it happened—and I am not saying that anyone would have predicted that we would have a global pandemic—we would have gone into the global pandemic with a hole in the middle of Canberra Hospital campus, if the Canberra Liberals had had their way.



Going into the pandemic with a hole in the middle of Canberra Hospital campus: that would have been a great outcome for the people of Canberra and the surrounding region, let alone our hardworking healthcare workers.

Ms Castley also talked about primary care. Again, I need to point out to her that the commonwealth is responsible for primary care, and the reason that general practice is in such dire straits, and has been in such dire straits, has been due to a decade of neglect under the former coalition government. Medicare rebates were frozen, and GPs were disregarded, not listened to, not respected and not invested in. The Albanese federal government has tripled the bulk-billing incentive, has established the Medicare taskforce and is working with primary care to rebuild the backbone of our public health system.

Ms Castley has used some old data; then she seems to have forgotten that, in fact, the bulk-billing rate in the ACT has started to turn around, because of the commonwealth government's investment in tripling the bulk-billing incentive. We welcome that, and we will continue to work with the commonwealth on implementing the outcomes of the Strengthening Medicare Taskforce. We absolutely recognise that primary care needs to be strengthened.

We will also continue to work with the commonwealth government on investing in alternative models of care, including the expansion of our fabulous nurse-led walk-in centres. Our walk-in centres are beloved by the ACT community and deliver exceptional care for Canberrans. But they are part of a system that, broadly, also delivers excellent care.

To balance Ms Castley's continuous negative commentary, I want to read a compliment that was received in January this year about a great health experience with the Canberra health system. This is important because it speaks to a number of parts of the system. The person said:

I wanted to pass on my wonderful experience yesterday. I accidentally scratched my eye while gardening. I went to the Cooleman Court pharmacy, where the very helpful pharmacist suggested I go to the nurse led clinic at Weston Creek—

conveniently located almost next door to the pharmacy—

I was seen by two wonderful nurses after only waiting about 10 minutes. They did a thorough examination, talked very calmly, phone consulted with their nurse practitioner, who thought I should go to the hospital.

At the ED at the Canberra Hospital I again only waited 15 minutes, then into the inside waiting room and was seen by a registrar after 10 minutes. He did a very thorough examination and discharged me with a summary and some medication.

Every step in the system was helpful, reassuring and extremely professional. Thank you. I felt so lucky to be able to access this type of service.

We get that kind of feedback regularly from Canberrans, but you would never, ever know it if you listened to Ms Castley.

I will touch on the *RoGS* data that Ms Castley talked about. I will make the point again that comparing jurisdictions in this data is not an apples-to-apples comparison, for a number of reasons. The ACT has two emergency departments. One of them is in a principal referral hospital and one of them is in a public acute group A hospital. The ACT does not have any of the smaller regional or outer metropolitan hospitals that see very few significantly acute emergency cases that take a lot of time. Canberra Hospital has one of the busiest emergency departments in the country.

It is only fair that we also look at peer hospital comparators when we are talking about this data. When you look at the peer hospital comparators, Canberra Hospital saw a higher proportion of patients in the emergency triage category—that is, category 2—within the national benchmark of 71 per cent, than all jurisdictions, with the exception of New South Wales.

Overall, when compared to other principal referral and women’s and children’s hospitals across jurisdiction, the ACT had a higher proportion of patients treated within national benchmarks than Western Australia, South Australia, Tasmania and the Northern Territory when you take into account all triage categories.

For the urgent triage category, it is higher than Western Australia, South Australia, Tasmania and the Northern Territory. For the semi-urgent category—that is, category 4—it is higher than Western Australia, South Australia, Tasmania and the Northern Territory for peer hospitals. For the non-urgent category, it is higher than Western Australia, South Australia, Tasmania and the Northern Territory for peer hospitals.

Across those smaller jurisdictions, Canberra Hospital performs very well compared to its peers. In taking those jurisdictional comparisons that Ms Castley knows to be misleading, she is doing a disservice to the Canberra Hospital emergency department. Similarly, when compared to other public group A hospitals across other jurisdictions, the ACT has a higher proportion of patients treated within national benchmarks than Western Australia and South Australia for all triage categories.

But even taking account of the fact that jurisdictional comparisons are problematic, in relation to this data, wait times have actually improved. Comparatively, they have improved. They have improved comparatively, and they have actually improved. Ms Castley was already aware of that because late last year, on 25 October last year, I tabled the quarter 4 2022-23 monthly performance report—the new representation of the data. It was for the last quarter of the year that the *Report on government services* has just reported on.

What is clear, when you compare it to the full year data that *RoGS* has reported, is that the data was improving through the year. It was better at the end of the financial year than it was at the beginning of the financial year, and that improvement has continued. In the report that I released earlier this week, which is available on the ACT Health website, overall for the ACT we saw an increase from 60 per cent of patients starting treatment on time in July to 68 per cent in December. This fluctuated through the six months, but it was a significant improvement over what it has been in past years.

At Canberra Hospital, the figure was 62.6 per cent in July, and 69.2 per cent in December 2023—patients starting treatment on time. At North Canberra Hospital, the figure in December was 66 per cent. December was a good month, but it has been at or around 60 per cent throughout that six-month period. That is a substantial improvement.

When Ms Castley says that nothing has changed, nothing has improved and that there is no evidence that the investments the ACT government has been making have made a difference, that is simply untrue. This is clear evidence that the investments that we have been making have made a difference.

Let us talk about those investments. In the 2021-22 budget, \$128 million was invested in expanding critical public hospital services, including nearly \$23 million for the Canberra Hospital ED and \$16 million more for patients to receive services at what was then Calvary Public Hospital.

Funding for the ED at Canberra Hospital included expanding capacity to respond to service demand pressures and support for contemporary models of care. It included recurrent funding to expand the emergency medical unit, which moved from 12 to 18 beds and chairs, allowing low-acuity patients waiting for imaging or test results to progress to that space, freeing up fast-track treatment spaces for the commencement of newly presenting patients.

It included further medical and nursing workforce to provide clinical oversight and clear leadership and direction, such as the ED medical navigator, which I talked about in question time—a role to support patient flow on a shift-by-shift basis alongside the nurse navigator. There was the development of new models of care to further reduce waiting times for patients, such as advanced practice nurses, who are trained under the walk-in centre program to work in the fast-track area of the department—another thing that Dr Scanlan, the clinical director of the emergency department, talked about yesterday as having made a really big difference in flow through that area.

There was the establishment of the 24-bed acute medical unit to facilitate rapid movement of patients from the emergency department when they have undifferentiated medical conditions, which supports earlier multidisciplinary support for those patients. Again, it frees up a bed in the emergency department, so we are improving flow.

As a result of these investments, we have seen focused attention on flows within the emergency department, as well as flows from the emergency department and through the hospital. There has been a whole-of-hospital effort in relation to hospital discharge, and now we are seeing the impacts of the Digital Health Record. Dr Scanlan emphasised to me, on my visit to the emergency department, how much difference it makes by having the Digital Health Record for the emergency department.

Of course, in our new Critical Services Building, there will be a new emergency department with 147 treatment spaces—72 more than are currently available at Canberra Hospital—over time. The new ED will have a separate dedicated paediatric stream. It will have the separate triage area for patients who arrive by ambulance, and that will make a big difference both to the privacy of those patients who are currently

triaged in what was described by one of the journalists yesterday as an “itty-bitty” corridor space, and to improving that flow through the emergency department.

Overall, yesterday’s announcement included more funding for the behavioural assessment unit in the ED, that second triage point and a new medical emergency team across the hospital. We are continuing to invest, we are continuing to support our staff, and we are continuing to celebrate the achievements that they are making in improved performance in waiting times, in flow through the hospital, and in culture, where we have seen an ongoing improvement.

I do not know whether Ms Castley caught the front page of the *Canberra Times* over the weekend where a couple of young doctors in training talked about the differences that they have seen on the ground at Canberra Health Services. It is one thing to look at the data. It is one thing for me to pass on the feedback that I am getting, but it is another thing to see young people who have seen that difference on the ground and are happy to talk about it. That is how we will continue to recruit and retain our wonderful healthcare workforce. We pay them well, we treat them well, and we support them to do their jobs even better, which is exactly what they have been doing. I move the following amendments that have been circulated in my name:

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

“(1) notes:

- (a) the ACT’s emergency departments have undertaken significant work to improve performance over a number of years, including:
  - (i) introduction of key Emergency Department (ED) roles to support decision-making, treatment and care and patient flow;
  - (ii) introduction and support for advanced scope health professional positions, for example Advanced Practice Nurses who are trained under the Walk-in Centre program to work in Fast Track;
  - (iii) establishment and expansion of services that support the ED, such as the new Acute Medicine Unit at the Canberra Hospital to facilitate rapid movement of patients from the ED who require hospital admission; and
  - (iv) additional training and support for staff in emergency departments, to develop key skills and a sustainable workforce in this specialty area;
- (b) changes in ED performance require whole of health service effort and Canberra Health Services has ensured the ACT’s emergency departments are a priority with work across the hospital, and broader health system contributing to performance improvements;
- (c) the rollout of the Digital Health Record has supported better visibility and communication across public health services;
- (d) the results of this change program are reflected in data from the last 12 months, with reporting from July to December 2023 showing a marked improvement across indicators:
  - (i) 61.8 percent of patients started ED treatment on time, a 17 percentage point rise in performance from the same period in the prior year;

- (ii) median wait time to treatment was 25 minutes;
  - (iii) 55.6 percent of patients left ACT EDs within four hours of presentation; and
  - (iv) in December 2023, the percentage of patients starting treatment on time was 68.1 percent and leaving within four hours was 63.3 percent;
- (e) the new Critical Services Building will be open in the third quarter of 2024 with a new emergency department, operating theatres and more inpatient capacity;
  - (f) through the 2023-24 Budget and Mid-year Review the ACT Government has invested \$139 million in operationalising the Critical Services Building, including additional triage resourcing, a new 6-bed unit for complex patient presentations and an additional MRI machine coming online;
  - (g) the ACT's excellent nurse-led Walk-in Centres provide an invaluable service, treating a wide range of conditions that would otherwise result in ED presentations;
  - (h) the ACT Government's introduction and funding of the Police, Ambulance and Clinician Response (PACER) service model, which has been successful in supporting people experiencing mental crises; and
  - (i) the ACT Government's funding for a Safe Haven at Canberra Hospital, which will provide a fit for purpose place for people experiencing mental health crises; and
- (2) calls on the ACT Government to continue supporting the hard work of Canberra Health Services teams to further improve performance across the ACT's emergency departments, Walk-in Centres and broader health services.”.

**MS DAVIDSON** (Murrumbidgee—Minister for Community Services, Seniors and Veterans, Minister for Corrections and Justice Health, Minister for Mental Health and Minister for Population Health) (3.42): I would like to say a few words in support of Minister Stephen-Smith's amendment. We all want a health system that is capable of providing the right care, in the right place, at the right time.

When someone attends either of the two emergency departments at our public hospitals in Canberra, it is because they need urgent care, and, while things have improved over the past year, there is still more work to be done to reduce the wait time for treatment. For people presenting to hospital with a mental health crisis, the emergency department itself is often not the ideal location for treatment. That is why we introduced, evaluated and expanded the PACER service, where mental health clinicians, police and paramedics attend call-outs in the community, and where 70 per cent of the people that they see are able to engage with treatment in the community rather than having to be transported to hospital.

The recent evaluation of PACER found that people in crisis and their carers, family and supporters felt that the PACER response was more holistic, effective and

appropriate for their needs than traditional emergency services responses. People felt that the care provided by PACER was less stigmatising and did not tend to escalate or distress people as much as their previous experiences.

Since PACER began in December 2019, the PACER team has attended more than 6,500 call-outs, resulting in better outcomes for people in mental health crisis, greater opportunities for police and paramedics to uplift their own mental health skills, a significant reduction in time spent by general duties police on mental health related call-outs, and greater trust in emergency responses for the community.

In November 2021, we also opened our first Safe Haven in the community, in Belconnen. Safe Haven is a warm, non-clinical, safe space for people 16 years and older to go to when they experience distress, and to find social connection and support. Staffed by peer workers and open from 3 pm to 10 pm Tuesday to Saturday, it feels more like a cafe or a friend's lounge room than a health service.

People who have accessed support at Belconnen's Safe Haven have told me it meant they did not need to go to the emergency department at the hospital, that it is a place they feel comfortable to go back to, so that they can stay on track, between regular appointments with their psychologist, and that it is a service they feel is a positive part of their mental health journey.

The success of the Safe Haven is why I worked to secure funding from 2023-24 for the next three years and to open a second Safe Haven on the Canberra Hospital campus. I am very impressed with what Stride have achieved with our first Safe Haven, the support they offer our Canberra community and the opportunities created for peer mental health workers.

There is still much more we can do in the community to help connect people to the right service at the right time and closer to home. The answer to pressures on our emergency department is not always just more emergency department resources. There is an important role for primary care, for chronic condition care as well as for ensuring better integration of our increasingly complex health systems that span ACT public health services, commonwealth-regulated health programs and private health services.

These services need to be accessible financially and geographically. They need to be culturally appropriate. They need to address the impact of social determinants. It is hard to stay healthy when you do not have a safe and secure home, and it is hard to stay healthy when you are struggling to put food on the table for your family.

We Greens do not see health in isolation from the rest of a person's life. We see these things as being interconnected. That is why we want a universal public health system that better integrates across primary care with your GP, chronic condition care and acute care; between care delivered by services in the community and the care people receive in hospital; where carers and family support is part of the triangle of care for a person; and where health and social services are able to work well together to meet the whole of a person's need.

Services such as PACER and Safe Haven are part of that for mental health, and I am actively working right now on how we can support and extend those services to be as effective as possible for as many people as possible. That might be, for example, a safe place that PACER can take someone to if they do not need to be in hospital but they do need a break from home. It might be how we ensure follow-up care for people after a PACER attendance. It might be more Safe Havens in parts of town from where it is not easy to get to the Belconnen Safe Haven or the Safe Haven to be established at Canberra Hospital.

We are also working on services that better meet the diversity of needs across our community. That includes a mental health needs analysis to help us prioritise the next investments we need to make for Aboriginal and Torres Strait Islander people, having already invested in a nation-leading suicide prevention, intervention, postvention and aftercare program co-designed by Thirrili with the local Aboriginal and Torres Strait Islander community.

Health care means better understanding the needs of older people in our community, through some of the work being done under the Older Persons Mental Health and Wellbeing Strategy published in 2022. Building on the guidelines for gender affirming care for mental health, published in 2021, and our ongoing investment in community health services for the LGBTIQ+ community, we want to continue supporting good mental health care both in Canberra Health Services and in private and NGO-delivered services.

We will continue the work that is underway to better understand the mental health needs of our multicultural community, and we can improve access to culturally appropriate services in the ACT.

This is the work that I came here to do: improve health and social services for everyone in our community. It is the work that the community asks me to continue doing. While we still have eight months left in this term of the Assembly, I continue to be relentless in my pursuit of that, and I am looking to the long-term improvement in those services well beyond the four-year electoral cycle. That is why I support Minister Stephen-Smith's amendment to Ms Castley's motion.

**MS CASTLEY (Yerrabi) (3.48):** In closing, we will not be supporting this amendment. It is full of self-justification and self-congratulation. Unfortunately, it is just not good enough.

The health minister hopes that Canberrans believe that she has actually solved the long emergency department wait times, but the fact is that the minister has presided over the worst emergency department wait times in the country. The minister constantly talks about challenges in her portfolio, but, whenever you hear her say this, you should read "stuff up", because Canberrans know better. After 23 years, this government cannot have any excuses. I refer to this ABC Radio headline from 6 December: "Patients still grappling with long wait times in Canberra's EDs." It states:

The Australian Institute of Health and Welfare recently released data about hospital wait times across the country.

While improvements have been made in the ACT over the past few years, there are still issues with wait times in Canberra's emergency departments.

Afternoons' Georgia Stynes spoke with Clinical Director of the Emergency Department at Canberra Hospital, Dr Sam Scanlan, about the issue.

In the past, the health minister has said that wait time figures do not compare apples to apples, and she continued to talk about that today. The health minister should admit that her administration of the health portfolio has been a lemon! The *RoGS* data shows this. There is no way around it. Canberrans are waiting longer than clinically recommended. We are not even close to other jurisdictions. We are waiting longer to see a doctor in the emergency department.

The government's proposed amendment to my motion, as I said, is self-justification; it is about the government congratulating themselves. The minister referred in her speech to the ACT public health service's fourth quarterly performance report for 2022-23. She neglected to mention that the second and third quarter performance reports are missing, courtesy of the Digital Health Record.

Where does the rubber hit the road? I have been overwhelmed by the sheer volume of negative experiences that Canberrans have imparted to me. I do not get the congratulations and talk of how great things have been. People are very concerned about the amount of time they spend in our emergency department, and I am sure the minister would hear those stories as well.

The impacts of persistent funding cuts to health over a decade have been severe, and now the government is continuing to shovel money off to the tram instead of to our vital health infrastructure. Canberrans have suffered and will continue to suffer while this government cares more about spin than delivering the required infrastructure.

The \$800 million that was promised for the expansion of the Canberra Hospital in 2012 is equivalent to about \$1.2 billion today. By my calculation, with just over \$600 million, the Critical Services Building is about 55 per cent of the value of the Canberra Hospital expansion that Labor promised 12 years ago. The Barr government has short-changed Canberrans on health infrastructure and will continue to do so. While it continues to do so, our wait times will be worse than they should be.

My motion today is really simple. It calls out the minister and asks her to do what she said she would do: get ED wait times to 70 per cent in nine months. That was three years ago. Our hardworking frontline staff deserve better. Canberrans, our families and people living in our community, deserve better. The minister holds the levers to make the improvements that Canberrans need, but year after year we see minimal change.

As I said, we will not be agreeing with this amendment, and we will be calling for a division.

Question put:

That the amendment be agreed to.



The Assembly voted—

Ayes 15

Noes 7

Andrew Barr	Laura Nuttall	Peter Cain
Yvette Berry	Suzanne Orr	Leanne Castley
Andrew Braddock	Marisa Paterson	Ed Cocks
Joy Burch	Shane Rattenbury	Jeremy Hanson
Tara Cheyne	Chris Steel	Nicole Lawder
Jo Clay	Rachel Stephen-Smith	James Milligan
Emma Davidson	Rebecca Vassarotti	Mark Parton
Mick Gentleman		

Question resolved in the affirmative.

Amendment agreed to.

Original question, as amended, resolved in the affirmative.

## Gaming Machine Amendment Bill 2023

Debate resumed from 31 August 2023, on motion by **Dr Paterson**:

That this bill be agreed to in principle.

**MR RATTENBURY** (Kurrajong—Attorney-General, Minister for Consumer Affairs, Minister for Gaming and Minister for Water, Energy and Emissions Reduction) (3.59): I rise today to speak in support of this bill, and I thank Dr Paterson for bringing this private member's bill to the Assembly. The Gaming Machine Amendment Bill 2023 prevents a certain type of gaming machine from being authorised in the Molonglo Valley and other undeveloped areas. This is clearly designed as a harm-minimisation measure. Certainly, from a Greens' point of view, and also in my role as the Minister for Gaming, given my deep commitment to improving harm minimisation when it comes to electronic gaming machines and other forms of gaming, this is something that we are supportive of.

I have flagged with Dr Paterson, and as has been circulated, that the government has identified one very minor issue that has arisen and we will be proposing to move amendments to deal with that today. There is a potential loophole in which licences and authorisations for another type of gaming machine, namely class B machines, could be issued under the legislation.

Currently, under section 28 of the Gaming Machine Act 2004, a person who acquires a business from a holder of a class B licence operating under the Liquor Act may apply to the Gambling and Racing Commission for a class B gaming machine licence and authorisation certificate. Under this circumstance, if the Gambling and Racing Commission is satisfied of the person's eligibility, the commission must issue the class B licence and authorisation under section 29 of the Gaming Machine Act 2004. That is why, when we get to that part of the discussion, I am proposing to move amendments to address this loophole.

Through the amendments to the bill that I will be moving, authorisations for class C gaming machines will not be allowed to be issued in the Molonglo Valley and other undeveloped areas. This addresses the risk of for-profit venues, such as hotels or pubs, establishing a presence in the Molonglo Valley or other undeveloped areas and, in the process of acquiring a relevant business, being issued a class B licence and authorisation certificate.

I mention that only insofar as that was clearly not the focal point of the bill. I understand very clearly the intent of the bill and I support the intent of the bill. I think this is a low-risk issue but one that, nonetheless, does sit there. The current amendments are entirely consistent with and reinforce the intent of Dr Paterson's bill. What Dr Paterson has addressed in her bill covers the most likely scenarios and most scenarios that we could imagine, but we clearly want to make sure that someone does not seek to get around the intent of this worthwhile bill. I believe this is supported by Dr Paterson. This is a way of simply making sure that someone does not seek to get around the intent of it.

More broadly, on the issues of harm minimisation, this of course remains an incredibly important area of work. I and the government have a significant focus on reducing harm from gambling, and I have certainly been progressing this in my time here as a member of the Assembly, and now as the Minister for Gaming. We have reduced the number of electronic gaming machine licences in the ACT substantially in recent years, under both the previous and this parliamentary agreement. On both occasions, there have been commitments to reduce the number of licences. We have moved from around 5,000 only six or seven years ago to being well on our way to achieving the current goal of 3,500 gaming machine authorisations here in the territory. The government has put in place a range of financial incentives and central regulatory measures in order to achieve those goals.

While reducing the number of gaming machines is important, it is also important to address the harms that are caused when people have access to gaming machines, due to the highly problematic issues relating to the design of the machines. We know that poker machines are designed to entice people to continue to play them. People who are far more expert than me can talk to you in great detail about those design features, but there are range of them. Losses disguised as wins is my personal bugbear, where, when somebody loses money, the machine will play a sound that makes it feel like you have won. This is just one example of the very insidious features that are designed into poker machines that mean that they are, by their very design, not built for harm minimisation. They are built to be unsafe for people who struggle with gambling issues. That is why I am working hard to progress a range of commitments in the Parliamentary and Governing Agreement, including a range of measures designed to limit the amount of money that people can lose.

I thank the many harm-reduction advocates and clubs that have engaged in the consultation process on these works, and the Justice and Community Safety Directorate for their work on the complex issue. They have done a significant amount of research and consultation in working through it. We have our very clear intent and policy and where we want to get to, and the government is absolutely committed to that. The practical reality of delivering that and working through the technical

specifications and details is where there has been a lot of time spent and investment of effort. What the directorate has identified through that work is that we need to implement a central monitoring system, a CMS, to most effectively deliver the harm-minimisation objectives that the government holds.

In addition to a CMS providing the backbone to support the introduction of things like bet and credit limits or other measures, a CMS can provide additional capabilities and benefits, such as a more effective self-exclusion regime that is linked to a universal player card. If you have an ability to link up all the machines across the ACT and then have players use a card, that first of all improves the efficacy of the self-exclusion regime. It means that, if you are excluded and your card is essentially deactivated, you cannot play machines, and if that is linked to all venues in the ACT you cannot simply skip from one venue to the next or get one card from one venue and another card from another venue to get around the intent of the self-exclusion scheme. This is one of the key reasons the directorate, in its research, has identified the strength of this model.

A CMS can also provide improved monitoring of criminal activities, such as money laundering. This has been identified very clearly in the work that has been done in New South Wales. We would be naïve, at best, to assume that these are not issues that the ACT should be thinking about.

A CMS can provide improved data collection to support the harm-reduction policy, and I think that is very valuable. One of the frustrations of many people in this place is that we do not always have some of the data we think we should have. I am keen to see us have better data. There are, of course, regulatory efficiencies in reporting for both industry and government through automating some of these processes and centralising them. You can implement mandatory breaks in play, you can have cashless gaming, and there is the potential for stronger harm-reduction measures, such as the universal loss limit system, such as the one the Tasmanian government has announced, to limit player losses. In the Tasmanian case it is limited to \$100 per day, \$500 per month and \$5,000 per year.

That is, certainly by Australian standards but potentially by global standards, a much higher standard of harm minimisation in the sense that it really does address the design features of poker machines that make them so dangerous, by putting some guardrails around them. To get those guardrails in place is something that many harm-minimisation advocates are really looking for, much as this bill seeks to do today. There are a number of different types of guardrails we want to put in place. There are certainly a number of them, including the one being proposed today and some of the others I have been canvassing as areas we need to do further work on.

I conclude my remarks by simply noting that we know that gambling causes harm to individuals, families and our community as a whole via a range of things. There is financial harm, broader harms relating to health, social connection and mental wellbeing, and the impact that problem gambling can have on relationships and employment. It is a serious public health concern that, as a government, we have a responsibility to seek to address. It is challenging. We are dealing with some significant vested interests. We are dealing with many years of habit, culture and the like, but we must turn around the detrimental impacts of problem gambling that occur

in our community. By working together we can do that. That is why I am very pleased to support this bill today and thank Dr Paterson for bringing it to the Assembly.

Having commented earlier on the amendments that I propose to move, I will not speak to them during the debate stage, but I am happy to answer any questions and members may wish to discuss them.

**MR PARTON** (Brindabella) (4.09): The Canberra Liberals will not be supporting this motion, which I am sure is not a surprise to Dr Paterson. Dr Paterson has an extreme view on everything related to gambling. We are not here discussing a motion; this is a bill to change the law. What we will end up doing here is depriving the people of the Molonglo Valley of the benefits of licensed clubs. I just hope that the people of Molonglo understand this, and I hope that the people of Ginninderry understand it as well. When we on this side say that we are sick to death of Canberra being a social experiment, this is the sort of stuff we are talking about.

I live in Tuggeranong and I enjoy the great benefits of the licensed clubs. I love the Vikings club, the Southern Cross Club, Eastlake at Calwell, and the Burnsy. They are great venues. They give so much back to the community. The reach that the Vikings Club Group has into grassroots sport in the Tuggeranong Valley is quite remarkable. They have changed so many lives in the process of supporting grassroots sport.

The reality is that the Tuggeranong Valley would be a much poorer district on a number of levels if not for the enormous contribution made by the Vikings club. If they had not made those contributions, if they had not fostered grassroots sport in the way that they have over a long period of time, I wonder who would have. I wonder about the people who would have missed out on opportunities to connect with others and develop their sporting prowess. Many have gone on to represent the ACT and certainly even represent Australia. I wonder what the landscape would look like in that space if the Vikings clubs were not there. It is amazing that a club that was set up initially to foster Rugby Union has become such a massive contributor to so many sports.

The Southern Cross Club are also making huge contributions to the community. They take their responsibility of being community partners very seriously, and their commitment to reducing gambling harm. I think that applies to all our club operators. The Eastlake Group—very strong members of the Calwell community through their club—and the Burns Club are simply remarkable in terms of their unique footprint in the community. A lot of the clubs in Tuggeranong have made such a positive difference to the valley. Canberra clubs play a vital part in the entire Canberra community and are seen to contribute substantially to the Canberra economy every year.

Additionally, as we have already mentioned, we are talking about contributions to community sport, maintenance of community infrastructure, and support provided to local employment, and they are a key provider of entertainment and hospitality to Canberrans. We have 47 licensed clubs operating across Canberra. Current total membership is well over Canberra's adult population. Indeed, the suggestion from a recent RSM survey is that every adult in Canberra is likely to be a member of at least one club. That is a ringing endorsement, isn't it?

The people of Molonglo will not be much different when it comes to that statistical information. They will continue to be members of licensed clubs. They will just have to travel to get to them; they will not have the benefit of having them in their suburban area. This motion, at its core, aims to deprive the people of the Molonglo Valley of the great benefits of licensed clubs because Dr Paterson does not like them. Dr Paterson, and some of her erstwhile Greens colleagues, will argue that it does nothing of the sort. They will argue that clubs can be established in Molonglo; it is just that they cannot have poker machines. That is all. You can have a Vikings club in Molonglo and you can have an Eastlake club in Molonglo; it is just that they will not have poker machines. All the evidence before us suggests that, without poker machines, any newly established club will not be a licensed club as we know it in the ACT. It just will not be.

I spent some time in Western Australia recently, visiting some of their licensed clubs, which of course do not have poker machines. One that I visited was the Northam Workers Club. We are talking about a brick hall with plastic chairs and trestle tables. The kitchen is open just on Fridays. There are pool tables and you can play darts, and there is not much else. It was a friendly club, but they have limited ability to contribute back to the community because they have a job to just stay afloat. The Northam Workers Club, and quite a number of other clubs, continue to exist in Western Australia, but they are not clubs as we know them here in the ACT. They do not contribute to the economy in as large a way as our clubs.

The ACT undoubtedly has the best club model in the country. There is no question about it. It is the best model for EGMs, in that they are run by not-for-profit clubs in our suburbs. I am not sure why anyone would step in to restrict that model from certain parts of Canberra. It is one of the best models, simply because our poker machines are not operated by for-profit businesses. That is why.

I would like to read from the ClubsACT submission to this bill. They stated:

EGM's are a fundamental contributor to the capacity of Canberra's not-for-profit Community Clubs to provide community facilities and support on a range of fronts including sporting and recreational facilities, emergency evacuation venues, and direct financial support for community sporting and cultural organisations ... ClubsACT is concerned that the extension of bans across areas as yet undeveloped may deny those as yet undeveloped local communities access and opportunities to the same Club based community investments currently enjoyed broadly across the ACT.

I note that Mr Rattenbury referred to all the efforts that the government is undertaking in helping clubs to diversify their income, and I know that Mr Rattenbury and others talk a really big talk in that space, but I am not sure that they are really delivering. The ClubsACT submission points out:

The ACT Labor and ACT Greens Parliamentary and Governing Agreement ... placed great emphasis on supporting Clubs in moves to diversify their reliance on revenue from EGM's. It is widely accepted that for this to be achieved Clubs require significant support to embark on substantial options with sustainable and significant income replacement benefits for the current revenue provided by EGM's. This is most readily achieved through property and other

business developments and investments as is recognised with the Parliamentary agreement itself.

Section E Point 6 states *“Facilitate planning and other processes to allow clubs to diversify to other revenue generating streams, particularly development of available land for social housing and land supply purposes, that are supported by the community”*.

It is a good story, isn't it? The ClubsACT submission states:

ClubsACT has raised with the Minister for Planning and the Minister for Gaming that Clubs across the ACT have become increasingly frustrated with the management and conduct of the planning process in the ACT conducted by EPSDD. Whilst we welcome ... recent amendments to the Planning reforms of the ACT Government to finally recognise Clubs needs in this area, we believe it is insufficient and may achieve only minimal impact.

They go on to basically say that, despite the fact that the government are suggesting that they are doing whatever they can to help clubs diversify, they are not really. They are just not.

We understand that Dr Paterson has an aversion to all gambling, but, given the level of membership of clubs in the ACT, it is very clear that that aversion is not shared by everyone. We know that those who are inclined to suffer from gambling harm are much more likely to travel further to partake in poker machine gaming. It is one of the things that became abundantly clear at the back end of the COVID lockdown, when we were not open but Queanbeyan was. Most of the cars in the car parks of clubs in Queanbeyan had ACT numberplates. We know that those who suffer from gambling harm are much more likely to travel further to partake in poker machine gaming, and this bill will likely have no effect whatsoever on the gaming habits of those people; it will be the incidental gamblers. More so, the people who simply visit a local club without having a punt at all will be most impacted because they will not have the ability to enjoy the facilities that every other part of Canberra has, because Dr Paterson does not like gaming.

This bill, should it be passed, will also galvanise the market position of the Labor Club in Stirling. It will galvanise their position. If a Labor member writes a law which effectively makes genuine market competition to a Labor Club illegal in a particular geographic area, you can guarantee that revenue at that Labor Club will continue to rise. That is just a fact of life. On this side of the chamber, we actually briefly considered constructing an amendment which added the suburb of Stirling to the gaming machine restriction area. I am always up for hits and giggles! Can you imagine that? I am serious: we thought about adding Stirling as a geographic area that would not allow poker machines. We did not do it. Wouldn't that have been interesting as an amendment? I know that in Mr Rattenbury's thinking it would be a very interesting amendment because it would effectively close the Labor Club in Stirling. I wonder if Dr Paterson would have supported that amendment? I dare say not.

We have looked at the amendments from Mr Rattenbury. We do not see any great problem there. As described by Dr Paterson earlier, they are quite technical in nature. But there is no way on God's earth that we are supporting this bill.

**MR STEEL** (Murrumbidgee—Minister for Planning, Minister for Skills and Training, Minister for Transport and Special Minister of State) (4.21): I am pleased today to speak in support of the Gaming Machine Amendment Bill 2023, which has been brought to this place by Dr Paterson. The bill will ensure that there are no poker machines in Canberra's newest district, the Molonglo Valley, by preventing the issuing of gaming machine licences in Molonglo and other undeveloped parts of the ACT.

As a Murrumbidgee MLA, I hear plenty of stories about the impact of gambling harm on members of our community. The impact of gambling can have a significant role in the lives of Canberrans. It is something that we all know about and that the government is focused on tackling. We know from the research undertaken by a range of peak bodies that it is the proximity of any person to pokies that increases the likelihood of them experiencing gambling harm, and we know that there is too much gambling harm in the ACT.

The bill Dr Paterson has brought to this place seeks to ensure that the Molonglo Valley and other undeveloped parts of the ACT can reduce this risk, by preventing the issuing of gaming licences. This step helps to ensure that we reduce the proximity risk. It will not stop gambling harm in its entirety, but it will assist. Our responsibility, as local members, is to do everything that we can to reduce harm when we are presented with the opportunity to do so.

Much has been made by the opposition of the impact that this might have on clubs. Mr Parton says that this means no resident in Molonglo will ever be able to enjoy the benefits that clubs can bring, but nothing in this bill prevents clubs from establishing in the Molonglo Valley. In fact, it represents an opportunity for clubs to think differently about their model and for different types of community clubs to be established without the gambling harm present. This model can and could represent an example for how clubs can be established into the future—clubs that still do all the important things that we value from our community clubs without posing unnecessary gambling harm to the residents of Molonglo Valley and other new suburbs.

I thank Dr Paterson for the engagement that she has had on this bill with our community, with various stakeholders and with the club sector. I am sure that her strong advocacy in this space will continue. I am pleased to support her bill, and I commend it to the Assembly.

**MR CAIN** (Ginninderra) (4.23): As has been said by Mr Parton, the practical effect of this bill will be to deny the citizens of Molonglo Valley, and other undeveloped areas of Canberra, the benefit of a community club. This bill is discriminatory against people who live in the Molonglo Valley and/or who are yet to reside in the undeveloped parts of Canberra. It is discriminatory because it denies them the opportunity that other Canberrans have. It is discriminatory because it does not allow the establishment of a club similar to what other Canberrans have the benefit of—clubs that are obviously on a trajectory to find other ways to fund their activities.

The residents of Molonglo Valley, and other parts of yet to be developed Canberra, will not have the opportunity to have an establishment to get them involved with those

sporting, recreational, entertainment and gathering opportunities that other Canberrans have. Sure, put them on the trajectory, but give them the same level playing field—literally—which may well mean sporting opportunities, that the rest of Canberrans have.

This bill discriminates against people in the Molonglo Valley and the yet to be developed parts of Canberra. As has been touched upon, it provides an advantage to clubs near these areas. As has been pointed out, one of the nearest clubs to the Molonglo Valley that has the benefit of gaming machines is the Weston Creek Labor Club in Stirling. I think the operators of that club might be cheering this bill on. They might be cheering this bill on, saying, “Great! More business for us, for a Labor Club not too distant from this area of Canberra.”

This bill should not be supported. It discriminates against the people of Molonglo Valley and those residents yet to inhabit the newly developed parts of Canberra. It denies them opportunities that all other Canberrans have. Give them that start; that is my opinion. And, yes, put them on the same trajectory once they have got that level playing field, that same status, of having a club that starts to provide those recreational, sporting, entertainment and dining opportunities. Sure, get them on a trajectory, as is happening elsewhere in Canberra. But at least let them get to the same level of opportunity. This bill will deny that level of opportunity.

**MR COCKS** (Murrumbidgee) (4.26): Mr Deputy Speaker, you and I differ a little bit on gambling. I hate gambling. It could be, in part, because I am terrible at it. I detest gambling. I do not put my money into poker machines. I have not since I was about 20 years old. I really wish that most people around Canberra did not use them. But I do not think that means I have any right to deny the people in my electorate the same things that everyone else has, because that is what they choose.

I can hear the other side trying to argue that this is going to be no barrier at all. But what they demonstrate here is a complete failure to understand the nature of incentive. There is just about no chance that a club is going to invest the millions and millions of dollars that it takes to get set up without having the assurance that they can operate not profitably but sustainably in their community.

Let’s be clear about the community that we are talking about. We are talking about the Molonglo Valley. This is a place that, under Labor, still has no bridge. We have no town centre. We still have no emergency services. Now Labor says no to a community club—no to more and more things for the Molonglo Valley. Let’s be clear: this is not about guardrails. There is no strong evidence that shows that depriving the people of the Molonglo Valley of a community club will stop the harms generated by gambling. There is no evidence to show that.

There is no evidence to say that people are not going to travel to another community club or another place over the border as a result of the ban. There is no evidence to say that people are not going to head over to Stirling or head out to Belconnen. All it means is that people will spend more time driving somewhere else and less time in the Molonglo Valley, in their community. It provides fewer opportunities for people to come together and experience all the wonderful things that you can in a community club.



Mr Deputy Speaker, I do not like gambling, but this sort of ban is nonsensical. It provides no guardrails. It is not evidence based, no matter what they try to argue. This government either does not get incentives or it is just trying to create an unlevel playing field. It is a bad bill. It is a bad motion. I encourage every member in here to vote against it.

**DR PATERSON** (Murrumbidgee) (4.30), in reply: I will begin my speech by tabling a revised explanatory statement. I would like to thank members for their contribution to the debate on this bill today. As Mr Parton suggested, this is an area where I do have very strong views. As Mr Steel said, I strongly believe that we do not yet have the balance right in the ACT and that the level of harm that our community experiences as a result of gambling is too high. I find it very interesting that we talk about lots of really important issues in this chamber and you would be lucky to get one Liberal member speaking to those issues, but in defence of poker machines we get three Liberals speaking.

To reiterate the outline of the bill, I will remind the Assembly that the purpose of this bill is to prohibit the Gambling and Racing Commission from issuing authorisation certificates for class C machines in the Molonglo Valley and undeveloped areas of the ACT. I thank the Attorney-General for his proposed amendments to the bill. I will accept those amendments. This bill does not deprive residents in Molonglo of a club. Instead, it ensures that residents in these areas will be able to access a club which provides a diverse and vibrant social centre without relying on poker machines. This bill, unlike what Mr Parton was trying to advocate, does not impact poker machines in clubs in already established areas of the ACT. It simply maintains the status quo. Currently, there are no machines in Molonglo, and that is how residents want it to stay.

I do strongly contest Mr Cocks's representation that there is no evidence to back this up. There is very significant research evidence that those who live in close proximity to poker machines experience harm at significantly higher rates. The research has been done to look at those living within 250 metres and those living two kilometres away from machines, and there is an exponential decrease in the harm experienced from poker machines with respect to proximity—where you live in comparison to poker machines.

What I also find troubling about the Canberra Liberals' rhetoric on this issue is that they rarely ever reference harm. I think Mr Parton referenced the harm caused by machines once in his speech. I have dedicated my career to working with people who have experienced harm from gambling. The harm is very serious, it is pervasive and you do not need to conduct surveys of our communities to understand that.

The 2019 gambling survey showed that 10 per cent of the ACT population experiences harm from gambling. The survey results showed that anywhere between 33,000 to 44,000 people in the ACT are experiencing some level of harm. Twenty per cent of Canberrans play poker machines and 30 per cent of those who play poker machines experience harm. EGM poker machine participation is the single most effective predictor of problem gambling.

Let's look at who is impacted. They are males. They are predominantly aged below 45. They are born in Australia and do not have university degrees. People who fit this group are the most at-risk category and experience harm at greater levels than anyone else in our society. Again, I will speak to the evidence. Mr Cocks, I know you are very passionate about addressing suicide. In Victoria they went through and looked at every death reported to the coroner over eight years. They found that gambling addiction was a factor in 184 suicides in Victoria over eight years, and the vast majority of those deaths involved men between the ages of 17 and 44.

Let's go to the demographics of the Molonglo community. Who are they? The latest census data shows that they are a young and vibrant community of approximately 11,000 people. Half of these people are male. The under-45 age group represents 82 per cent of the population, and those without a university degree contribute 45 per cent of the Molonglo Valley population. The majority are born in Australia. The picture this demographic information paints of the Molonglo community is exactly the same as the picture the data creates of the people most at risk of problem gambling in the ACT.

I see this bill as an example of what a public health approach to addressing gambling harm looks like. I had many, many conversations and discussions, doorknocking and phone calls with residents of Molonglo Valley in my campaign to understand if this was something that the community wanted to see. Not one single person I spoke to or who wrote to me expressed support for pokies in Molonglo Valley. I heard it loud and clear: residents want to see Molonglo Valley remain pokie-free. Molonglo Valley residents who do want to play machines can do as they do now and head to another area of the ACT.

We had the JACS committee inquiry into this bill, and the Canberra Liberals dissented and expressed the views that they have mostly presented today, but ultimately I think it highlights the level of dinosaur that resides in the Canberra Liberals. They are still living in the 1980s, when poker machines reigned free. However, the world has changed and it has left the Liberals behind.

ClubsACT stated in their submission to the inquiry that this bill offers a way for Molonglo to lead in the territory and to develop a new model where revenue is not dependent on pokies to sustain their community role. The Alliance for Gambling Reform, in their submission, stated that this bill will ensure that the Molonglo Valley community can thrive and develop without the harms of poker machines. The alliance also stated that they believe this legislation should be replicated in other states and territories of Australia. The ACT can be at the forefront of this movement.

The ACT Council of Social Service also voiced their support during the inquiry, stating that this bill is a critical step in creating safe and healthy communities into the future, and that it may well assist in addressing harms to mental health and other community support services. I thank these groups for their constructive input during the inquiry process and I am glad to see their support for the legislation.

One of the pleasures of the stakeholder work I have been conducting in respect of this bill has been the work I have done with the club sector to understand the challenges

they face and to interrogate the idea of a club without pokies. I do believe that our club sector in the ACT has the imagination, the innovation and the leadership to work with us here in the Legislative Assembly, and the community more broadly, to develop a new model of a financially viable club without poker machines. This is an incredibly exciting conversation and one that I will continue to progress.

The role of community clubs has been evolving over the past decade or so, and they have been responding to multiple ACT government initiatives to see a reduction in the number of machines in the territory and to encourage diversification and harm minimisation. I think significant reform is required in the gambling policy space in the ACT, and I will continue to work with stakeholders to see that we can progress to reduce the harm from gambling.

I would like to thank my office, my Labor colleagues and, most of all, the community of the Molonglo Valley for their support for this bill. I think this is a very powerful step in the shaping of the Molonglo Valley community, a real statement from residents wanting to challenge the status quo and to put the health of their community first. Key to that is the creation of a vibrant social community. Clubs most definitely have a place but without their poker machines. Thank you.

Bill agreed to in principle.

### **Detail stage**

Clauses 1 to 10, by leave, taken together and agreed to.

Proposed new clause 10A.

**MR RATTENBURY** (Kurrajong—Attorney-General, Minister for Consumer Affairs, Minister for Gaming and Minister for Water, Energy and Emissions Reduction) (4.40): Pursuant to standing order 182A(b), I seek leave to move amendments to this bill that are minor and technical in nature.

Leave granted.

**MR RATTENBURY:** I move amendment No 1 circulated in my name [*see schedule 1 at page 111*], which inserts a new clause 10A, and table a supplementary explanatory statement to the amendments.

Amendment agreed to.

Proposed new clause 10A agreed to.

Clauses 11 to 20, by leave, taken together and agreed to.

Clause 21.

**MR RATTENBURY** (Kurrajong—Attorney-General, Minister for Consumer Affairs, Minister for Gaming and Minister for Water, Energy and Emissions

Reduction) (4.41): I move amendment No 2 [see schedule 1 at page 111] circulated in my name.

Amendment agreed to.

Clause 21, as amended, agreed to.

Clauses 22 and 23, by leave, taken together and agreed to.

Title agreed to.

Question put:

That this bill, as amended, be agreed to.

The Assembly voted—

Ayes 15

Noes 8

Andrew Barr	Laura Nuttall	Peter Cain
Yvette Berry	Suzanne Orr	Leanne Castley
Andrew Braddock	Marisa Paterson	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	James Milligan
Mick Gentleman		Mark Parton

Question resolved in the affirmative.

Bill, as amended, agreed to.

## Papers

### Motion to take note of papers

**MR DEPUTY SPEAKER:** Pursuant to standing order 211A, I propose the question:

That the papers presented under standing order 211 during presentation of papers in the routine of business today be noted.

### **ACT Coroner's report—drownings in ACT rivers—government response**

**MS VASSAROTTI** (Kurrajong—Minister for the Environment, Parks and Land Management, Minister for Heritage, Minister for Homelessness and Housing Services and Minister for Sustainable Building and Construction) (4.46): I would like to briefly speak to one of the papers that have been tabled: the response to the coroner's report. The ACT's inland waterways present Canberrans with a unique opportunity to swim, explore and relax in nature within a short drive, cycle or walk from their homes. The community's relative proximity and easy access to rivers means that visitors can

access them throughout the year for a variety of recreational purposes, such as swimming, fishing, kayaking and canoeing or generally enjoying nature.

Devastatingly, with the increased numbers of people visiting our river reserves—in particular, the ACT’s culturally diverse communities—the likelihood of drowning unfortunately arises. My heart and sympathies go out to all the family and friends of people who have died in our rivers.

In November 2022 the government was briefed on the outcomes of a 10-year study into deaths, most commonly drowning, associated with Australia’s inland waterways. The Royal Life Saving Society of Australia’s inland waterways report found that in Australia one in three drownings occur in inland rivers and creeks. Drowning deaths have increased 15 per cent from 2021 and 24 per cent in the last 10 years. The summer months of December to January are peak months for drowning in Australia, and migrants are at far greater risk of drowning than the general population.

Her Honour Coroner Russell’s report into drownings in the ACT identifies risks for people accessing rivers and the inherent dangers that inland water presents to visitors. It has two recommendations: to develop water safety awareness programs that publicise the risk of river activities, and to consider the Royal Life Saving Society of Australia’s opinions on the need for flotation devices or throw ropes at popular river locations and consider installing such devices at each location.

In early 2023 the Royal Life Saving Society of Australia’s aquatic safety assessment was provided to government, recommending specific actions to improve safety in and around the Cotter River precinct. This included developing a local drowning prevention plan, which the ACT government and the Royal Life Saving Society of Australia workshopped in November 2023. The plan will continue to be developed, in conjunction with key stakeholders.

Strong consideration has also been given to the findings and recommendations of the 10-year study into drowning, the coroner’s report and the aquatic safety assessment of the Cotter Reserve. The government’s early action plan, to date, has delivered an ACT government swim safety campaign across the summer entitled Reduce Your Risk Around Waterways; a workshop to establish the foundations of a comprehensive local drowning prevention plan and implementation schedule; sand replenishment at popular swimming spots; a review of signage around targeted waterways and an update of signage in key locations; a revision of government websites to ensure that swim safety messages are promoted broadly within the community; improved emergency communications; and exploring opportunities for the provision of publicly accessible rescue equipment and/or lifeguards.

The implementation of these changes over the summer was focused on areas that present the highest risk in our communities, including the ACT section of the Murrumbidgee River, from Angle Crossing to Uriarra Crossing, and the Cotter recreational reserve downstream of the Cotter Dam. We will continue to closely monitor our waterways, and our website visits, with the aim of assessing whether our early intervention strategies are effective or need to be revised in light of emerging issues.

Already we have seen the Reduce Your Risk Around Waterways campaign reach its target audience. We have access to a great range of nature reserves and rivers close by. I am proud of the work that our park rangers undertake each day to maintain reserves and other sites within the ACT. I urge all Canberrans to take care when visiting our rivers and ensure that safety is your highest priority, to keep yourself, your family and your friends safe. Again, I express my condolences to the families of those who have lost their lives through drowning.

### **Future of the working week inquiry—government response**

**MR BRADDOCK** (Yerrabi) (4.51): I wish to speak to the government response to the future of the working week inquiry. The government's response says:

The ACT Government will look to setting up a working group in 2024 to develop a roadmap to inform a future trial within the ACTPS.

Let me read that again, slowly:

The ACT Government will look to setting up a working group in 2024 to develop a roadmap to inform a future trial within the ACTPS.

I count five layers of *Yes, Minister* in this response, which is the kind of response you give when you want to provide lip-service but obfuscate over the next decade as to whether it will actually get implemented. It looks like our economic rationalist Chief Minister never wanted this inquiry to happen in the first place and is frustrated by the recommendation to reduce the working week—never mind the fact that it has found its way into his party's platform.

I also find it quite fascinating that the CPSU has reportedly made a conscious decision to not seek reductions in work hours in its public sector bargaining claims over the last few years, on the grounds that it would be far too difficult a fight and not worth it. This is coming from a union that has an affiliation agreement with the Labor Party, a party in government at both territory and federal levels.

Australia has theoretically had a 38-hour working week since 1988. I say "theoretically", because the ABS census reports 38 hours as being the median hours of work. After you account for everyone who works part time, the ABS reports that 38.2 per cent of Australians are working more than 40 hours a week. That has been falling since 2001 but is still quite ridiculous. Excessive hours should be the exception, rather than the rule.

The ACT government is, and must behave like, a model employer. The ACT government should be entertaining workers' claims for shorter hours of work, and unions should not be afraid to bring them forward as part of a pathway to a four-day working week. The Greens would welcome such claims in the next round of enterprise bargaining for the ACTPS. But, then, I suppose the Greens were never the ones that needed convincing, were we, Mr Barr?

**MS ORR (Yerrabi) (4.54):** I rise today to speak to the ACT government's response to the *Inquiry into the Future of the Working Week* report. I am encouraged to see the ACT government support the committee's report in principle and look forward to how the committee's recommendations are implemented. I note that the committee reported strong support in the community for a four-day work week, with no loss of pay or conditions, through a reduction model—that, is reducing the number of hours worked in the week, not simply compressing the same number of hours into fewer days—and that trials to further inform the move to the four-day work week should be undertaken.

I am a supporter of the four-day work week. As I have noted to the chamber before, there are many reasons I am in favour of this policy. One of the biggest and most important ones is that the four-day work week is good for women. I am all too aware of the issues facing those in our community who have caring responsibilities. As several submissions to the committee's inquiry noted, caring responsibilities disproportionately fall to women. A five-day working week is incredibly difficult for those with primary caregiving responsibilities, and often unachievable. Workers, in an effort to balance all personal and professional commitments, are often forced to drop down to part-time work, forgoing income and contributing to the gender pay gap, as well as limiting career options.

The benefit of allowing workers more time away from work will make the lives of working women and primary caregivers easier and allow people to balance the commitments of their personal and professional lives with fewer impacts to their career options or income. I acknowledge that greater balance provides a valuable opportunity for men to increase their participation in domestic and caring labour and provides for more of a balance among the genders, making it a win-win for all workers and society more broadly.

The committee report recommended that the ACT start work towards a future trial within our ACT public service. The recommendation is in lockstep with the federal parliament, whose Senate Select Committee on Work and Care in 2023 recommended a four-day work week trial, piloted by the APS. This response referenced the committee's inquiry and noted that it would be advantageous for a four-day work week, piloted by the Australian government, to be coordinated with any similar initiative undertaken by the ACT government. The ACT public service is the ideal place to trial the four-day work week. We have a diversity of workplaces in our public service, which will allow us to understand how a range of workplaces can be transitioned.

The evidence from the committee inquiry suggested a four-day work week trial must include those outside of traditional white-collar work. There is a perception amongst some people that the four-day work week can and will only work for office workers, but that is simply not true. The evidence from the inquiry challenges this perception. Indeed, a trial in non-office-based environments in the ACT public service will contribute to valuable shared learnings that will make it more possible for more industries to transform. Teachers, nurses, firefighters, bus drivers—you name it—can all transition to a four-day work week, and this process must be done in lockstep with these workers so that they are not left behind. The committee also found that the shift

to a four-day work week has the potential to enhance the wellbeing of workers, significantly addressing excessive working hours, stress and burnout.

As a proud unionist, I am excited by the ACT government's journey and hoping that it cracks on with it. Winning the weekend is a very proud part of the history of the Australian trade union movement. In 1856 Melbourne stonemasons became the first workers in the world to achieve an eight-hour working day, while receiving the same pay and wages they had for the 10 hours per day they had previously worked. Now, over 160 years later, we are potentially looking around the corner for the next win for worker rights and improving the work-life balance of workers in the ACT community.

I am very excited for the government to support the committee's recommendations, as outlined in the *Inquiry into the Future of the Working Week* report. I acknowledge that this will be a lot of work and encourage the ACT government to put in place what is necessary to carry out the trial within the ACT public service. This includes engaging with relevant stakeholders to implement a trial, while ensuring that the community is aware of the benefits in existing research that supports transitioning to a four-day work week.

I do acknowledge that it will be a challenging task, but past historic moments of improving worker rights, including transitioning to a five-day working week and an eight-hour workday, faced as much criticism and backlash from the community at the time. The four-day work week will be no exception. However, as it becomes more talked about and common, we can expect a change in the community's attitudes, with increased support for what is already, rightly, supported as it becomes the new norm.

Question resolved in the affirmative.

### **Statement by member Australia Day—celebrations**

**MR CAIN** (Ginninderra) (4.59): I would like to speak briefly about the wonderful events that I attended around Canberra to celebrate Australia Day 2024. With the greatest respect to some of our first Australians, for whom this day may be difficult, I say that Australia is a fantastic country, and I am honoured to attend so many of Canberra's wonderful community groups to commemorate and celebrate our national day.

Events that I attended across the ACT included a pre-Australia Day dinner, hosted by Mohammed Ali and Helping ACT at the Taj Agra in Dickson; the national citizenship and flag-raising ceremony at Commonwealth Park in the morning of 26 January, which featured a very impressive parade and flyover by the ADF; and the Federation of Chinese Community of Canberra Australia Day concert in Beijing Garden, Nara Peace Park, which included a wonderful rendition by their choir of *We are Australian*. I thank Hao Gu and the FCCCI team for that. The Canberra Liberals, of course, had a special event, and I was glad to join them for lunch at the Belconnen Bowling Club. I am thankful for the Federation of Indian Associations of ACT, the Afro-Aboriginal Celebration of African Australians, the Harmony Club and the Ahmadiyya Muslim Association for hosting events on the day as well.

*Discussion concluded.*



## **Adjournment**

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

That the Assembly do now adjourn.

### **ACT Coroner's report—drownings in ACT rivers—government response**

**MR BRADDOCK** (Yerrabi) (5.00): As I ran out of time during debate on papers, I now wish to talk to the government response to the report on drownings in inland waterways. I would like to thank the government for its response. Residents of our landlocked national capital have always been eager to seek some cool relief during our hot, dry summers, and our inland rivers and waterways have invariably provided just that. Canberra has so many beautiful places where we can swim, relax and cool down, but unfortunately there are dangers. This report is in response to the sobering fact that four tragic drownings occurred at those inland spots within a 16-month period. It needs to be remembered that this is not just about drownings that result in death; there are numerous other incidents that result in near-drowning and that have long-running health impacts on the individuals.

I would like to applaud the efforts of the Royal Life Saving Society of Australia and thank them for their excellent work and advocacy on safety around inland waterways. I would also like to call out again the great work of the Refugee and Migrant Swim Project, who were established following one of those tragic drownings in order to help upskill the migrant committee to be able to be safe in and around water.

I am proud of the small part I played, on 30 November 2022, in a private members' motion calling for the improvements, which have been identified in the government's response. We need to look further into how new migrants have the skills to be safe within and around the water. There are a number of barriers to the multicultural community being able to learn how to swim, which I have talked about at length within this Assembly.

I will continue to advocate for these communities to be able to overcome these barriers. This will include gender-specific swim times, as well as targeted learn-to-swim programs for new migrants. One such example is happening interstate right now. The University of New South Wales has a swim program that it provides free of charge to international students at the university. It would be fantastic to see something similar offered here in the ACT, the home of six universities with many international students, so that we do not have to face more tragedies of this nature.

Question resolved in the affirmative.

**The Assembly adjourned at 5.03 pm.**

## Schedule of amendments

### Schedule 1

#### Gaming Machine Amendment Bill 2023

##### Amendments moved by the Minister for Gaming

###### 1

###### Proposed new clause 10A

Page 3, line 18—

*insert*

###### **10A Class B licence and authorisation certificate—decision on application New section 29 (5)**

*insert*

- (5) However, the commission must not issue an authorisation certificate to the applicant if the premises for which the authorisation certificate is sought are located in—
- (a) Molonglo Valley; or
  - (b) an undeveloped area.

###### 2

###### Clause 21

Page 5, line 23—

*omit*

*Planning and Development Act 2007, section 234*

*substitute*

*Planning Act 2023, section 256*