



# Debates

WEEKLY HANSARD

Legislative Assembly for the ACT

**TENTH ASSEMBLY**

**10 APRIL 2024**

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**Wednesday, 10 April 2024**

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

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

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

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

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

## **Leave of absence**

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

That leave of absence be granted to Mr Barr (Chief Minister) for today and tomorrow due to ministerial council responsibilities.

## **Paper**

### **Out-of-order petition**

**MISS NUTTALL** (Brindabella) (10.02), by leave: I table the following paper:

Petition which does not conform with the standing orders—Canberra United Football team—Support—Miss Nuttall (5395 signatures).

This petition was originally lodged on Change.org and, at the time of tabling, already boasted 5,395 signatures. It calls on the ACT government, alongside Capital Football, to confirm their commitment to Canberra United, and to prioritise the sustainability and growth of the club by ensuring that adequate funding and resources are allocated to the team.

Firstly, I want to express my most sincere gratitude to each and every Canberran who has reached out to us, and to Mikaela and the 5,395 people, and counting, who have put their names on the petition. Your concerns about and commitment to supporting women's sports in the ACT do not go unnoticed. Upon entering the Assembly, my top priority was to be as useful as possible to the community, and I am honoured to have the opportunity today to table this petition and raise awareness for a team and a community that have brought so much to Canberra.

I would also like to thank Minister Berry, the Minister for Sport and Recreation and Minister for Women. To her credit, she is across this issue possibly far more than I am. She has been consistently vocal about backing women in sport, and I appreciate her advocacy, diligence and willingness to work on this issue.

Men's sport historically has been prioritised. Men's sport has been the flagship, the umbrella and the default. If you want to test that assumption, ask yourself whether the phrase "AFL and AFLM" sounds normal to you. The ACT government gives the GWS Giants \$2.85 million a year. That is over double the reported operating costs for Canberra United within the last financial year.

I want to see a men's team here in Canberra, but not at the cost of an already successful women's team. Women and girls in elite sports continue to face systemic challenges and prejudices. The discrepancy in resources, recognition and support between men's and women's teams is glaring and it is unacceptable.

Amidst all of these hurdles, women continue to push through and break boundaries within historically male-dominated spaces. The undeniable success and popularity of women's sports is exemplified by the remarkable achievements of the Matildas in the 2023 World Cup.

I was thrilled to pop out to a recent Canberra United game against Sydney—the top team, by the way. The car park was packed. Spirits were high. As the match went on, we began to sound more and more like a Wii Sports crowd, with the "oohs" and "aahs". The biggest roar from the crowd was, of course, when Matildas player Michelle Heyman scored us the winning goal. We were so excited that we had no choice but to buy jerseys. I left the game with the biggest grin on my face and an overwhelming amount of pride—proud to be a Canberran and, better yet, proud to see women's success in Canberra. I do not think I can sit idly by whilst other Canberrans could be robbed of an experience like this.

Canberra United stand tall as a source of pride and inspiration for our community. Their excellence on the field is matched only by their dedication off it, serving as role models for aspiring athletes. However, their future hangs in the balance. Without adequate support and investment, we risk not only the success of Canberra United, but also the dreams and aspirations of countless women and girls across our region.

I do worry about the pathways to women's elite sport here in Canberra. I was really sad to hear about the decision to disband its development program, the Canberra United Academy, notably after the success of the Matildas last year. We need to rally behind our women's A-league team with unwavering support. Their success is not just a matter of supporting achievement but a testament to the ACT's commitment to equality and inclusivity. We cannot afford to let history repeat itself, where women's sports are continuously relegated to the sidelines and undervalued.

This petition shows that the Canberra community—and, actually, the Australian community more broadly—rallies around Canberra United. It is literally in their name. They are our pride and joy, and I would encourage the government to do everything in their power to ensure that our territory treasure stays up. We must invest in facilities, coaching and the promotion of women's sports at all levels. We must challenge the status quo and demand equal treatment and opportunities for our female athletes. Canberra has always prided itself on being progressive and forward thinking. Now is the time to prove that once again.

**MS BERRY** (Ginninderra—Deputy Chief Minister, Minister for Early Childhood Development, Minister for Education and Youth Affairs, Minister for Housing and Suburban Development, Minister for the Prevention of Domestic and Family Violence, Minister for Sport and Recreation and Minister for Women) (10.07), by leave: I would like to thank Miss Nuttall for bringing this petition to the Assembly from the online version which, as of this morning, has 5,445 signatures. I am pleased to hear that Canberra United has gained a further champion of their cause through Miss Nuttall.

I am thrilled to see so much support for our women's team, and I am working hard with stakeholders to find a way through this issue to both ensure the future of Canberra United and provide more short- and medium-term certainty for the players. Seeing the club grow from strength to strength over the past 16 years has been an inspiration to everybody but, most importantly, to aspiring girls and young women across Canberra. It would be an absolute shame to see this club fold.

I am more optimistic than I ever have been that there will be the establishment of an A-league team, and the investment that that will bring. As I have said, as excited as I am about an A-league men's team in the ACT, that team cannot be at the expense of our Canberra United. However, at this point I know that that does not provide the assurance that the team, players and supporters need.

Responses to petitions from government can sometimes take a little bit of time. However, I would like members in this place, the team and supporters to know that I will be moving as quickly as I can to respond to this petition.

In that vein, I table the following out-of-order petition with the names of the Labor caucus, signifying our support for the Canberra United team:

Petition which does not conform with the standing orders—Canberra United Football team—Support from ACT Labor MLAs—Ms Berry (8 signatures).

Finally, I note that the captain of Canberra United, local Canberran Michelle Heyman, is playing with the Matildas against Mexico in Texas today. I wish her and the Tillies all the very best of luck. I know that we will be cheering them on here, from the Assembly, and we look forward to a good outcome of that game.

**MS ORR** (Yerrabi) (10.09), by leave: I would like to add my voice to the chorus of people wanting to see Canberra United continue in the ACT, and acknowledge the work of the minister and Capital Football in making that happen. I know that it is not just a decision for government; it is something on which we need to work together. I certainly appreciate the efforts in that regard.

I was out on the weekend talking to people in my electorate, and a number of them raised with me what big fans they are of Canberra United, how good the team has been over the years and how great it is to see female sports having a real go in getting the community behind them, and the momentum there. I also acknowledge how good Canberra United is at creating Matildas stars of the future. It would be a real shame to see it go. I think everyone agrees about that. But we all know that we will have to do a little bit more work, and work together, in order to secure their future.

## **High-risk weather season—summary**

### **Ministerial statement**

**MR GENTLEMAN** (Brindabella—Manager of Government Business, Minister for Business, Minister for Fire and Emergency Services, Minister for Industrial Relations and Workplace Safety, Minister for Multicultural Affairs and Minister for Police and Crime Prevention) (10.10): As the official 2023-24 high-risk weather season closed on 31 March 2024, I rise today to provide the ACT Legislative Assembly and the community with a summary of the season.

Firstly, I commend the combined efforts of all ACT government directorates, the dedicated staff and volunteers, and our ACT communities for the ways in which we have all collectively prepared for, responded to and recovered from the variety of emergencies experienced in this high-risk weather season. My thanks go to the ACT Emergency Services Agency staff and volunteers, our city presentation staff at Transport Canberra and City Services, and the efforts of all government directorates and external agencies for their collaborative efforts to protect the ACT community. In particular, the efforts of Transport Canberra and City Services staff managing the consequences of several severe storms over an extended period during Christmas and the new year should be recognised.

I would like to express my sincere gratitude to all of those involved in keeping the Canberra community safe throughout the high-risk weather season.

The ACT entered the 2023-24 high-risk weather season after coming out of the warmest May-October period on record. The broader climate drivers included an El Niño, which was expected to continue through until autumn 2024, and a strongly positive Indian Ocean dipole, which was expected to weaken through the summer. The combination of these climatic drivers led to a seasonal forecast of average rainfall and very hot temperatures. Forecast hazards included an above-average risk of heatwaves, average risk of bushfires, severe storms and drought, and below-average risk of flooding.

With the benefit of hindsight, the El Niño weakened more rapidly than expected, delivering rainfall very much above expectations throughout the season. Higher than average maximum temperatures were experienced early in the season but decreased to the long-term average as the El Niño weakened. Daily minimum temperatures have remained high, potentially associated with greater levels of cloud cover. The heavier than expected rain, combined with maximum temperatures lower than the forecast, led to a benign fire season in the ACT. We have seen heavy rainfall and associated flash flooding resulting from increased storm activity.

Looking forward, El Niño continues to weaken, and is expected to return to neutral in autumn 2024. The Indian Ocean dipole is neutral and expected to remain this way until at least the end of April 2024, which is consistent with its annual cycle. These climate drivers lead to a long-range outlook for autumn of near-average rainfall conditions and above-average temperatures during both day and night.

ACT Rural Fire Service crews started the fire season with deployments into New South Wales to support several significant fires in spring 2023, prior to the start of the high-risk weather season in the ACT. While these early deployments were thought to provide

a glimpse of the summer ahead, the increase in wet weather resulted in a reduced fire risk for the ACT and surrounding regions.

Due to persistent rain events, fortunately, there were no significant fires within the territory for the 2023-24 high-risk weather season. Throughout the 2023-24 high-risk weather season, there were 26 bush and grass fires, and 20 hazard reduction burns conducted in the ACT.

Due to the dedication and hard work of ACT Rural Fire Service volunteers and our ACT Parks and Conservation Service Fire Management Unit, together with other supporting services, all of the fires that occurred during the season were extinguished quickly, with no loss of life or property.

Despite the end of La Niña and the onset of El Niño, the ACT State Emergency Service experienced a busy year. By the end of February 2024, the ACT State Emergency Service had received 2,316 requests for assistance. In contrast, for the same period in 2023, the number of requests for assistance, RFAs, received was 1,499. This represents a 55 per cent increase in the amount of community requests for assistance.

The most notable severe weather event occurred on 8 December 2023. This storm led to 1,077 requests for assistance, 11,000 members of the Canberra community went without power, and a significant amount of tree and infrastructure damage on both public and private land occurred. Response operations to this storm lasted for five days, with crews from ACT State Emergency Service, ACT Rural Fire Service, ACT Parks and Conservation Service, Transport Canberra and City Services, the New South Wales State Emergency Service, and Evoenergy actively working to restore access and services to the Canberra community.

The impact of the 8 December storm was focused on the northern and central suburbs of the ACT, mainly for fallen trees and damage to homes. The extensive electricity infrastructure damage required several days to restore full connectivity. The storm required a coordinated response from the whole of government and cross-border support, led by the ACT State Emergency Service. The early establishment of the incident management team and activation of the emergency coordination centre, ECC, supported the whole-of-government response.

I also note that recovery operations following the storm continued for a further month after the immediate response concluded, including infrastructure repair, tree assessment and debris removal. This was a significant effort from the ACT Recovery Committee and a whole-of-government working group set up to coordinate recovery activities, and was led by our Justice and Community Safety Directorate Security and Emergency Management Division.

Following the 8 December storm, Transport Canberra and City Services recorded more than 1,700 Fix My Street cases, distributed more than 70 skip bins throughout the worst affected areas and removed more than 245 cubic metres of green waste. This phenomenal work continued throughout December and January, and remains ongoing, supported by the ACT State Emergency Service, the ACT Rural Fire Service and ACT Parks and Conservation Service.

I would like to make a special mention of TCCS's tree teams and mowing crews for their contribution, noting that this period has been a frustrating and challenging time for the teams, on top of their usual workload. I am particularly pleased to report to the Assembly that much of this green waste was able to be chipped and distributed to schools as mulch.

The recovery efforts were more remarkable when you consider that a second severe storm struck the ACT on 19 December 2023, compounding the work required from both response agencies and the whole-of-government recovery efforts. There were a further five separate severe weather events that led to the activation of an ACT State Emergency Service incident management team.

Of course, storm responses are a joint effort across the ACT Emergency Services Agency and the ACT government, with more than 1,000 ACT State Emergency Service requests for assistance, supported by ACT Rural Fire Service, ACT Fire & Rescue, ACT Parks and Conservation Service, Transport Canberra and City Services, New South Wales State Emergency Service, and Icon Water.

In volunteer terms, the response and preparedness activity undertaken across the high-risk weather season represent the extensive commitment that everyday Canberrans make to keeping our community safe. Our volunteer services to the significant storm events alone totalled more than 13,000 volunteer hours, with the time dedicated by our ACT Rural Fire Service volunteers also adding significantly to that number.

I would like to extend my thanks, and the thanks of a grateful community, to all of the volunteers that take time out of their personal lives to help our own communities and communities across Australia. You are an outstanding reflection of Canberra and the giving nature of Australians.

It will come as no surprise to members that emergencies are not isolated and may require significant whole-of-government coordination. Across the ACT, this is managed by the Security and Emergency Management Senior Officials Group, SEMSOG, and the Security and Emergency Management Division within the Justice and Community Safety Directorate. Each year, these two bodies play a significant role in ensuring that our government and our community are prepared for all hazards that we will encounter.

The clearest example of this all-hazards approach occurred in November 2023 when, along with 10 million Australians, the ACT government was impacted by the nationwide Optus outage. Within the ACT, the outage generated significant and complex impacts on government services, with substantial disruptions experienced across most directorates, including disruptions to the operation of Canberra Health Services, Access Canberra, the Education Directorate, ACT Health and the Community Services Directorate.

During the outage, our arrangements were again shown to be sound, with the Security and Emergency Management Senior Officials Group convened twice to develop a common understanding of the impacts of the risks across the ACT, to centralise information and, if necessary, to coordinate a whole-of-government response. The ability of our officials to coordinate a whole-of-government response and plan for the



impacts of an ongoing outage such as this should give us all comfort that we are in safe hands, no matter what the emergency is.

Throughout the 2023-24 high-risk weather season, the ACT Emergency Services Agency worked to improve the preparedness and readiness of the ACT through a range of platforms and approaches, ranging from television stories at the beginning of the season to radio interviews and social media posts. The ACT Emergency Services Agency also attended in-person events to deliver messages to people in ways which suited them. Through the Emergency Services Agency's digital presence alone, between September 2023 and February 2024 ESA recorded 4,649,565 social media impressions, 375,904 social media engagements and 219,000 website visits.

Throughout the season, the ACT Emergency Services Agency continued to deliver the Be Emergency Ready campaign, the multi-hazard community awareness and preparation program. Two Be Emergency Ready community events were held in Canberra's south and north respectively. Each event drew sizeable crowds, with the ACT Emergency Services Agency personnel working alongside police, the ACT Parks and Conservation Service and the ACT Red Cross to engage with and educate the community. An education event at this year's National Multicultural Festival was also conducted, with teams distributing survival plans in preferred languages and discussing local hazards and preparedness.

Operationally, the ACT Emergency Services Agency delivered more than 50 incident alerts and worked in response to the 8 December 2023 storm with the whole-of-government communications network to establish a community support hub at Melba Copland Secondary School. This community support hub provided information, ice and device-charging facilities to community members who had been impacted by the storm.

The work of the ACT Emergency Services Agency in building community engagement complements the broader work undertaken by all government directorates to build community resilience to emergencies. Targeted community engagement work undertaken by our Community Services Directorate through the extensive community service organisations in Canberra and the work of our Parks and Conservation Service, Transport Canberra and City Services and our service delivery partners to build community preparedness and emergency information awareness is a key element in keeping our communities safe before, during and after an emergency.

I would particularly like to commend the work of the ACT Health Directorate in preparing our communities for the potential for extreme heat events during this past summer, and our Chief Minister, Treasury and Economic Development Directorate for coordinating whole-of-government communications for our significant events, including the development of a dedicated community recovery web page that provided critical information to Canberrans impacted by the 8 December 2023 storm.

The high-risk weather season for 2023-24 provided significant challenges across our communities and across the many hazards that the ACT faces. Despite the initial El Niño forecasts for the season and predictions of severe bushfire conditions, the territory experienced significant rainfall and several severe storms. It is thanks to the combined efforts of staff across most ACT government directorates and our indispensable volunteers that the impacts of these events on our communities were minimised.

Although the high-risk weather season has officially come to an end, it is important to remember that emergencies can happen anywhere, at any time and without warning. It is the responsibility of all Canberrans to be aware of the emergencies that could occur in our territory and to prepare for how we will respond to and recover from these emergencies.

I am constantly impressed by the dedication of our volunteers and staff across ACT government. The task of protecting our community is an ongoing process. We continue to learn, adapt and improve as we look to build a strong, capable and connected ACT with a diverse and resilient community.

Once again, I thank all of our volunteers and staff across ACT government for their unwavering commitment to delivering on the safety of all Canberrans and our community. I present the following paper:

Summary of 2023-2024 High-risk weather season—Ministerial statement, 10 April 2024.

I move:

That the Assembly take note of the paper.

**MR BRADDOCK** (Yerrabi) (10.28): We cannot let a conversation about severe weather events pass us by without taking a moment to reflect on how the increasing incidence of severe storms is a product of climate change. Yesterday, ABC news reported that, based on global measurements, every month since June last year has been the hottest on record for that month. Not only that, the global average for 2023 came in higher than the full range of possible temperature increases predicted under the range of models. Scientists are struggling to explain precisely why.

This reinforces the fact that predictions for global heating are continuing to be met or exceeded year on year. It reminds us of how imperative it is for governments at all levels and of all persuasions to take action, and to continue to take action, to reduce emissions commensurate with the scale of the climate crisis. Canberra is ahead of the curve on our emissions reduction efforts, but we are definitely not out of the woods. We will also have to deal with rising global heat.

The first law of thermodynamics tells us that heat is work and work is heat. A hotter atmosphere means one that contains more energy, can carry more water, with stronger winds, and produce more powerful storms. The storms we witnessed this season are ones that we must regrettably presume will be repeated again and again. Unfortunately, we can expect that there will be an increasing burden on our emergency services and volunteer crews over time. It is imperative that we continue to invest in them, their tools and their operations in order to effectively respond to the consequences of climate change.

To those incredible crews at the ESA and all of the volunteer groups involved in the responses and clean-ups, I want to thank you for the significant work that you do. I also want to tell you that the ACT Greens understand the stresses that you are under and that your teams will have to face in the future, and we will continue to have your back.

**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) (10.30): I rise to underline Minister Gentleman's recognition of how challenging this season has been—and our thanks to our workforce and volunteers—and also to highlight what Mr Braddock has said, which I certainly very much agree with.

This was not the season that was predicted. The Bureau of Meteorology have been very clear about that as well. By the time they changed their forecast about what the season would actually look like, we were well into it and experiencing some pretty hectic circumstances. We did have a very dry October—unusually dry. November started off quite dry, too; then we were absolutely smashed by the end of November with rain, which was above the long-term average, and we saw that again in December and January.

That is not the El Niño that I know. El Niño, to me, in summer is hot and dry. This was something that I have not quite seen before, and particularly the pattern of rain, heat, rain, heat. It created pretty extraordinary conditions, from the climatic conditions that Mr Braddock described to the storms that Minister Gentleman mentioned. The conditions were very difficult, and they made some challenging weather conditions even more challenging, particularly with the rapid grass growth, combined with the trees that were felled, especially during the storm on 8 December.

There were some extraordinarily quick actions following 8 December. There have been lessons learnt from the January storm of 2020 and the January storm of 2022, especially as to how we supported the community who had their power cut, how Evoenergy communicated with the community, and the support that the ACT government provided to our communities in helping residents with their own clean-up efforts by providing skips across the city, as well as extra green bin collections.

I want to emphasise our thanks to the SES, the ESA and the RFS and all of the volunteers associated with that, but especially to city services. It was an extraordinary effort—all hands on deck—in really trying circumstances for our depot crews, and especially for Roads ACT. They can often be the unsung heroes when we talk about responding to emergencies. They are regularly on the scene when there are issues with traffic lights, when there are issues with trees having been felled and when there are issues that need a coordinated response across government. I particularly want to thank them for always being on call at any hour of any day, and for what they have given up in supporting our community, especially so close to Christmas.

I want to acknowledge the teams at Access Canberra, who also step in to provide support, including the SES, in receiving calls and directing them to the right area. They also do this at very short notice, and they always step up to the plate. They are led by the terrific Emily Springett. Nothing ever seems too hard for Emily. I have no idea how she does it; but, gosh, we are lucky to have her. How that flows through her teams is very apparent, I think, to all of us.

There is still clean-up work to do. People have noticed that there are still trees that need to be picked up. Where they have posed a safety issue, first and foremost, whether it is line of sight or access, that has been prioritised. Now we are working through what we

need to do in the community as it relates to the aesthetics, where a tree might still be on a verge or perhaps on the median strip in a very busy roadway, where the road needs to be shut for us to do that clean-up. It is ongoing. The teams do have a workload that is set out for them, and they are progressively working through that. Those actions are absolutely happening.

I want also to acknowledge that, because of the very nature of the season that we experienced, there has been an amount of overtime that our crews have contributed, which I do not think anyone was expecting. Very often we talk about how welcome overtime can be, especially as you are dealing with the post-Christmas bills, but I also want to acknowledge that this is always on top of their usual heavy workload and their very physical workload. That is why we pay penalty rates, and it is why it is so important to recognise our workforce in this way. Overtime always comes at a cost. It comes at a cost to the time that you spend with your family or with your friends. It accelerates fatigue and it can reduce your leisure time.

Time and again, crews across our depots in TCCS—whether it is urban treescapes or the north, south and central teams, managed by our terrific area managers, Tristan Adrian and Peter Sullivan, as well as Daniel Simpson—have constantly been stepping up. I want to acknowledge our urban treescapes teams as well, our supervisors throughout that, and Rachael Dawes, who has been managing a very challenging program of planting, as well as a season of maintaining trees and responding to the storm clean-up.

Perhaps another unsung hero is Jody Friend, who is the mowing coordinator. We do have one. I have to say that the way we approach mowing in the ACT is extraordinarily sophisticated, and that is thanks to Jody's efforts and the support that she receives from the depots, our area managers and the depot supervisors. Jody personally goes and looks at areas that might need to be added to the map or where someone has indicated that they have been missed. I think it is quite remarkable that, even with how disrupted the season was in November and December, and into January, the crews, by the end of January, were back on track in terms of the number of mowing passes that they would normally have done, and that has continued throughout the rest of the mowing season.

It has been all hands on deck, in really trying circumstances, and time and again city services steps up to the plate at every single level of government. Our GSOs absolutely deserve their pay increase, which is on its way, but it is a team effort right across the board. It has been a special privilege for me to meet some of these teams to understand how they do their work and to acknowledge and thank them.

We are entering our favourite season, autumn. It is probably my least favourite season when it comes to leaf fall. I appreciate that it is pretty, but leaf fall presents its own challenges. Again, we are doing what we can to support our teams. Our streetsweepers are out in earnest. I heard people commenting last night that there were streetsweepers out at 8 pm. Again, those are hours that we are so grateful to our teams for working in.

We are looking forward to further supporting our teams with equipment that is on its way—especially some pretty sexy, I would say, articulated loaders. What they can lift, their size and manoeuvrability are pretty special. I am very glad we are able to add those to the fleet to support our teams with the equipment they need to do their jobs in these

very difficult circumstances—and especially at a time when we will need a rethink across government about how we respond and how we anticipate what a season will look like. We cannot predict anymore that the weather patterns that we used to rely on are going to be reliable. That will require some change, and I look forward to working across city services to make that happen.

**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) (10.40): I would like to thank Minister Gentleman and Minister Cheyne for sharing those insights into the huge amount of work that goes into preparing for a high-risk weather season, not knowing exactly what might be coming and then responding to whatever actually happens by being there and being ready to support our community.

After a major event like a storm or a bushfire, there will be a recovery period that goes beyond the immediate emergency. That includes environmental recovery, built recovery, economic recovery and social recovery. That social recovery is focused on the human impacts on health and wellbeing, safety and security, and community connection. The research about what happens after major issues like storms or bushfires tells us that rates of domestic and family violence often increase in the wake of a natural disaster, as well as having increased issues in the community with alcohol and drug use, and mental health, and feelings of isolation and disconnection from people and the community around them.

Our Community Services Directorate are leading the way on social recovery within the ACT government, and they work closely with JACS and SEMD on recovery more broadly. That might include providing food relief or material aid support to people. It might include being prepared for what our community sector organisations might see an increase in, in their workload. We know that, for example, after the 2003 bushfires the community noted that the engagement by our Community Services Directorate staff at local events was helpful and that it felt like they had a sense of what the community was actually going through.

It is good to see that over the last couple of decades we have continued to build on our knowledge and our skills within government on how we can support our community in the wake of storms and fires. This high-risk weather season is no different in terms of the preparation that has gone into it, with CSD working with other directorates and with the community sector, as well as being ready for whatever happens. That is why their work has been recognised in recent years, particularly the partnerships between CSD and the Canberra Relief Network, VolunteeringACT, SES volunteers, Disaster Relief Australia—who are a veterans organisation of volunteers—and Woolworths, to make sure that we were getting food relief out to people. The lessons that were learned from that award-winning work that they all did together are things that we can take into any future situation that we find ourselves in.

I did talk about social recovery, from COVID in particular, in the Assembly in September 2022. Minister Cheyne talked about the need to have a rethink. I also heard Mr Braddock talking about the increasing frequency and greater unpredictability of what happens during our high-risk weather season in this changing climate. In government, we are doing that rethink. A social recovery framework consultation was

funded in the previous budget, and the listening report from that was published on the Your Say website after community consultation during our most recent high-risk weather season. The next steps in our work on social recovery and what we might need to prepare for in future include more work by CSD, in conjunction with JACS, ESA and SEMD, and the ACT government working across our state and commonwealth jurisdictions and with our community sector. It is important that we have that really good understanding of how government and community need to work together to deal with what we are facing.

We have seen a rise in informal volunteering across the community. It is a wonderful thing to see that people are responding, as individuals, with kindness and compassion to the people around them when they see that people are facing difficulty as a result of what is happening in our changing climate. Being able to support that level of volunteering and engagement, and bringing people into how we can work collaboratively, is part of that plan for the future. Our objective is always going to be that the response to these kinds of situations should be community-led and government-supported. Continuing that work on a social recovery framework will help us to understand how to do that.

Question resolved in the affirmative.

## **Environment, Climate Change and Biodiversity—Standing Committee**

### **Statement by chair**

**DR PATERSON** (Murrumbidgee) (10.45): Pursuant to standing order 246A, I wish to make a statement on behalf of the Standing Committee on Environment, Climate Change and Biodiversity 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 no statutory appointments. I table the following schedule of the statutory appointments considered during that reporting period:

Environment, Climate Change and Biodiversity—Standing Committee—  
Schedule of Statutory Appointments—10th Assembly—Period 1 July to  
31 December 2023.

## **Education and Care Services National Law (ACT) Amendment Bill 2024**

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

Title read by Clerk.

**MS BERRY** (Ginninderra—Deputy Chief Minister, Minister for Early Childhood Development, Minister for Education and Youth Affairs, Minister for Housing and Suburban Development, Minister for the Prevention of Domestic and Family Violence, Minister for Sport and Recreation and Minister for Women) (10.46): I move:

That this bill be agreed to in principle.

The Education and Care Services National Law (ACT) Amendment Bill 2024 that I present today amends the Education and Care Services National Law (ACT) Act 2011. This bill also makes technical amendments to other legislation.

The National Quality Framework for early childhood education and care commenced 13 years ago. The National Quality Framework aims to raise quality and drive continuous improvement in early childhood education and care services. Since the start of the National Quality Framework, the percentage of ACT early childhood education and care services assessed as meeting or being above the National Quality Standard increased from 47 per cent in 2014 to 82.3 per cent at the start of 2024.

States, territories, the commonwealth and the Australian Children's Education and Care Quality Authority have carried out two reviews of the National Quality Framework since it started. Those reviews help to ensure that the National Quality Framework remains current and fit for purpose. The most recent review commenced in 2019.

The proposed amendments in this bill will give effect to a recommendation from the 2019 National Quality Framework review, make minor changes to tabling provisions and expressly adopt historical technical amendments to the national law, and update other legislation to improve consistency with terminology in the national law.

Under the national law, prospective early childhood education and care services must meet specific physical and design requirements. These cover areas such as site and location, outdoor space, natural environment, natural light and emergency evacuation. It can be challenging to meet those requirements in a multistorey building.

The ACT's regulatory authority website contains longstanding guidelines on meeting those requirements, as well as guiding principles on best practice in design of early childhood education and care services. However, through the 2019 National Quality Framework review, it was identified that early childhood education and care services were, and are, being constructed without meeting National Quality Framework requirements, although they meet building and planning requirements. To address the problem, education ministers recommended a pre-approval, or approval-in-principle, process for early childhood education and care services in multistorey buildings. This process is now embodied in new part 4 of the national law. These amendments were tabled in this Assembly on 8 February 2024.

The bill before the Assembly today will apply that approval-in-principle process, as set out in new part 4 of the national law, to the ACT. Due to differences in planning frameworks across jurisdictions, it was not possible to include all necessary provisions within the national law. Any participating jurisdiction must expressly apply the approval-in-principle process, define their planning and building laws, and provide for commencement of a mandatory process.

Under the national law as it currently applies in the ACT, the ACT's regulatory authority cannot make a decision on a proposed early childhood education and care premises until the service is built and fitted out and a provider applies for a service approval. There is usually significant time between development approval, building work and when an approved provider applies for a service approval.

At the end of the building process, any rectification to achieve compliance with the national law may be costly or impossible to achieve. In those circumstances, approval of those premises may require conditions on the service approval or a waiver of compliance with regulatory requirements. Approval may be impossible due to mandated requirements or concern for the safety, health and wellbeing of children attending such premises—for example, the inability to safely evacuate infants and toddlers in an emergency.

The proposed amendments in this bill require application for approval in principle to be made prior to applying for development approval for early childhood education and care premises. If no development approval is needed, the application must be made prior to applying for building approval. The process enables early engagement with the regulatory authority to identify any non-compliant proposals before significant expenditure. It allows for early assessment and decision-making regarding proposed early childhood education and care service designs in multistorey buildings.

The approval-in-principle process will provide a level of certainty for the building and development industry, as well as early childhood education and care providers. It will also help to ensure that the regulatory authority, which holds significant expertise in early childhood development, is the body making decisions on the suitability of site, location and early childhood education and care premises design. The ACT is a leading jurisdiction in advocating for quality early childhood education and care service environments that support children's safety, health and wellbeing.

Outdoor environments with some exposure to the open sky are particularly important in our ACT climate to ensure adequate exposure to sunlight during the cooler months. This supports children's wellbeing, healthy vision development and healthy vitamin D levels. The approval-in-principle process applies only to centre-based services in buildings of three or more storeys. It does not apply to family day care services, so there is no impact for educators providing family day care from their residences.

In accordance with consultation feedback, ample flexibility is built into the approval-in-principle process for transfers, amendments, extensions and reinstatements. A three-month voluntary application period will allow stakeholders to become familiar with the approval-in-principle provisions before a mandatory process will commence.

The approval-in-principle process was developed after two rounds of public consultation during the 2019 National Quality Framework review and two targeted consultations jointly undertaken by ACT and Victoria. Participating stakeholders included approved providers, developers, planners, builders and architects, as well as EPSDD, ESA and CMTEDD. All participating stakeholders supported the approval-in-principle process.

This bill also amends the tabling provisions in the Education and Care Services National Law (ACT) Act 2011. The bill removes the six-day time frame for presentation to the Assembly. This does not remove the obligation for tabling. To ensure that the Assembly retains adequate oversight of changes to the national law, amendments will not apply in the ACT unless they have been presented to the Assembly.



Finally, the bill also amends other pieces of legislation to reflect the terminology of the national law. This includes adding references to “education and care service” to the original terminology of “childcare centre”. This government is committed to ensuring that ACT children have access to the highest quality education and care environments. I commend the bill to the Assembly.

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

## **Crimes (Disclosure) Legislation Amendment Bill 2024**

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

Title read by Clerk.

**MR RATTENBURY** (Kurrajong—Attorney-General, Minister for Consumer Affairs, Minister for Gaming and Minister for Water, Energy and Emissions Reduction) (10.55): I move:

That this bill be agreed to in principle.

I am pleased to introduce the Crimes (Disclosure) Legislation Amendment Bill 2024 in the Assembly today. This bill comprises two important amendments that seek to improve our criminal justice system. Firstly, this bill contains a second tranche of legislative amendments implementing commitments by the government in response to the report of the Board of Inquiry into the Criminal Justice System. As members may recall, the first tranche of legislative amendments occurred through the Victims of Crimes Amendment Bill 2023, which implemented recommendation 2 of the report, to improve the experience of victim-survivors in the criminal justice system.

Relevant to this bill, the government committed to recommendation 8 of the board of inquiry report, which is to enact legislation to codify the scope and content of the obligation of disclosure owed by the prosecution in criminal proceedings. The bill that I present here today does precisely that. The bill includes amendments to the Magistrates Court Act 1930 and the Court Procedures Act 2004 that cement what the prosecution must disclose and by when disclosure must occur, clarify that the duty of disclosure is ongoing throughout the trial, and provide the court with a range of sanctions for noncompliance.

The obligation on the prosecution to disclose the evidence in its possession to the defence is a longstanding feature of our criminal justice system and it is central to a fair trial. Disclosure enables the accused to understand the charges against them and prepare their defence.

At present in the ACT the prosecution’s disclosure obligations are contained across a range of sources, including legislation, policies and guidelines, and the common law. As a result, the law on this important topic is not as clear and as accessible as it should be. To best inform the government’s approach, in late November 2023 the Justice and Community Safety Directorate released a discussion paper to key justice stakeholders

to seek views on policy options to address recommendation 8. Stakeholders expressed a strong preference for legislating disclosure for prosecution, with specific and detailed requirements. Stakeholders stated that legislation is a better mechanism for ensuring disclosure obligations are implemented than relying upon policies and guidelines, and the government has agreed.

The bill that I present today provides certainty about when the disclosure obligation owed by the prosecution commences and the nature of the obligation. The bill includes the following features: a robust disclosure regime on the prosecution, including better particulars as to what content is to be included in a brief of evidence; a requirement that the prosecution must serve the brief of evidence on the defendant, including time frames for such service; clarification that the duty of disclosure owed by the prosecution is ongoing and continues throughout the judicial process as new evidence becomes available; the ability for the court to use its discretion and, amongst other things, refuse to admit evidence that the prosecution seeks to adduce if that evidence has not previously been disclosed to the defendant; better protections to support the right to privacy for those involved in criminal proceedings, with provisions stating their contact details are not generally to be disclosed; and provisions which ensure that the disclosure regime will apply to all criminal matters, regardless of whether they are summary or indictable offences being dealt with by the ACT Magistrates Court or the ACT Supreme Court.

When establishing the board of inquiry, the ACT government's objective was to ensure that the territory's framework for progressing criminal investigations and prosecutions is robust, fair and respects the rights of those involved. I believe that our objective has been achieved with respect to the prosecution's disclosure obligations by this bill.

The second part of the bill is a much-needed amendment to ensure that a person can be heard by the court when an application is made for their protected confidence material to be admitted as evidence in court proceedings in sexual assault and family violence matters. A protected confidence can include records of a meeting between a complainant and a counsellor that relate to alleged sexual or family violence. The Evidence (Miscellaneous Provisions) Act 1991 regulates when a protected confidence can be introduced as evidence in ACT proceedings. In most cases, it cannot be adduced. However, parties to a proceeding can apply to the court to seek that it should.

Currently, in the ACT, complainants in sexual assault or family violence matters do not explicitly have standing or the right to appear and be heard by the court when applications are made for their protected confidence material to be introduced as evidence in a proceeding. Instead, they must rely on their views being put to the court through the parties.

The wishes and views of the complainant may be in contrast with the views of either the defence or the prosecution. The prosecution may not always be able to share the views of the counselled person with the court, particularly when the person does not wish to proceed with criminal charges or cooperate with the prosecution but the prosecution seeks to rely on the counselling communication as evidence in the trial, or the counselled person may simply want the opportunity to share their own views with the court to indicate their position on the application and express the impact that release of this material may have on them. The amendment in this bill provides the complainant or counselled person with the opportunity to appear and present their views to the court.

As part of these amendments, a counselled person must receive a notice of the application at least 14 days before the application is to be heard by the court. This is to allow the counselled person time to seek legal advice and representation. However, the court will have discretion to reduce this 14-day notice period in some circumstances, such as when it is in the interests of justice to do so. The prosecution in criminal matters has the obligation of ensuring that the counselled person receives this notice of the application of a party to seek leave to rely on this protected confidence. The bill will permit the counselled person to tell the court, by way of a confidential statement, about the harm they would incur if the protected confidence were released. This is particularly important as it gives the person some flexibility in how they would like to appear in these types of proceedings and promotes victim-survivor agency.

The *Listen. Take action to prevent, believe and heal* report, the SAPR report, published in December 2021, noted that many victim-survivors feel shame and embarrassment when their evidence is available for the public to hear in open court and may often feel reluctant to report their crimes due to this. This concern is elevated in culturally diverse contexts where there may be greater sensitivity around discussing sexually related matters. The permitting of a confidential statement to the court is essentially taking the concerns raised by the SAPR report and putting an important safeguard for victim-survivors into the ACT justice system.

It is important to note that the court can already consider the impact on the counselled person in these types of applications. It is not a requirement that the complainant must provide a statement. If provided, a confidential statement is not given any more weight than the other considerations that the court must consider. Where disclosure of the protected confidence material is not approved by the court, the court will still need to give reasons for its decision not to release the material. The amendment simply ensures that complainants have the ability to inform the court directly and in their own words of the potential harm that could be caused if the evidence of the protected confidence were released to the parties. Through these amendments, victim-survivors are supported to have their voices heard in the criminal justice process.

The amendments will also align the ACT with the approaches taken in New South Wales, Victoria and Queensland where there are provisions granting complainant standing with respect to these types of applications. This amendment also comes at an important time for the ACT, with Canberra's first dedicated legal service for victim-survivors of sexual violence just commencing, undertaken by the Women's Legal Centre ACT and Victim Support ACT.

In late 2023, it was announced that the ACT was selected as one of three locations to participate in the national pilot of a specialised and trauma-informed legal service for sexual assault victim-survivors. The pilot program is funded by the commonwealth and will help to ensure access to legal services for victim-survivors in engaging with the legal system, including the criminal justice system. This new service will complement the implementation of these amendments.

I would like to thank all stakeholders for their continuous support and engagement with the Justice and Community Safety Directorate in the preparation of this bill, in particular ACT Policing, the Director of Public Prosecutions and Victim Support ACT.

I commend the bill to the Assembly.

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

## **Health (Improved Abortion Access) 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) (11.06): I move:

That this bill be agreed to in principle.

The Health (Improved Abortion Access) Amendment Bill 2024 amends the Health Act 1993. In Australia, abortion is a safe and regulated procedure that may be undertaken for a range of medical, social and personal reasons. It has been recognised as an essential feature of quality primary health care. Women and people with a uterus are entitled to make decisions about their own bodies and to receive the health care they need to live a full, healthy and autonomous life, which includes access to a medical or surgical abortion to end a pregnancy, should they need or wish to do so.

The ACT government has long recognised that all individuals should have autonomy over their reproductive health, and those seeking an abortion should feel supported in their choice and throughout their care. Twenty-two years ago, reproductive rights were affirmed in the ACT when abortion was legalised, making the ACT the first jurisdiction to completely remove abortion from criminal law in Australia. In 2018, the Health (Improving Abortion Access) Amendment Act 2018 was introduced to the Assembly, refining the definitions and procedures for medical and surgical abortions, ensuring continued safety, quality and access to these services.

This month marks one year since abortions have been available to all residents of the ACT, including those without a Medicare card, at no cost to the client, which removed one of the greatest barriers to receiving care. I am proud of the fact that the ACT has been at the forefront of reproductive justice and abortion rights in Australia. When we look around the world, and particularly at the United States, we are reminded that these rights cannot be taken for granted.

I am pleased to say that the bill I present to the Assembly today will further build on the ACT's strong record of abortion rights and access by aligning with changing commonwealth standards of best practice and addressing barriers identified in the Standing Committee on Health and Community Wellbeing 2023 inquiry into abortion and reproductive choice in the ACT.

The bill will progress two key amendments to the Health Act to improve access to abortions in the ACT. The bill will remove barriers to increasing the range of health

practitioners who are able to prescribe abortion medication, such as MS-2 Step, to provide a medical abortion. The bill will also insert a requirement for health practitioners who decline to carry out or assist in carrying out an abortion on conscientious grounds to transfer the person's care to someone they reasonably believe will provide the service or to give the person information about how to locate or contact a provider.

The medication that has been approved by the Therapeutic Goods Administration, the TGA, to cause a medical abortion is MS-2 Step. MS-2 Step has long been proven to be a safe, effective and non-surgical termination option for women and people with a uterus to terminate a pregnancy up to nine weeks gestation. In August 2023, the TGA removed certain restrictions on the prescription of MS-2 Step. These changes allow the prescription of MS-2 Step by any regulated healthcare practitioner with the appropriate qualifications and training, without the need for explicit certification. The TGA explicitly noted that this may include nurse practitioners. Previously, only doctors who had been certified could prescribe the medicine, and then it had to be dispensed by a pharmacist who was a registered dispenser.

For the ACT, section 81 of the Health Act currently prohibits the supply or administration of an abortifacient where the person is not a doctor. As a result, the TGA's positive changes have so far flowed through only in relation to doctors and pharmacists. To align with the TGA changes and the updated Pharmaceutical Benefits Scheme listing for MS-2 Step, the bill will amend the Health Act to enable nurse practitioners and any additional people specified by regulation to prescribe abortifacients. Under this head of power, a regulation will be put in place to include authorised midwives. These changes will mean midwives and nurse practitioners can work at expanded scope of practice, making this vital health care more accessible, leading to better patient outcomes. We know our fantastic midwives and nurse practitioners provide excellent care and have the necessary skills and knowledge for this work.

To continue improving access to high-quality health care, it is vital to use the talents of everyone working in the healthcare sector. The new regulation-making power will enable the inclusion of other categories of practitioner at a later date, if required. This allows the ACT government to be responsive to medical advancements, any further TGA changes or changes to the regulation and scope of practice of relevant health professionals.

The bill will also introduce a requirement for practitioners who conscientiously object to abortion to refer the patient on to another service or practitioner who can assist them. The right of a practitioner not to carry out or assist with a medical or surgical abortion on religious or other conscientious grounds is protected under the Health Act, and this right not to participate will be preserved.

However, abortion is a highly time-sensitive matter. Various clinical factors, including gestation period, impacts the decision, options and potential eligibility to pursue a preferred type of abortion. Medical abortions must be performed in the early stages of pregnancy, up to nine weeks. In the ACT, surgical abortions are usually performed up to 16 weeks. Timeliness of care is therefore a critical issue in seeking this type of health care.

In April 2023, the Standing Committee on Health and Community Wellbeing tabled its report into the inquiry into abortion and reproductive choice in the ACT. In the report, the standing committee considered that a lack of abortion services, combined with a lack of information, meant that a practitioner exercising their right to conscientious objection had a greater impact on a person's ability to access abortion services than would be the case if these services were more prevalent and information were more readily available.

Introducing a requirement to refer will bring the ACT into line with other jurisdictions, which all currently legislate mandatory referral by conscientious objectors. If a practitioner declines to carry out or assist with medical or surgical abortion on religious or other conscientious grounds, the practitioner is not only required to inform the client of their objection but, under this bill, will be also required to immediately give information to the person on how to locate or contact a practitioner or health service that can provide the abortion or transfer the person's care to another service.

Since the inquiry reported, the ACT government has funded Women's Health Matters to provide information about abortion options in the ACT, including the no-cost abortion services funded by the ACT government. This resource will assist conscientious objectors who do not wish to refer to a specific practitioner to meet their obligations under the bill.

The proposed amendments will also assist in mitigating the risk of on-referral, where a person is referred from practitioner to practitioner in seeking assistance for an abortion. On-referrals to one or more practitioners, who may or may not have a conscientious objection and who may or may not provide the requested service, is onerous, time-consuming and can come at a significant financial cost. This places an improper burden on the person seeking care and may prevent them from accessing timely abortion services. As such, it may have a major impact on a client seeking this time-sensitive health care and is a key barrier that the bill seeks to address.

The bill's approach is consistent with the accepted clinical and professional requirements in healthcare delivery. For example, the Medical Board of Australia's code of conduct for doctors states that objection should not impede access to treatments that are legal. Under the code, a doctor's beliefs should not deny patients access to medical care. I have heard from health practitioners in the ACT that our health system is already meeting these best-practice guidelines and that, in most cases, referrals already occur. However, making this a requirement puts the matter beyond doubt, as significant harm can arise from even a small number of cases where a person does not receive timely referral.

Health practitioners are absolutely entitled to express their conscientious objection. The Health Act continues to preserve the protected right not to carry out or assist in an abortion, imposing only a duty for a practitioner to refer onwards. The bill's explanatory statement provides a detailed analysis of the degree to which the bill engages the right to freedom of thought, conscience, religion and belief, and the right to freedom of expression. These rights are limited only to the extent necessary to achieve the legitimate purpose of improving access to abortion services and ensuring people who are seeking an abortion can access timely care.

The right for people to control their own bodies and make reproductive decisions is broadly embraced by the Canberra community. Enabling access to abortion without barriers serves to empower women, girls and people with a uterus to make safe, informed and autonomous decisions about their own health and wellbeing and their future. Access to safe, legal and effective abortion services supports a range of fundamental human rights. That is why we in the ACT acknowledge that there is a need for ongoing protection of reproductive rights as part of basic bodily autonomy and human rights.

As a human rights jurisdiction, it is vital that the ACT government works to ensure that all members of the Canberra community can access the reproductive health care they need and when they need it. This bill is another step in the right direction for reproductive rights, to foster a responsive health system that meets the needs of the ACT community by removing barriers to allow nurse practitioners and midwives to work at an expanded scope of practice and make it easier for people to access the care they need.

I would like to thank everyone who contributed to the development of our government response to the committee inquiry last year as well as this bill, including everyone who contributed to the consultation.

As I stand here today, taking another small step forward for women and girls in the ACT, the right to abortion is literally on the ballot in Florida this November. The result will either enshrine a constitutional right to abortion for Floridians or confirm a legislated six-week ban—effectively a complete ban on abortion in the state. I want to conclude by expressing my solidarity with Floridians Protecting Freedom, a coalition of 200 civil liberty, women’s rights and other organisations, and with all who are campaigning alongside them to protect reproductive freedom. This is not a battle I expected would need to be fought again in the United States and I hope it is not one we ever need to fight again in Australia. I commend the bill to the Assembly.

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

## **Planning and Environment Legislation Amendment Bill 2024**

**Ms Stephen-Smith**, on behalf of Mr Steel, 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) (11.18): I move:

That this bill be agreed to in principle.

I am pleased to present the Planning and Environment Legislation Amendment Bill 2024 as the Acting Minister for Planning. This is an omnibus bill, a mechanism that allows the government to be agile and responsive to changing circumstances and better

enables our laws to remain clear, concise and up to date. The bill makes technical and minor policy amendments to legislation in the environment, planning and sustainable development portfolio areas to provide clarity and increased efficiency and transparency, as well as reduced red tape.

The bill amends the Climate Change and Greenhouse Gas Reduction Act 2010, the Commissioner for Sustainability and the Environment Act 1993, the Heritage Act 2004, the Nature Conservation Act 2014, the Professional Engineers Act 2023, and the Surveyors Act 2007.

These minor and technical amendments will create a power for the minister to determine fees under the Climate Change and Greenhouse Gas Reduction Act 2010, clarify a key function of the Commissioner for Sustainability and the Environment and contemporise drafting of the Commissioner for Sustainability and the Environment Act 1993, enable the Minister for Heritage to notify a statement of priorities to assist the ACT Heritage Council to discharge its responsibilities under the Heritage Act 2004 and align its work with government priorities, correct a drafting error in the Nature Conservation Act 2014 to ensure a conservation officer who is exercising a function under that act can enter a reserve after it is closed without committing an offence, amend the commencement date for provisions that have not yet commenced in the Professional Engineers Act 2023 from 11 October 2023 to 6 March 2025, and update registration and renewal requirements for surveyors registered in the ACT following the commencement of automatic deemed mutual registration. The bill also includes minor technical and consequential amendments to some of these acts and the Water Resources Act 2007.

I will now discuss the provisions in more detail. Part 2 relates to the power to determine fees. Part 2 of the bill proposes to amend the Climate Change and Greenhouse Gas Reduction Act to enable the minister to determine a fee under that act. This will allow the minister to introduce a fee for applications made under the Climate Change and Greenhouse Gas Reduction Act or its regulations.

Part 3 inserts a key function into the Commissioner for Sustainability and the Environment Act and contemporises drafting. Part 3 proposes to amend the Commissioner for Sustainability and the Environment Act to clarify that the commissioner's existing function of preparing the *State of the environment* report is a key function of the commissioner. It also proposes to contemporise the drafting of certain provisions of the Commissioner for Sustainability and the Environment Act. In particular, the provisions giving the commissioner powers in relation to refusing to investigate certain categories of complaints have been redrafted to improve clarity. The intention of the proposed redrafting is to support a better understanding about the commissioner's existing powers and what processes are required for investigations.

Part 4 of the bill inserts a new provision into the Heritage Act 2004. Last year, the Minister for Heritage provided a statement to the independent Heritage Council outlining the government's priorities in relation to heritage in the ACT. This bill proposes to insert a provision in the Heritage Act to enable the minister to notify future statements of priorities on the ACT Legislation Register. The introduction of this mechanism is intended to increase transparency around the government's expectations



of the Heritage Council. The proposed new provision also sets some parameters in relation to what may be and what must not be included in the statement.

Recognising that the ACT Heritage Council is an independent body, the bill provides that it must be consulted before the minister makes a statement of priorities. Further, the statement must not include a direction about the way in which a function of the council is exercised, ensuring that the independence of the council is maintained. The statement of priorities may include any information necessary to assist the council in responding to the statement and must outline what reporting requirements, if any, are expected of the council—for example, inclusion of the council's actions that align with the statement in the annual report. The council will consider the statement and may align its work with the priorities outlined by the minister—for example, in relation to broader public education or promotion of heritage places and objects.

Part 5 of the bill relates to allowing conservation officers to enter a closed reserve. Part 5 proposes to amend section 260 of the Nature Conservation Act 2014 to correct a drafting oversight. It provides that the offence in section 260 does not apply to a person who is a conservation officer exercising a function under the act.

Section 259 of the Nature Conservation Act allows the Conservator of Flora and Fauna to close a reserve. Section 260 provides that it is an offence for a person to enter a reserve that has been closed. A conservation officer exercising a function under the Nature Conservation Act, however, often needs the ability to enter a reserve after it has been closed—for example, to deal with a natural emergency or for the purposes of vertebrate pest control.

Current practice when a closed reserve declaration is drafted under section 259 to work around this oversight is to include a specific clause within the declaration to ensure a conservation officer is exempt from the offence. Amending the Nature Conservation Act is a better outcome administratively and operationally, giving conservation officers the assurance that they will always have the exception from a section 260 offence when exercising a function under the Nature Conservation Act.

Part 6 relates to default commencement of the Professional Engineers Act 2023. Part 6 proposes to amend the commencement provision of the Professional Engineers Act 2023 to move the default commencement from 11 October 2024 to 6 March 2025. The Professional Engineers Registration Scheme commenced on 6 March 2024 with the intention of taking a phased approach for registration applications from different areas of engineering. To support the phased approach, amendments are required to move the default commencement provision of the Professional Engineers Act.

A 12-month phase-in approach for registration applications provides the engineering profession with a fair transition to the scheme prior to compliance and enforcement activity commencing while also delivering these important reforms to consumers in a timely manner. It also supports the government to manage demands on the scheme and provide a more manageable and responsive scheme.

Part 7 relates to the Surveyors Act 2007. Part 7 of the bill proposes amendments to the Surveyors Act to update registration and renewal requirements for surveyors registered

in the ACT following the commencement of automatic mutual recognition. This includes clarification of the registration and renewal process for surveyors, including the details and term of registration. Currently, the Surveyors Act provides that a person is only eligible for registration as a surveyor in the ACT if they have been previously registered. This bill proposes to amend the eligibility requirements to ensure that a person who has not been registered as a surveyor before may be registered in the ACT if they have obtained a certificate of competency as a land surveyor from the NSW Board of Surveying and Spatial Information.

Under section 45 of the Surveyors Act, a surveyor may enter land that is not the subject of their survey—for example, the next-door neighbour of land being surveyed—if they give the owner of the land reasonable notice of their intention to enter that land. This bill clarifies the documentary requirements for surveyors in relation to that reasonable notice to enter and specifies that the surveyor must keep evidence of the notice. The proposed amendments also provide for a Surveyor-General practice direction to apply, adopt or incorporate a law or instrument in force from time to time.

In summary, this bill makes amendments that increase the clarity and transparency of a number of provisions and processes within legislation in the environment, planning and sustainable development portfolio and ensures that the statute book remains clear and fit for purpose. I thank my colleagues. This bill covers a number of ministerial responsibilities, probably the least of which is planning. I am sure that many people will be taking the opportunity to speak about the bits that relate to their own portfolios during the in-principle debate stage. I commend the bill to the Assembly.

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

## **Crimes Legislation Amendment Bill 2023**

Debate resumed from 26 October 2023, on motion by **Mr Rattenbury**:

That this bill be agreed to in principle.

**MR CAIN** (Ginninderra) (11.27): The Crimes Legislation Amendment Bill 2023 is an omnibus bill that aims to make several amendments to the Crimes Act 1900, the Crimes (Sentencing) Act 2005, the Confiscation of Criminal Assets Act 2003, and, most significantly, the Juries Act 1967 to make juror misconduct a new offence. The Canberra Liberals will be supporting this bill.

Regarding juror misconduct, the high-profile rape case brought to the ACT Supreme Court, *R v Lehrmann* (No 2), was suspended, as members would be aware, following a juror bringing supplementary material to the hearing after 17 successive warnings issued by Chief Justice Lucy McCallum for juries to only consider court evidence. Chief Justice McCallum, who then sought to penalise the juror, found that there were no avenues at her disposal to seek legal recourse for the immense burden that this juror's negligence had brought in discharging the case.

This bill will, among other amendments, seek to make it an offence for jurors to make an inquiry into a case or to request someone else to make an inquiry on their behalf without the authorisation of the court. Jurors found to have committed this offence

could face up to two years imprisonment. Those found in breach of this offence possess the burden of proof to prove their inquiries were made in the exercise of their functions as a juror.

Another significant provision inserted as part of this bill will be majority verdicts. The bill proposes that, where 11 of the 12 jurors reach the same verdict and where there has been at least six hours of deliberation, and the court is confident that further deliberation is unlikely to shift the verdict reached by each juror, a decision can be passed. Majority verdicts will apply, if passed, to all territory offences, as is the case in each jurisdiction in this country. Commonwealth offences, however, remain as requiring unanimous verdicts.

The bill will also repeal section 64(2)(e) of the Crimes (Sentencing) Act 2005 to allow the court to set a non-parole period for any offence committed in lawful custody. This measure is designed to prevent excessive sentences where offenders are not able to apply for parole in instances of committing offences in custody. This peculiar case was brought forward by the matter of the Supreme Court decision in *Biddle v Gatherer* in 2021.

The bill will also improve the court's ability to enforce the conformity of infringement notice offences for individuals who enter into an infringement notice management plan. Individuals who enter into a plan are responsible for conforming to its terms and are liable for prosecution should they waver. Individuals with such a plan might also have their plan cancelled in order to serve their penalty through community programs or social development, and not through paying off the instalments alone. This reform is envisaged to fix the issue of imposing the same punishment on people with an infringement notice management plan who might be better suited towards other support.

I note that the JACS committee inquired into this bill, commencing on 8 November last year, with submissions closing on 29 November, and with a reporting date set for 14 March. This report was handed down on 13 March this year, making a recommendation that the Assembly pass the bill.

I want to thank those stakeholders who responded to my own queries for comment on this bill, in particular the ACT Law Society, the ACT Bar Association and the AFP Association. I will, of course, continue to reach out to a wide range of stakeholders when I am charged with responsibility for debate on a bill. I do note, in particular, that the Law Society and the Bar Association expressed some concerns about the removal of unanimous verdicts on criminal matters, and I will have a few things to say about that.

I want to point out a few things that the Attorney-General should be very mindful of once this bill is passed, in terms of the administration of these changes, particularly juror misconduct and majority verdicts. Of course, there stands the risk that jurors may be less keen to be part of a jury if they think that certain behaviour of theirs might bring about a criminal charge, so two years maximum imprisonment for misconduct may deter some from taking up the opportunity to serve on a jury. It is certainly the hope of the Canberra Liberals that the community do not feel reluctant to participate in the criminal justice system because of this. I encourage and charge the Attorney-General with ensuring that the community members who are brought into a jury are given instructions to make sure that anything they do, however unintended, would not incur the wrath of the law.

With majority verdicts, as I mentioned, both the Bar Association and the Law Society expressed some concerns about this perhaps being a little bit of a weakening of “beyond reasonable doubt”. Again, I charge the Attorney-General with monitoring the impact of this change to ensure, as with juror misconduct offences, that there are no unintended consequences—in this case, of course, particularly, the unintended consequence of conviction of an innocent person.

I thank the Attorney-General’s department for the briefing that I received in February this year. I always appreciate the detail provided in answering my questions following such a briefing. As I said in my opening remarks, the Canberra Liberals will be supporting this bill, while noting it is imperative that the Attorney-General monitor the impact of these changes, particularly the majority verdict and the offence for juror misconduct, to ensure that there are no unintended consequences upon our criminal justice system.

**DR PATERSON** (Murrumbidgee) (11.34): I rise today to speak briefly in support of the Crimes Legislation Amendment Bill 2023. This bill provides for a number of amendments to support the efficient and effective functioning of the ACT criminal justice system. This is critical to a high-functioning justice system, ensuring that justice processes do not significantly traumatise victim-survivors.

The Bail Act will be amended to address an anomaly in time frames in relation to the period for which a bail decision is stayed when an application is made for a review of bail. This aligns the time that a bail decision is stayed, when the DPP gives the court notice of a proposed application for a review of bail, with the time allowed under the Bail Act for the DPP to make this application.

Amendments will also be made to the Crimes (Sentencing) Act to allow a non-parole period to be set for offences committed in custody and to clarify that the court may impose a fine in addition to or instead of any other sentence. The Crimes Act is also to be amended to remove the element requiring the prosecution to prove that damage to property does not exceed \$5,000 in the minor property damage offence.

Among the most significant amendments are those made to the Juries Act to introduce an offence for juror misconduct and to introduce a model for majority verdicts. The offence of juror misconduct will apply to a juror who makes an inquiry, prior to their discharge, for the purpose of obtaining information about any matter relating to the trial, including the contravention of a direction or permission given by a judge.

The bill also introduces a model of majority verdicts, which is an important change to our justice system. A majority verdict must be taken for an offence against a territory law if the judge is satisfied that a reasonable period of at least six hours has passed. The judge must also take into account the complexity and nature of the trial and, after examination on an oath of one or more jurors, that the jury is not likely to reach a unanimous verdict. This represents an important step to ensure justice can be sought, while also maintaining the very high standards required of a criminal prosecution. Amendments were also made to the Victims of Crime Act and the Crimes (Sentencing) Regulation as part of this bill.

In summary, I am very glad to be voting in support of this bill and thank Minister Rattenbury for these ongoing efforts to strengthen our justice system in the ACT.

**MR RATTENBURY** (Kurrajong—Attorney-General, Minister for Consumer Affairs, Minister for Gaming and Minister for Water, Energy and Emissions Reduction) (11.37), in reply: I am pleased to close the debate on the Crimes Legislation Amendment Bill today. I thank members for their analysis of the bill and their comments in the chamber today. As has been noted, the bill introduces nine diverse amendments to the criminal legislation to make important improvements to our justice system. Each of these amendments has been informed by consultation with criminal justice stakeholders, who have provided valuable contributions to the development of the bill.

I also thank the Standing Committee on Justice and Community Safety for its recent inquiry into the bill, and I note the committee's support for the bill. A key objective of the bill is to support the efficient and effective functioning of jury trials in the ACT. As has been noted, the bill makes two changes in this regard: firstly, it creates a new offence prohibiting jurors in criminal trials from making improper inquiries related to the trial; and, secondly, it introduces majority verdicts for criminal trials for territory offences in certain circumstances.

The new offence of improper inquiry by a juror makes it a crime for a juror in a criminal trial to obtain information about trial matters outside the court process. Making an inquiry might include conducting research by using the internet to search for information or bringing information such as news articles into the jury room. This new offence addresses a gap in our laws. While there are some existing juror misconduct offences for conduct such as non-attendance, or breaching the confidentiality of jury deliberations, the legislation does not prohibit jurors from making unauthorised inquiries on their own initiative that could undermine the jury process.

Introducing this offence will bring the ACT into line with other jurisdictions such as New South Wales, Victoria and Queensland that have already enacted improper juror inquiry offences. The maximum penalty for the offence is two years imprisonment. This penalty is proportionate to the offending behaviour and is intended to impress on the community the importance of juror obligations. If a juror relies on information they obtained outside the proper process during their deliberations, this undermines the accused's right to a fair trial. Further, if jurors rely on outside information, the judicial officer may order a mistrial. This is costly for the community and may re-traumatise the parties involved in the trial.

The other significant amendment in the bill in relation to juries is to introduce a scheme for majority verdicts. In criminal trials for territory offences, the court will be able to accept a verdict by the jury when 11 out of the 12 jurors are satisfied beyond reasonable doubt. The majority verdict scheme will not apply to prosecutions for commonwealth offences, as the Constitution requires unanimous verdicts for such prosecutions.

The introduction of majority verdicts will promote the effectiveness of the criminal justice system and limit the occurrence of hung juries. In a diverse community, people

may not always agree. Other than the commonwealth, all other Australian jurisdictions allow for majority verdicts. Hung juries often lead to retrials, which result in delays, increased costs and emotional strain for accused persons, victims and witnesses. In some cases, a retrial may not be possible or appropriate, and this can lead to dissatisfaction with the operation of the criminal justice system. This reform is intended to reduce resourcing and emotional impacts on parties. The model of majority verdicts in the bill is consistent with the right to a fair trial in the Human Rights Act 2004, as the amendment protects independence and impartiality in the trial process.

The scheme includes important safeguards, including that a majority verdict cannot be accepted until a reasonable period of time, at least six hours, has passed since the jury retired to consider the verdict. The court may decide that more time is needed, taking into account the complexity and nature of the trial. In addition, the court will not accept a majority verdict unless satisfied upon examination on oath of one or more jurors that the jury is not likely to reach a unanimous verdict after further deliberation.

The bill also amends the Bail Act 1992 to address an anomaly which imposes inconsistent time lines in relation to the review of a bail decision. Currently, the prosecution can apply to review a bail decision for a serious offence or family violence offence. While the prosecution must generally make this application within two hours of the decision, the law provides for the bail decision to be stayed for 24 hours if the prosecution has given notice that an application will be made. This means that a person's release on bail may be delayed for up to 24 hours, even when the prosecution does not ultimately apply for review of the bail decision.

The bill amends bail laws to align this time period for which a decision is stayed with a two-hour time period within which the prosecution must make an application for review of the decision. The amendment ensures fairness and promotes the right to liberty by allowing the bail order to be stayed for no longer than necessary.

The bill amends the minor property damage offence in the Crimes Act 1900. The amendment removes the requirement for the prosecution to prove beyond reasonable doubt that the damage to property does not exceed \$5,000. It is common for there to be no evidence such as receipts available to establish the value of damaged items for minor property damage, which makes this element extremely difficult or impossible to prove. This makes the minor property offence more difficult to prove than the more serious property damage offence in the Criminal Code 2022, which carries a much higher penalty but does not require proof of the value of the damaged property. As a result, accused persons may be exposed to prosecution for an offence carrying a significantly greater penalty because it is easier to prove. The amendment will rectify this anomaly by removing the requirement for the prosecution to prove the value of the property for the minor property damage offence. This will allow the prosecution to exercise appropriate discretion when choosing which property offence to pursue.

The bill makes two amendments to the Crimes (Sentencing) Act 2005. Firstly, the bill clarifies that the court may impose a fine in addition to or instead of any other sentence. The legislation is currently unclear on whether courts can issue fines in addition to any other sentence. Confirming that the courts have this power will help achieve better outcomes and is consistent with the approach taken in other jurisdictions.

Secondly, the bill will allow the courts to set a non-parole period for offences committed in custody. At present, the courts may not do this. As a result, a person convicted of an offence committed in custody must serve both the existing and further sentence. The amendment will allow the courts full discretion to set non-parole periods for offences committed in custody as they would for other offences. This amendment promotes the right to liberty and security of the person by providing detainees who offend in custody with the opportunity to apply for parole. The ACT government recognises the need to deter offending while in custody; however, there is no evidence that restricting a detainee's prospect of parole is an effective deterrent against serious custodial offending. The amendment will enable the court to determine whether a non-parole period is appropriate with regard to the individual circumstances of each offender.

Existing provisions that limit the inappropriate release of an offender on parole will continue to apply. In particular, an offender will still need to apply to the Sentence Administration Board for parole following completion of their non-parole period. The Sentence Administration Board is required to consider the offender's behaviour, including any further offending in custody, as part of this process. Importantly, the amendment will not allow an offender to be eligible to be released on parole earlier than if the further sentence for the offence committed in custody had not been imposed. By providing greater discretion and flexibility in relation to parole decisions, this amendment will allow the justice system to tailor fairer and more efficient outcomes and promote a culture of rehabilitation.

This bill also amends the Confiscation of Criminal Assets Act 2003 to require a further statutory review of the unexplained wealth scheme to occur as soon as practicable after August 2025. The unexplained wealth scheme commenced in August 2020, with the purpose of deterring serious criminal activity, including organised crime, and preventing people from profiting from their illegal activities. The first statutory review into the scheme occurred in 2021. It recommended a further review be undertaken because of the short period of time the scheme had been in place and the limited data available for the review, as well as the impacts of the COVID-19 health emergency. The bill accordingly implements this recommendation.

The bill also amends the Magistrates Court Act 1930 to improve the enforceability of infringement notice offences. The bill will complement reforms which commenced earlier this year that established a new framework for alternatives to pay penalties issued under infringement notices. This framework included options for people to enter into infringement notice management plans to pay penalties in manageable instalments. The bill will allow the territory to cancel infringement notice management plans in some circumstances. This provides more flexibility and increases the options available to a person. For example, a person's hardship may have become so excessive that it is simpler and fairer to waive the financial component of the infringement notice, or satisfy it through participation in a community work or social development program.

Among other safeguards, the bill will require the person affected to be given 28 days notice of the intent to cancel and an opportunity to present evidence about their circumstances. The bill will also make a further amendment to ensure that in circumstances where the time for a person to pay their infringement notice is extended,

the time period for the territory to prosecute the underlying offence is also extended. This preserves the usual 12-month period for the territory to bring a prosecution if an infringement notice management plan is cancelled.

Overall, this bill makes a range of useful improvements that demonstrate the government's ongoing commitment to ensuring that criminal laws in the ACT are up to date and effective. I commend the bill to the Assembly, and note members' support during the debate and thank them for it.

Question resolved in the affirmative.

Bill agreed to in principle.

Leave granted to dispense with the detail stage.

Bill agreed to.

## **Liquor (Night-Time Economy) Amendment Bill 2024**

Debate resumed from 21 March 2024, on motion by **Ms Cheyne**:

That this bill be agreed to in principle.

**MR COCKS** (Murrumbidgee) (11.49): It must be nearly a year since we last debated the night-time economy in this place, and what could possibly be the world's slowest regulatory reform process continues. Please do not get me wrong; it is great to see Labor starting to come on board with the Liberals' calls to make things easier for those businesses that operate after dark; but, as we pointed out last year, it is now more than 15 years ago that this Legislative Assembly passed a motion recognising the true importance of music and events to our culture and to our community.

The motion called for a range of actions that were focused on supporting the night-time economy, but more than 15 years later, after committee inquiries, research reports, task forces, more Assembly motions and the roundabout of announcements, re-announcements, reviews and consultation, this government still seem stuck in the quagmire of small steps and tinkering. After 15 years, they still have not fixed the big problems, and the only reason I can see is that Labor do not want to. They like the control, and it seems to me that they like lots of regulations.

Ms Lawder spelled out last year the history of the government's lack of action on the night-time economy, and I suggest the government go back and read those points again, because we are still on the same merry-go-round. Before the 2016 election, the government said they were going to fix things. Before the last election, they said they would fix things. Just a couple of years ago, they said, again, that they were going to fix things. We pointed this out last year, because it is important. The government said that a significant overhaul of regulations would help businesses like clubs, bars and music venues to operate more easily in the night-time economy.

Night-time economy businesses welcomed the government's statement as a change in the right direction. As we pointed out last year, one business owner at that time said



that “over the last 20 years most of the rules and restrictions governments of all kinds have put on the night-time economy have only got stricter and harder”. The minister told us that she was going to fix those problems.

Five years ago, the Canberra Liberals—I believe it was Mr Parton—brought a motion to the Assembly to try and drive some real, tangible action to support the night-time economy—reforms like entertainment zones and addressing a range of real and significant barriers. This motion ultimately resulted in the delivery of the ACT’s entertainment action plan, which was promising, but the lack of genuine reform since has been truly disappointing. Here we are, after 15 years, and all we are looking at are more mandates.

What we call the night-time economy is so much more than just numbers. The night-time economy is an essential part of the culture of our city. It is where many of us find our feet. For me, the night-time economy was where I first experienced enterprise, when someone I consider a personal mentor, before her passing, Sylvie Stern, gave me the opportunity to run events at Heaven nightclub. It was with Sylvie’s support, and through that experience of running events, that I learnt more clearly than from any other experience that, if you give something a go, you can succeed. Without that experience in the night-time economy, I would never have had the confidence or the belief in myself, or the belief in changing things around us, that got me involved in politics. I would never have had the confidence to put myself forward to serve our community.

After dark, I had the privilege of working and performing with amazing people from all walks of life in an environment where your background, your family, your religion and even your politics do not matter. My experience of the night-time economy is that the people making things happen are deeply passionate. They put on events for the love of the music and for the joy it brings themselves and everyone who comes out to participate. Truly, it is those people operating in the night-time economy that deserve credit—people like those in Canberra’s doof community, people like the Friction crew, who last month celebrated their 23rd birthday by bringing Nubreed back to Canberra.

These are the people doing great things in Canberra’s night-time economy, but they are succeeding in spite of this government’s regulatory agenda, not because of it. We will support this bill, because it is a step in the right direction; now let’s keep things moving.

**MS CASTLEY** (Yerrabi) (11.55): I rise today also to speak to the Liquor (Night-Time Economy) Amendment Bill 2024. Members may be aware that, outside my duties as an MLA, I am also a professional singer and work in a band. As Mr Cocks said, it is wonderful to have a thriving night-time economy here in the ACT, and I am sure some of those venues I sing in will be happy to hear that there are some reforms coming their way.

As we know, we have had a vibrant night-time economy. However, this sector is vulnerable to government intervention and, with too much regulation and red tape, there is a risk that the sector fails. We need only to look across the border to Sydney to see the damage that was done to their late-night economy when they introduced heavy-handed and over-the-top regulation to improve safety in liquor consumption. These are noble goals. While some might argue safety was improved across inner Sydney, this was only achieved by driving venues into the ground and gutting what was once Australia’s most dynamic night-time economy. So it is hardly an overall win.

It is telling that these changes were wound back after people saw the damage that was done in other jurisdictions. Melbourne, in particular, looked to Sydney and decided not to go down that path. There is a lesson that we all need to heed. There comes a point for business owners when it no longer makes commercial sense to operate and, sadly, businesses, in the face of those increased costs, overheads and regulations, will often take the only rational response left and close down. Once you kill the golden goose, it can be hard to revive it again, as Sydney, unfortunately, has found.

It is important to reflect on who relies on the night-time economy and the damage that can be done. Often it is students, young people, those starting out their economic journey in life. Those who rely on the night-time economy are seeking work hours outside nine to five. They may have other duties such as caring or studying, and they often want the opportunity to work in the evening. It is those seeking that extra gig and extra paid hours to put towards rent, a house deposit or a holiday.

There is a supply chain—from artists in the creative sector to the security guards, back-of-house staff, floor staff, local producers and distributors—all supplying the goods that make this industry tick. The night-time economy provides valuable opportunities for those who are willing to front up and have a go, and it goes without saying that the sector is full of the entrepreneurial spirit.

Turning to the bill itself, it represents a slight win for the sector, in that it finally allows some relief regarding what are strict regulatory conditions under which they operate. I think Mr Cocks covered that very well. We have been waiting for a long time to see some changes to regulation in this industry, obviously, from the Better Regulation Task Force reform that has been ongoing. I have talked about it a number of times in this chamber.

The ability for venues to have up to 10 changes to their trading hours under the liquor licence to cover business will be helpful. It reflects the reality that, in the real world, there will be occasions when businesses or organisations might want these extended hours. Think of the Indian Premier League. Many of these games start at 1 am. We might have additional bookings, weddings, 50th birthday parties and all of that stuff where venues may want to extend those hours, even if it is just for an hour or two, and the ability to change your licence is a good reform.

I encourage the government, though, to be flexible and genuine when it comes to implementing this change. Often, as we know, the devil is in the details, and in the business sector, especially with late-night entertainment, things can occur and change quickly. It is concerning that while this reform is helpful—it is great—it relies on the government being effective and being very open to communication and change.

As I said, the Indian Premier League is a good example. If a venue chooses to show these games, that could go from March to May, with most of them starting at 1 am. I am hoping that, in implementing this reform, the directorate might allow that venue to use one of its 10, not all 10. This detail needs to be sorted out. Often bands will come to town or be booked in. If someone is crook, they have to cancel, and that may mean this venue might lose one of its 10 opportunities. I certainly hope that is not the way it goes. With selling tickets et cetera, if it is not viable, the business needs that flexibility.

This legislation will also allow for social events. We all know the Matildas. We have talked about it. I do not need to cover that again, but I do want to reiterate it. We heard it through COVID. We were told that business must pivot, business must be flexible—and they are, and they are great at that—so I am asking the government to be as flexible for these businesses, because this is something new, and I would hate to see a huge burden when it comes to applying for these 10 extra events. I am hoping; as I say, the devil is in the details, and the government must get it right.

This legislation will enable some good reforms, finally, to support the sector that is still recovering from COVID. As Mr Cocks said, it is a good bill and we are looking forward to seeing some change for our night-time economy.

**MS CLAY** (Ginninderra) (12.00): The Greens are happy to support this bill. I had a briefing from the directorate on this bill, and it was a great opportunity to ask some of the questions I had about how it might work in operation. I have had quite a few conversations with bar owners and constituents on this one. It has come through quietly, but I think quite a lot of people have been watching out for this. It does look like a really useful set of reforms that will help our night-time economy, our live music and entertainment and our local art scene. I am looking forward to seeing this in operation and watching to see if there are any further improvements that we can make.

**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) (12.01), in reply: I thank the Assembly for their support of this critical bill.

There was a rollercoaster of contributions from the Canberra Liberals. Mr Cocks called it a bandaid, but had no ideas of his own, and Ms Castley said it was a slight change, then that it was great and that it was a good bill. But the fact is that the bill is being supported—and that is not just great news in this place; it will have a real, meaningful impact.

The effect of a successful and sustainable night-time economy in Canberra cannot be underestimated. In 2022, Canberra's night-time economy was reported as employing over 30,000 people and generating a turnover of \$3.8 billion. These figures will only increase in the coming years. Just a one per cent increase in the growth rate of the night-time economy will translate into hundreds of millions of dollars over the coming decade.

We were all pleased to hear that the territory's tourism sector is also thriving, with figures recently released by Tourism Research Australia showing 5.8 million people visited the ACT last year, spending \$3.8 billion in the territory—the highest visitor expenditure in a 12-month period in the past 25 years. Since the devastating pandemic, which took such a toll on our communities and businesses, not least restricting us being able to move around and visit other places, total visitor numbers have now recovered. They are at 95 per cent of pre-COVID levels. Expenditure has surpassed pre-COVID levels by 135 per cent.

The night-time economy not only contributes significantly to our economic growth but it creates meaningful and measurable wellbeing benefits for Canberrans. It employs

thousands of Canberrans across core and non-core businesses and services, including food and drink establishments, in arts and entertainment, emergency services, the gig economy and in gyms, to name a few. A stronger, safer and more diverse night-time economy provides benefits not just to these workers but to their families. A safe and diverse night-time economy is essential. The abuse of alcohol and intoxication can lead to an increase in aggressive behaviour as well as an increase in risk-taking, but the reforms in this bill promote a diversity of lower risk, late-night offerings such as live music and art, watching and supporting a special event, or enjoying a late-night meal or celebration with friends and family.

This bill is the cumulative effort of engagement across government agencies, with businesses, those in the live music industry and arts industry, and the community. It has been designed to boost Canberra's night-time economy in a safe and responsible way, with community safety and harm minimisation principles of the Liquor Act continuing to underpin the reforms.

The reforms in this bill will make a tangible difference to businesses, supporting licensed premises which have faced a difficult financial climate following the pandemic. It will do this by providing a flexible, lower cost regulatory framework to diversify and build on their night-time offerings. There is a new provision which will provide the minister with the power via a disallowable instrument to determine that other business types are exempt from the legislative framework of the Liquor Act. This provides flexibility for businesses wishing to provide a boutique service to their clients where the supply of complimentary alcohol is ancillary to the purpose of the business. Following passage of this legislation and the relevant declaration being made, nail salons, beauty salons, raffles and lotteries for charitable fundraising will be able to take advantage of this amendment to the licensing framework and diversify their business offerings.

New and inventive business models will shortly have the opportunity to proliferate and thrive in Canberra once this reform comes into effect. As a passionate fan of Canberra's live music scene, as well as the minister with responsibility for it, I have listened to musicians and artists who have longed for a commitment to the development of these industries to be enshrined in legislation. This, to some people, seems like just words, but the objects of an act are fundamental, and the bill makes two amendments to the Liquor Act that achieve this. There is a commitment to the responsible development of the ACT's night-time economy in the objects of the act and, in addition, any decision made under the act must consider the responsible development of the ACT's night-time economy and the associated benefits that industries bring to the community and to the economy.

This reform aligns us with other Australian jurisdictions who have enshrined support for the night-time economy, like music and tourism, in their liquor licensing frameworks. It is critical to note that this reform in no way reduces the importance of the harm minimisation and community safety principles already provided for in the Liquor Act. Safety will always remain a priority.

We have listened to businesses who are starting up, and this bill also introduces provisions to allow the Commissioner for Fair Trading to issue an interim licence where a licence application is delayed while the suitability of the premises is determined. The

commissioner will still need to be satisfied, from a risk and safety perspective, that the premises can provide alcohol, but it exemplifies our government's commitment to regulation that is agile, risk-based and responsive to the needs of businesses and the community.

Ms Castley will vividly recall a memorable text exchange we had at the start of last year about a venue that had its opening day widely publicised. There had been some challenges in getting all of the paperwork together for that, and Access Canberra worked extremely quickly once they realised that time was suddenly of the essence. I think it was a Friday evening, and they worked past 5 pm to get it done. It is reforms like this that respond in a flexible way to those sorts of circumstances.

As I stated last month, a reform I am particularly excited about, which I really struggle to understand is a bandaid, is a new provision to provide for a huge reduction—a reduction of 80 per cent—in annual licence fees for venues with an occupancy of 150 people or less that showcases artists, musicians and other cultural activities. These events could be live music, art exhibitions, poetry slams, book readings or cultural showcases.

Once evidence of this support is provided to Access Canberra, the commissioner will make a determination and the 80 per cent reduction will be applied to the following year's annual fee. As at today's fee determination, a Canberra restaurant licensed to stay open until 1 am with capacity loading of 150 patrons would currently pay an annual fee of \$2,855. Under this reform to support the arts, and to support our businesses, that same restaurant that perhaps showcases a range of talented Canberra singers over the summer, or hires a band for special events every month, would see that annual fee reduced to \$571.

It is an exciting win-win reform. Artists get to showcase their talents and businesses get to diversify, with a huge financial benefit, not least from the reductions in fees, but also in attracting new clientele who may have an established relationship with an artist, who will come to the venue perhaps for the first time, and then become regulars. There is no scheme as generous as this in Australia, and we are proud to back our industry, our artists and our city in this way.

The final reforms in the bill are in relation to events, which we have heard about quite extensively. Eligible licensees of general, on licence, club or special licences will have access to 10 authorisations a year to temporarily increase trading hours. This reform will allow venues to program and host events at no cost and without having to move to a higher annual fee category. It is an easier avenue to open later for weddings and other events that stimulate business activity. They will have to apply for these authorisations via a SmartForm on the Access Canberra website. Essentially, we need to know what is going to be occurring, but we will be looking to make that as smooth as possible.

There is also a provision that automatically extends trading hours for holders of general licences, all on licences, including bars, cafes and restaurants, special licences, and club licences, where the head of Access Canberra declares a special event via a notifiable instrument, such as the Multicultural Festival. My intention is that, for events that are held regularly, we make it very clear that they will have support with those extended trading hours year on year, as well as being flexible with the support we will be

providing when events come up from time to time, such as a semi-final of a football game. To support these events, those same businesses will be able to take advantage of 10 free authorisations to change the floorplan of their venue for a licensee event or a special event; and, again, that is at no cost.

Finally, with respect to these reforms and the reforms that we have already enacted on 1 January—I think that has been lost in this debate; there were already reforms that our night-time economy is benefiting from, that we signed off on and were in effect on 1 January—these have all been developed following an extensive review involving jurisdictional analysis, an analysis of international night-time economy reforms, stakeholder panels, a review of current legislation and processes, and a night-time economy survey that received nearly 2,000 responses.

I appreciate Mr Cocks's point that there is fatigue in the community about being consulted for a long period of time, but we have taken this very seriously, especially with the very changed circumstances that we are dealing with, whether it is last-minute ticket buying or the very long tail that we are still seeing with COVID, and especially my major concern at the moment—the festival scene.

These reforms are about enshrining the responsible development of the ACT's night-time economy and related industries in legislation. Exempting low-risk businesses from the legislative framework will commence immediately upon notification. As we have discussed, there are other reforms which require additional operational elements, such as SmartForms or IT support. Consistent with Ms Castley's comment about the devil being in the details, or the implementation, that is why we need a little bit more time to commence those, to make sure it is smooth and that there is not a burden on providing information, so that these benefits can be realised. That is why these reforms are expected to commence in July this year. Essentially, what we can do immediately, we will do; things that just need a little bit more time, we will get on with and look to have that in place as soon as possible. That is the effect of the amendment that I will move during the detail stage.

Finally, the ACT's peak hospitality body, AHA ACT, through their new general manager, Chris Gatfield, last month said, "These reforms are a win for everybody." They are, Madam Speaker. They reflect what we have heard and what will make a difference, and that is what we will do. I look forward to seeing their impact and I commend the bill to the Assembly.

Question resolved in the affirmative.

Bill agreed to in principle.

### **Detail stage**

Bill, by leave, taken as a whole.

**MS 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) (12.14): I move amendment No 1 circulated in my name [*see schedule 1 at page 794*].

I table a supplementary explanatory statement to the amendment.

Amendment agreed to.

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

Bill agreed to.

## **Cemeteries and Crematoria Amendment Bill 2024**

Debate resumed from 20 March 2024, on motion by **Ms Cheyne**:

That this bill be agreed to in principle.

**MS LAWDER** (Brindabella) (12.15): I rise to speak very briefly on the Cemeteries and Crematoria Amendment Bill 2024. It seems that the major purpose of the bill is to amend the Cemeteries and Crematoria Act 2020 to clarify that the territory and not the ACT Cemeteries and Crematoria Authority is ultimately responsible for the long-term maintenance of cemeteries and crematoria facilities in perpetuity after they have stopped operating. There are other amendments. Some of those are technical drafting changes, to be clearer and ensure consistency. In summary, the Canberra Liberals will be supporting this amendment bill today.

**MR BRADDOCK** (Yerrabi) (12.16): The Greens will be supporting the Cemeteries and Crematoria Amendment Bill 2024. The bill clarifies an ambiguity regarding the responsibility for the long-term maintenance of cemetery and crematoria facilities after they have closed. This follows the ACT Audit Office issuing a modified auditor's report with an adverse opinion on the ACT Cemeteries and Crematoria Authority's 2022-23 financial statements as it did not record assets of \$12.4 million and liabilities of \$45.2 million relating to the perpetual care trust as at 30 June 2023.

The bill introduces a new section into the act that provides that the territory is responsible for maintaining closed facilities. The bill also provides that the authority may be authorised by the minister to maintain closed facilities on the territory's behalf. However, the territory will remain responsible for the financial liability, even while another entity is authorised to maintain the facility.

The act also requires that perpetual care trust funds may only be used for the long-term maintenance of facilities. The bill clarifies this further by stating that the perpetual care trust funds may only be used for maintenance of closed facilities. This is important given the solemn duty of the territory to care in perpetuity for the locations where Canberrans are laid to rest. We have seen in other jurisdictions cemeteries and graveyards fall into disrepair due to poor financial management, something which I am sure no-one in this chamber would want to see happen here in Canberra.

**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) (12.17), in reply: I table a revised explanatory statement to the bill. This is just to correct a typo, or an omission perhaps, by inserting the word “not”, to make clear that the changes do not affect the current

application of section 54 of the act, rather than reading that they do affect it. I sincerely want to thank Ms Lawder for bringing this to my attention this morning. I know she has had a long professional career as a proofreader, and those skills continue to be very highly valued, including by me.

Madam Speaker, as you have heard, this is a technical bill which amends the Cemeteries and Crematoria Act 2020 to reflect its intent more clearly and to set out a simple framework for the Cemeteries and Crematoria Authority to close a facility. It clarifies that the territory is responsible for the ongoing maintenance of cemeteries and crematoria facilities in perpetuity after they have ceased operating. While this does not change existing policy or operations, the purpose of the bill is to clarify the act's original intent, to explicitly set out that the responsibility and financial liability for maintaining these facilities sit solely with the territory.

When a burial or interment takes place at a facility, the right to that place lasts forever, and we are responsible for ensuring facilities are maintained in perpetuity after a facility is no longer operating. Canberrans and their families for generations to come can expect these facilities, which hold the memorials of their loved ones, to be maintained to an acceptable standard, now and forever.

We established the perpetual care trust in law in 2003 to ensure that a percentage of profits is contributed to the future maintenance of cemeteries and crematoria facilities. In 2020 the trusts were retained, but a provision was included in the bill at that time, which clarified that the funds in these trusts would only be used for long-term maintenance. Long-term maintenance, though, was not explicitly defined, but internal policy ensured that this would be at a point when the facility is closed.

To date, no facilities have been closed in the ACT, but I think it is obvious that the time will be here sooner than later. Accounting advice has suggested that the act is not sufficiently clear which entity is responsible for reporting against the financial liability of maintaining cemeteries and crematoria forever. The amendments brought forward in this bill respond to this advice, establishing a clearer process for the closure of authority-operated facilities and explicitly setting out that the territory is responsible for the closed facilities rather than the authority.

The financially sustainable model established by the act ensures future generations continue to have access to these facilities in perpetuity and that the grounds and structures are maintained in a respectful way. The maintenance of these facilities in perpetuity is a financial liability, and it is entirely appropriate that this is a liability that the territory holds rather than the authority, and this bill reinforces that. I commend it to the Assembly.

Question resolved in the affirmative.

Bill agreed to in principle.

Leave granted to dispense with the detail stage.

Bill agreed to.



**Sitting suspended from 12.21 to 2 pm.**

## **Ministerial arrangements**

**MS BERRY** (Ginninderra—Deputy Chief Minister, Minister for Early Childhood Development, Minister for Education and Youth Affairs, Minister for Housing and Suburban Development, Minister for the Prevention of Domestic and Family Violence, Minister for Sport and Recreation and Minister for Women) (2.01): Minister Steel is away for personal reasons this week, as explained yesterday by the Chief Minister, so there are ministers here who will take questions on his portfolios. The Chief Minister is also absent from the Assembly today and tomorrow for ministerial council responsibilities. I will endeavour to respond to questions in the Chief Minister and Treasury portfolios, noting that that might make this a very quick question time! Minister Cheyne will take questions in the tourism, trade, investment and economic development portfolios, and Minister Rattenbury will take climate action questions.

## **Questions without notice**

### **Schools—safety**

**MS LEE:** My question is to the minister for education; she will be dismayed that it is not about the UPF! Minister, the latest results from the Australian Principals Occupational Health and Wellbeing Survey show that, yet again, the ACT has the highest rates of violence and threats of violence against school leaders in Australia, with 72.1 per cent of ACT principals reporting threats of violence. Worryingly, over 65 per cent of ACT principals were involved in actual violence. During a debate on this very issue in the Assembly last year, you said: “We all need to take continued action and not do another inquiry into this issue.” Minister, the government contracts register shows that your directorate did in fact commission yet another review earlier this year titled Prevention and Management of Occupational Violence in ACT Public Schools. Minister, why is the ACT continually experiencing the highest rates in Australia of violence and threats against school leaders?

**MS BERRY:** I thank the Leader of the Opposition for her question. This is a very serious issue, and I am concerned to hear about the reports of violence in ACT public schools. ACT school principals have reported significantly more rates of violence than any other school principals across the country, which is why we have set up the Safe at School Task Force. We have a whole-of-government approach to addressing occupational violence through the occupational violence campaign with specific school materials. We are also implementing positive behaviours for learning across all of our schools, which is a culture change initiative that has shown real changes in behaviour across schools, not just here in the ACT but nationally and internationally.

We have been meeting with the Principals Association here in the ACT to understand where the concerns are coming from. School principals in the ACT have been concerned about the rates of violence against them, sometimes from people in the community. They understand that sometimes people who come to their schools have complex lives. Because they are leaders in their schools, they do want to support people in the community. However, they have a right, like everybody else, to go to school and have a safe work environment.

Working through these issues is a priority for the ACT government through our task force work with the Education Union. But it is not always something that is solved quickly, and it requires some significant culture change work within our schools and within our community.

**MS LEE:** Minister, will you now finally admit that you have failed to protect our hardworking principals in ACT government schools?

**MS BERRY:** What I will admit to is working closely with school principals to understand the concerns and to ensure we have continued high reporting rates in the ACT, so that strategies can be set, and to work within our schools and support principals to ensure that they can go to school and have a safe and healthy work environment.

**MS LAWDER:** Minister, will you confirm that the Prevention and Management of Occupational Violence in ACT Public Schools review, as listed on the contracts register, has been completed, and commit to releasing it publicly?

**MS BERRY:** That review work is ongoing, so I probably could not release it publicly at the moment. However, as I said, I am continuing to work with the Principals Association to understand the reasons for increased violence in our schools and to ensure that the wellbeing of our school principals is a priority. In fact, over the last couple of years, our Principals Association have asked me to take the wellbeing of school leaders as a particular issue to the federal education ministers meetings. I am pleased to say that that has now been taken up as a priority by education ministers, and particularly the federal education minister. In an article in *The Educator* this week, the Australian school principals association chair talked about how the federal government should work with state and territory governments and school principals to address this issue.

### **Schools—safety**

**MS LEE:** My question is to the Minister for Education and Youth Affairs. Minister, your own directorate's annual report states that, based on reported incidents, the most significant risk to the health and safety of workers in ACT public schools continues to be occupational violence in the form of verbal or physical aggression by students or parents and that in the 2022-23 reporting period there were a whopping 7,448 work incident reports submitted in relation to occupational violence, an increase of nearly 2,000 from the previous reporting period.

I again refer to the debate in the Assembly last year on this very issue, when you said:

... the ACT government has been working on these issues for some time and will continue to meet the needs of our school principals and school staff.

You also welcomed the 10-point action plan by the Australian Education Union. Minister, isn't it obvious from the increase in reported incidents, by 2,000, that you have failed to meet the needs of school principals and school staff?

**MS BERRY:** No. It means that I have recognised that the issue is complex and not something that can be resolved overnight. That is why I am working with the Australian

Education Union to ensure that there are processes in place, particularly with the Safe@School Taskforce, to identify what the issues are and how the ACT government and I, and the Education Directorate, can work with the Education Union and their members and school principals to ensure that our schools are safe workplaces for everybody.

Everybody recognises that this can be a really complex issue. It is not something that can be resolved quickly or easily. What I have been appreciative of is that our ACT public schools have high rates of reporting, which I encourage. I reinforce at every opportunity that reporting the issues is the important part so that the ACT government and the Education Union and all our stakeholders can work together to resolve what are sometimes really complex issues.

**MS LEE:** Minister, what is the status of the government's response to the AEU's 10-point action plan, and will you release your response to their plan publicly?

**MS BERRY:** The ACT government is working through that plan, so releasing it now would not be appropriate.

**MS LAWDER:** Minister, will you apologise to our hardworking teachers, principals and staff for not addressing the issue of school violence?

**MS BERRY:** What I will do is reassure public school teachers, principals and others that I will back them every day, in every way. When it comes to being safe at school, it will be the ACT government that will back them.

### **Schools—parent portal**

**MS LEE:** My question is to the Minister for Education and Youth Affairs. Minister, in 2016 the former education minister Mr Rattenbury announced \$10 million for a new digital system which would have the capacity for parents to digitally complete consent forms, make payments and update student details. The former minister said work on this system would commence in 2017 and that it would be implemented across three years. On 28 February this year, 2024, you announced that the government will be rolling out a new parent portal across all ACT government schools this year. Your media release stated that the new system will make is safer and easier for families to engage with their school and will have the capacity to update details, make payments, receive messages and complete consent forms. Minister, is this the same parent portal that was announced by your predecessor, Mr Rattenbury, when he was education minister back in 2016?

**MS BERRY:** I do not believe it is, because a lot has changed since 2016 and technology has evolved. The system that is in place now, which I have had the chance to join myself as a parent of a student in a public school, does work really well and is a seamless way for parents and teachers to be able to engage through the parent portal. The feedback that I have had so far from parents and the parents and citizens council is very positive, that the portal has been welcomed. It is still being rolled out and we want to make sure that the rollout is as smooth as possible. But, to ensure that my answer is as fulsome as possible, I will take on notice and double-check what the system was that was being developed in 2016 to see if this is an evolution of that or a completely different system.

**MS LEE:** Minister, what is the total cost of this new parent portal, and is that in addition to the \$10 million that was announced by Mr Rattenbury back in 2016 for that system?

**MS BERRY:** I will take that question on notice.

**MS CASTLEY:** Minister, are you able to give a personal assurance to parents that their child's personal information will not be at risk due to a data breach?

**MS BERRY:** Yes.

### **Education—early childhood**

**MR PETTERSSON:** My question is to the Minister for Education and Early Childhood Development. Minister, can you update the Assembly on the delivery of free three-year-old preschool?

**MS BERRY:** I am pleased to provide an update to the ACT Assembly on the delivery of free three-year-old preschool. On 1 January 2024, the ACT government commenced delivery of free three-year-old preschool. Eighty-two providers representing 143 services across Canberra have signed on for the rollout of free three-year-old preschool. In the first quarter of 2024, over 2,700 children have enrolled in the program.

This is the ACT government's biggest ever investment in the early childhood sector, something I am immensely proud of, because we know that children who participate in early learning programs are more likely to stay longer in school and continue into further education. Preschool sets up children well for success at school and into the future. This investment will increase preschool programs across the ACT delivered by degree-qualified early childhood teachers, and it will generate an average saving of \$1,329 for eligible families, something I know is making a difference to the cost-of-living impacts for Canberra families.

**MR PETTERSSON:** Minister, what is the ACT government doing to increase the number of early childhood teachers and educators in the ACT?

**MS BERRY:** I thank Mr Pettersson for his supplementary question. Last year I released the ACT government's first ever workforce strategy for the early childhood education and care profession. Early childhood educators are at the heart of what makes early learning great. We know that to deliver free three-year-old preschool we need to support educators to do what they do best: build brains.

The ACT government has hit the ground running in delivering some key actions in the strategy. Starting on 1 April this year, early childhood teachers can now be professionally registered with the Teacher Quality Institute, opening up doors to new professional networks, communities of practice and professional learning opportunities.

Earlier this year, I also launched the Early Learning Connection program, which will support up to 260 women to study early childhood qualifications. Participants will receive study financial assistance, help with facilitating employment opportunities in early childhood centres while studying and their own educator-coach to help them balance work, study and life commitments as well as their own wellbeing.

The ACT government is also working on scholarships specifically for Aboriginal and Torres Strait Islander peoples to ensure we can build a pipeline of educators who can create culturally safe environments for Aboriginal and Torres Strait Islander children.

**MS ORR:** Minister, can you update the Assembly on the ACT's other publicly funded early learning programs, including the targeted three-year-old initiative and Koori preschool?

**MS BERRY:** I thank Ms Orr for her interest in this matter as well. The ACT government's targeted initiative to provide free early learning to children and young people experiencing disadvantage or vulnerability commenced in 2020. It continues alongside the universal, free three-year-old program. The targeted initiative ensures that those children who need it most can access more hours of free early learning—to ensure that no child is left behind before they leave school.

Early in 2024, this initiative reached the milestone of having supported 1,000 children and young people across the life of the program. From the start of 2024, the ACT government has also expanded the number of sessions available at three of our five Koori preschools. Koori preschools support Aboriginal and Torres Strait Islander children at any time between the ages of three and five. This expansion is part of delivering on our commitment under the Set up for Success strategy to provide up to an additional 100 places for Aboriginal and Torres Strait Islander three-year-olds at Koori preschool.

### **Canberra Institute of Technology—chief executive officer**

**MS LEE:** My question is to the Acting Minister for Skills. Minister, I refer to recent media reporting that said the release of the ACT Integrity Commission's report into the CIT contracts issue has been delayed again until at least April 2024. I note that the CEO of CIT, who was stood down pending the outcome of this investigation, has remained on paid leave of over \$370,000 per year since June 2022—close to two years. Minister, if adverse findings are made against the CEO in the Integrity Commissioner's report into the CIT matter, will you require the CEO to pay back the amount of money she has been paid since being stood down over these allegations?

**MS BERRY:** As Ms Lee has noted, the report is still being developed and handed down, so I will have to take that question on notice.

**MS LEE:** Minister, is the wastage of over \$740,000 of taxpayers' money fair to Canberrans, especially those who are doing it tough during this cost-of-living crisis?

**MS BERRY:** Once the report comes down, the government will respond.

**MR MILLIGAN:** Minister, why has your government allowed such a waste of taxpayers' money on the payment of two CEOs for the CIT campus?

**MS BERRY:** As the opposition knows full well, there is a review by the Integrity Commission. It would be inappropriate to respond until the report comes down.

### **Strathnairn—schools**

**MR CAIN:** My question is to the Minister for Education. Minister, I refer to my question to you on 20 March this year about the broken promise to build a new primary school in Strathnairn. In your response you said:

I would point them specifically to the Parliamentary and Governing Agreement, which identifies all the election commitments that were made by the ACT government.

Interestingly enough, it appears that the Strathnairn school is not included in the PAGA. I also refer to an interview on ABC Radio on 5 April where you said: “We don’t make promises we can’t deliver on.” I have to say this once again: “We don’t make promises we can’t deliver on.” If that’s the case, Minister, why did you promise Ginninderry residents that Labor would build a new primary school in Strathnairn by 2022 when you could not deliver it? Minister, is this an example of, in your own words, “You don’t make promises you can’t deliver on”?

**MS BERRY:** The opposition may know that the Strathnairn school is funded and it will be delivered.

**MR CAIN:** Minister, why was the commencement of construction of the Strathnairn Primary School by the first half of this term not included in the PAGA?

**MS BERRY:** Those were negotiations that the ACT government had with the ACT Greens, our coalition partners, and there were a number of things that were not included in the PAGA. In the PAGA were things that the ACT Greens and the ACT Labor Party agreed to in delivering on our commitments.

**Mr Cain:** Why did you say that the PAGA is where you go to find the promise? You misled the community.

**MADAM SPEAKER:** Mr Cain, you get to ask the question. Just leave it at that and be very mindful of the language you use.

**MS CASTLEY:** Minister, did you deliberately omit the delivery of a school in Strathnairn from the PAGA as you knew it would be a broken promise?

**MS BERRY:** No. This is business-as-usual work for a government to be building new schools. It was not required to be part of the—

*Opposition members interjecting—*

**MADAM SPEAKER:** Members!

### **Planning—Hawker shops**

**MS CLAY:** My question is to the Minister for Planning. I understand that Woolworths have submitted a direct sale application for the car park adjacent to the Hawker

Woolworths. Is the government considering a two-stage tender process to ensure the best community outcomes from the sale of this site, or is the government only considering a direct sale?

**MS STEPHEN-SMITH:** I thank Ms Clay for the question. I can confirm that Woolworths Group Ltd have applied for the direct sale of block 26 section 33 Hawker, the TCCS road reserve next to block 26 Hawker Place, block 24 section 33 Hawker, and part of block 33 section 33 Hawker. The direct sale application is currently being considered by EPSDD. Woolworths has proposed two storeys with basement car parking, which is allowed under the current zoning under the Territory Plan.

I understand that Woolworths has been undertaking its own consultation with the community prior to submitting its application. Woolworths' request will be assessed in accordance with section 266(2) of the Planning Act 2023. The government will also need to consider if it is open to the sale of the land as part of this process. As part of the initial phase of the direct sales process, a development application will be required, and the development application process, as Ms Clay would be very well aware, involves public notification and consultation, as well as referral to relevant agencies for technical advice.

If the proposal progresses to the development application stage, I encourage any interested members of the community to have their say on the proposal. This direct sale process is a pretty standard process which Ms Clay should be aware of, given that it is outlined in section 266(2) of the Planning Act 2023, and she was a member of the committee that has considered this act.

**MS CLAY:** As part of any land sale, is the government considering including requirements for housing, a playground, good footpaths, a post office or subsidised community facilities for Hawker?

**MS STEPHEN-SMITH:** Given my answer to the first question, I think it is far too early to make any comment in relation to any of those matters.

**MR BRADDOCK:** Minister, why would the government consider a direct sale over other options?

**MS STEPHEN-SMITH:** The direct sale process is part of the broader planning system. I have outlined in my response to the first question how that process commences. There are a number of stages in that process. As I said in response to the first question, the very first stage of that would require Woolworths to submit a development application, which would require public notification and consultation. Woolworths is already undertaking its own prior consultation, and I would encourage anyone who is interested in the matter to engage in that process as part of the broader, well-understood planning processes.

### **Minister for Business—consultation**

**MS CASTLEY:** Madam Speaker, my question is to the Minister for Business. Minister, I note that priority number one in your ACT Small Business Strategy is to improve the experience of business when dealing with government. Minister, in a radio interview

on 29 March the CEO of the Canberra Business Chamber said in response to a question about access at a ministerial level:

Minister Gentleman is settling into his role, I think, as Minister for Business. I'm yet to sit down with him.

Minister, given that you have been the Minister for Business since December last year, why wasn't one of your first actions as minister to sit down with the peak body for ACT businesses, the Canberra Business Chamber?

**MR GENTLEMAN:** I thank Ms Castley for the question. With this portfolio I have sat down with a number of entrepreneurs from across the ACT, and I look forward to meeting with the Business Chamber. It is a matter of process. I have recently had time off and we have had to move some of those appointments, but I look forward to catching up with them.

**MS CASTLEY:** Minister, how can you meet priority number one in your Small Business Strategy when you will not make meeting with their peak representative body a priority?

**MR GENTLEMAN:** I will be meeting with them.

**MR COCKS:** Minister, is this poor level of engagement all that Canberra businesses can expect from you, as business minister?

**MR GENTLEMAN:** I reject the premise of the question. We continue to meet with business owners across the ACT and representatives of those businesses as well, including Canberra Women in Business.

### **Transport Canberra—bus fleet**

**MR PARTON:** My question is to the Acting Minister for Transport. Minister, how many buses are driving the streets of our city stating: "This bus is one of 106 zero-emissions electric buses"?

**MS CHEYNE:** I believe that we have 12 buses that are driving and another four on the way. I would have to take on notice whether they are wrapped in that or not. If I have those figures wrong, I will correct them.

**MR PARTON:** Minister, why are you misleading the Canberra public by falsely claiming that you have 106 electric buses on the road when, in fact, you only have 12?

**MS CHEYNE:** As someone who actually takes buses, I would note that it does not say they are one the road; it says, "I am one of 106 electric buses." We are committed to 106 electric buses, and I would—

**Ms Lee:** Where are they?

**MS CHEYNE:** Ms Lee, perhaps you could read or listen. Back on the very first sitting day—



*Opposition members interjecting—*

**MADAM SPEAKER:** Members! Just ignore the interjections and continue the answer.

**MS CHEYNE:** On 6 February, Minister Steel, as I alluded to yesterday, gave a very detailed statement to the Assembly on the status of this. He expressed his frustration with the contract and the delivery time frames and how those time frames have continued to move. That is why. Why the Liberals are pleading ignorance to this continues to baffle the community.

**MR COCKS:** Minister, how can anyone in this city believe anything that this government says about transport when you continue to be so creative with the facts and use semantics to pretend away your failures?

**MS CHEYNE:** We are a government of delivery. Everyone knows that there are supply chain challenges. This was literally part of the—

*Opposition members interjecting—*

**MADAM SPEAKER:** Members! The question has been asked. Allow the answer.

**MS CHEYNE:** This was literally part of the motion that Ms Lee brought forward yesterday, that businesses everywhere have been affected by supply chain challenges. Minister Steel has been constantly up-front with the community and with this chamber in detailing where things are up to. The 106 buses are still a commitment. That has not changed. Yes, the delivery was changed. That is frustrating. We are all frustrated, but it does not mean that we are not going to do it, because we do what we say we will do and we certainly do not come up with a whole lot of creative ideas, like double-decker buses, that will not even be able to—

**Ms Orr:** Built in Canberra.

**MS CHEYNE:** Built in Canberra, I might add—that will not even be able to get across a bridge.

### **Planning—urban boundary**

**MS ORR:** My question is for the Minister for the Environment, Parks and Land Management. Minister, it has recently been suggested that Canberra should implement a strict urban growth boundary based on the current residential footprint. Evidence suggests, however, that an artificially restrictive urban growth boundary, requiring all new housing to come from infill and densification, will drive up housing prices. Given you have stated that we are in a housing crisis, what will you do to ensure we protect our environment and improve housing affordability?

**MS VASSAROTTI:** I thank Ms Orr for the question. I think the suggestion that you refer to is taken from the state of the environment report from the Commissioner for Sustainability and the Environment that was tabled in this chamber a little while ago. Government is having a look at that report and carefully considering its recommendations. One of the recommendations in that report is that we consider an

urban boundary. I think it is really important that we do really look at the key issues, particularly around the impact on the environment as well as affordable housing. I have said many times in this chamber that we need to be really careful in ensuring that we do not trade-off one crisis to deal with another one. We know that we are facing a series of crises: the climate crisis and the biodiversity crisis, but also the inequality crisis and the housing crisis.

I will reflect that developing housing on the outer perimeter of our city, particularly in greenfield areas, is not a quick fix to this housing crisis. I will reflect on previous comments made by the previous planning minister, Minister Gentleman, that recognise that it usually takes between seven and 10 years from identifying land potentially suitable for development to homes being built, and that we really need to look at things, including the environmental studies.

I also reflect on the 2022 Productivity Commission report into the National Housing and Homelessness Agreement that did note that to support meeting housing targets, state and territory governments should really look at zoning regulations that restrict greater density, especially in established suburbs and locations.

**MS ORR:** Given the ACT has already made significant commitments to environmental preservation and conservation, with 46 per cent of the ACT's land mass in Namadgi National Park and an additional 11,000 hectares in the Canberra Nature Park, can you advise whether the proposed urban growth boundary is a strict boundary based entirely within the existing residential footprint, or does it include identified but not as yet confirmed development areas such as CSIRO Ginninderra and the western edge?

**Mr Braddock:** Is this a preamble to a supplementary?

**MADAM SPEAKER:** Can you go to the first part of your question?

**MS ORR:** Would you like me just to rephrase the question?

**MADAM SPEAKER:** No; we will go to the first part.

**MS ORR:** Given we have already made significant commitments to the environment—

*Members interjecting—*

**MS VASSAROTTI:** I am happy to answer—

**Mr Rattenbury:** Madam Speaker, I seek your clarification as well. Minister Vassarotti has indicated in her first answer that the commissioner's report is subject to cabinet considerations. I wonder whether the question is now seeking an announcement of government policy.

**MADAM SPEAKER:** I do not believe it is.

**MS ORR:** I am happy to rephrase the question if that suits the chamber.

**MADAM SPEAKER:** No; it is out of order. A supplementary question, Dr Paterson?

*Ms Lee interjecting—*

**MADAM SPEAKER:** Members!

**DR PATERSON:** Minister, the community would appreciate a clear explanation on why an urban growth boundary based on the exact current residential boundary is—

*Members interjecting—*

**MADAM SPEAKER:** Members!

**DR PATERSON:** Minister, how are you going to protect our environment, and will it be not at the expense of housing supply, choice and affordability?

**MS VASSAROTTI:** As I have said before, we have got our recommendation from the commissioner. Government is considering that. There is a range of issues that we will take into account. The issues that are in my purview, in terms of the environment will be absolutely considered in that. I will be certainly drawing on the advice from places like the Productivity Commission and also the international panel on climate change, which has really looked at what we need to do around looking at work within our urban boundary.

I would also note, in terms of our current plans, we are still looking at doing development in greenfields areas for decades to come, up to the 2050s, but it is a consideration for government as a whole to think about.

### **Attorney-General—conduct**

**MR CAIN:** My question is to the Attorney-General. Attorney, it has been reported that you exerted political pressure on the acting Director of Public Prosecutions on 30 January 2024 regarding the termination of several sexual assault prosecutions in the ACT. The Director of Public Prosecutions Act requires you to present a notifiable instrument to the Assembly if you are to give the DPP a direction or guideline in relation to particular offences. Attorney, did you direct the acting director to stop discontinuing sexual assault prosecutions?

**MR RATTENBURY:** I am happy to assure the chamber I absolutely did not. I found that report in the article in *Australian* newspaper a surprising account of that meeting. I have been very open about the fact that I did seek to meet with the Director of Public Prosecutions. I meet with the director on a range of matters at a range of times. I sought the meeting with the director because I had concerns raised with me, and, as the responsible minister, it is my job, when questions come to me, to inquire into those matters and to seek a suitable answer. I asked the director about the concerns that had been raised with me. I was open to a full spectrum of answers. The director may have said to me, “Actually, Attorney there is a problem and we need to consider a law reform,” through to the acting director providing me with a series of background information that details how a discontinuance is arrived at. I found that to be very useful information. I did not direct the acting director to take any particular steps and I certainly did not comment on any individual cases.

**MR CAIN:** Attorney, will you present a notifiable instrument to the Assembly to give a formal direction to the acting director to stop discontinuing sexual assault prosecutions?

**MR RATTENBURY:** That is a preposterous suggestion! To take from the Director of Public Prosecutions the ability to discontinue a matter in an extraordinary suggestion from Mr Cain.

*Opposition members interjecting—*

**MADAM SPEAKER:** Members! The question has been asked. Allow the Attorney to answer.

**MR RATTENBURY:** I am not proposing to make such a direction; therefore, I am not proposing to present such an instrument. I have not given a direction, nor a guideline, to the director. Mr Cain is correct: if I were to do so, I am required to then present it as a notifiable instrument and table it at the Assembly, but I have not done that and do not plan to do that.

**MS CASTLEY:** Attorney, will you table the notes from the meeting you mentioned in your first answer to the Assembly by the close of the day?

**MR RATTENBURY:** I have to check what is available on those matters and whether I have any notes that I took in that meeting or not—

**Mr Cain:** Or that the acting DPP took!

**MR RATTENBURY:** If Mr Cain—

**MADAM SPEAKER:** Mr Cain, sit down! You are becoming persistent and irritating.

### **Attorney-General—conduct**

**MR CAIN:** My question is to the Attorney-General. Attorney, in your explanation to the *Canberra Times* regarding why you held this extraordinary meeting with the acting director, you said, “It was to understand the circumstances around the concerns that have been raised with me.” Attorney, who raised these concerns?

**MR RATTENBURY:** I had questions identified to me about a number of matters and I think it is reasonable that these are debated points, and it is reasonable for me to speak directly with the acting director about that and say, “These are the issues. What is your take on it? What is your view on the matter?”

**Mr Parton:** A point of order, Madam Speaker, on relevance: the question was very, very specific: who raised these concerns?

**MADAM SPEAKER:** Yes, and the minister has two minutes in which to answer and you stood within the first 30 seconds.

**MR RATTENBURY:** I have nothing further, Madam Speaker.

**MR CAIN:** Attorney, why did you think that these concerns—from whomever—were significant enough to warrant an extraordinary meeting with the acting director?

**MR RATTENBURY:** The corollary of Mr Cain's question is that, as a minister with responsibility for these matters, when questions are raised with me I should just ignore them and should do nothing! That is the corollary of the line of questioning that is being put to me.

*Opposition members interjecting—*

**Ms Lee:** Who were they raised by, Shane?

**Ms Berry:** A point of order, Madam Speaker: seriously, the interruptions by Ms Lee following Mr Cain are continuous and persistent. This is a serious matter—

**Mr Cain:** We're trying to get an answer.

**Ms Berry:** and the Attorney-General deserves to have the chance to answer that question in silence.

**MADAM SPEAKER:** Members, I have asked for quiet. Mr Cain, one more peep out of you and you will be warned. Mr Rattenbury, do you want to continue?

**MR RATTENBURY:** No.

**MS CASTLEY:** Attorney, did the Chief Minister raise any concerns with you regarding the number of terminations of sexual assault prosecutions?

**MR RATTENBURY:** No; I have not discussed that very specific matter with the Chief Minister.

### **Tuggeranong—Canberra Arena development**

**MISS NUTTALL:** My question is to the Minister for Sport and Recreation. Minister, I have had quite a few constituents reach out, eager to hear about any updates on the Canberra arena, the ACT government's new ice sports facility in Tuggeranong. I note that, as of January last year, the arena was due to open in 2025. Would the minister be able to provide an indicative time line on the arena?

**MS BERRY:** Not at this stage. However, I can confirm and report to the Assembly that I did, along with the sport and recreation directorate, have a meeting with Pelligra and Cruachan, the investment partners who put in the expression of interest to build the ice sports facility and gym in Tuggeranong. That meeting was on 13 March. It was a productive conversation about how they were moving the project along. Part of the work that they are doing right now is going through the legal processes of ensuring that their joint venture agreement is appropriate. I am hopeful that there will be some more news soon.

I share the frustrations of the community regarding the length of time. I know you do, too, Madam Speaker. I am doing my best to keep the community up to date, even though

the information is not very exciting at the moment. I am sure it will be, as soon as the joint venture partners get their agreement working; then we can start work on the facility.

**MISS NUTTALL:** Minister, will both the ice sports and climbing facilities be accessible to the general public on a regular basis, as the Phillip ice rink currently is?

**MS BERRY:** It is probably a little bit early to talk about how the management of the facility will work. However, the intention that has been expressed to the private partner owners of the facility is that it will be available to the general public outside those training hours.

**MR COCKS:** Minister, why is it that a promise for a new ice sports facility which was made in 2016 remains undelivered, considering that, from your perspective, you do not make promises that you do not keep?

**MS BERRY:** The promise is being kept. The ice sports facility is being delivered. We are working with the joint venture partners who will be funding this facility to ensure that the due diligence occurs and the facility is built.

*Mr Cocks interjecting—*

*Mr Parton interjecting—*

**MS BERRY:** I know that the community is excited about this facility. I was really pleased to be part of that announcement in 2016. It is a unique facility. It does require specialist development. With respect to finding joint venture partners that would be part of this very special project, a very unique project for Australia, it is exciting that we were able to find two joint venture partners, Pelligra and Cruachan, who are really keen to be part of the ACT community and build a facility that meets the needs of Canberrans.

We know that Canberrans have enjoyed the use of the Phillip ice facility for a number of years. There are probably a number of people in this place who have gone and watched ice-skating events, or indeed the CBR Brave, at the ice rink, the Brave Cave, at Phillip. I know everybody within the ice sports and ice-skating facility is keen to see a new, twin-sheet Olympic facility in Tuggeranong. It is appropriate, as I am sure the Canberra Liberals would agree, that all of the appropriate legal processes and due diligence should occur before a joint venture partnership in this facility continues and starts.

### **Gungahlin—Joint Emergency Services Centre**

**MR BRADDOCK:** My question is to the Minister for Fire and Emergency Services. Minister, with the temporary closure of the Gungahlin Joint Emergency Services Centre and the use of interim arrangements to provide emergency services to the Gungahlin district, can you please provide an update to the community on the situation?

**MR GENTLEMAN:** I thank Mr Braddock for his question and his interest in the safety of our first responders at the JESC at Gungahlin. I also congratulate JACS personnel, ACT police and our ESA on their quick response in ensuring safety for those first

responders. As you would be aware, Madam Speaker, we have released a report showing the interim results of an inspection at the JESC, which found some diesel particulates and some lead particulates there.

As soon as they were found, we deployed staff from that location to other locations that were as close as possible. ACT Fire & Rescue activated business continuity plans, and staff and operations were moved to the west Belconnen facility. The ACT Ambulance Service activated their continuity plans and their staff were moved to west Belconnen and Dickson facilities. ACT RFS is scheduled to move to the demountable site at the JESC. Access to the main building has ceased. Emergency services have been relocated to other areas. The Gungahlin police station officers have relocated to the former traffic operations centre at Belconnen.

That does not mean to say that operations do not occur within Gungahlin. Patrols still do occur and we still have the fastest response times. My understanding is that the work and program of remediation for fit-outs will be completed at the end of May and staff will be able to move back into the location at that time.

**MR BRADDOCK:** Minister, have emergency services response times been impacted by these temporary arrangements?

**MR GENTLEMAN:** My understanding is that those response times are as they were before. I should point out that ACTAS, police or other first responders are not necessarily despatched from their accommodation; they are despatched from their last job. A good example is our Ambulance Service. Most of their jobs will be complete when they finish their appointments at the emergency services location at the Canberra Hospital. They would be despatched from there to their next job, or they would be despatched from the closest location. Wherever they are, closest to the call, is where the despatch would occur from.

**MISS NUTTALL:** Has the ACT government considered the service risk of co-locating emergency services in one facility?

**MR GENTLEMAN:** Yes, certainly. That is part of the work that we have been doing in the master accommodation plan for ESA, Policing and our other first responders. It is appropriate that some are co-housed. For example, the new station at Acton, which is underway at the moment, will co-locate an ACTAS paramedic service and our Fire & Rescue service. They can be despatched from that particular location after servicing crews and vehicles. We need to make sure that these accommodation facilities are as safe as possible for our first responders.

### **Molonglo Valley—library**

**DR PATERSON:** My question is to the Minister for City Services. Minister, can you please update the Assembly on the work being done to design the new Molonglo Valley library?

**MS CHEYNE:** I thank Dr Paterson for the question and for her advocacy for Molonglo Valley residents. This new library and community hub will be located in the heart of the future Molonglo Valley group centre. It will be an important resource not only for

the projected 87,000 residents of the Molonglo Valley but also for the wider Canberra community. The future facility will offer access to a wealth of library resources and will be a welcoming, safe and inclusive space for the community. The community has already identified accessibility, collaboration, lifelong learning and integrated services as key priorities for the new library, as well as ongoing engagement opportunities to co-design future services.

The community co-design process has now begun. Involving the Canberra community from the very beginning of the design process will ensure the future Molonglo Valley library and community hub best meet the diverse needs of our growing community. The community can provide feedback in a variety of ways, but primary school children in particular are able to participate in the engagement by submitting their creative ideas for the future Molonglo Valley library via the online Kids' Corner.

**DR PATERSON:** Minister, how can residents of the Molonglo Valley already utilise the great services that Libraries ACT have to offer?

**MS CHEYNE:** Feedback from the community through the co-design process is going to be informing the design brief for the future Molonglo Valley library. This will be used to develop three concept designs, and the preferred of these will be decided by the community and will inform the construction of the future library and hub. In the meantime, residents in the Molonglo Valley can already take advantage of the terrific services that Libraries Act have to offer in person at Woden, Belconnen or one of the other existing branches or by accessing the wealth of resources available online. All Libraries ACT members have free access to e-books, audiobooks, magazines, movies and a range of other terrific collections online. Membership also includes access to ancestry.com's family history research functionality.

In addition to the range of regular programming in branches for the school holidays coming up, there is so much increased programming right across our libraries. There was a post about this on late Sunday night. The dedication and commitment of Libraries ACT staff to support the community is first rate, I have to say: the free events, the movie nights, and the activities where people are able to create some elements and link them to what they are reading. What we are able to do with our Libraries ACT staff in branches already, as well as everything that is offered online, is really quite special. I encourage everyone in Canberra to make use of them.

**MR PETTERSSON:** Minister, what service improvements are being made across the Libraries ACT network of branches?

**MS CHEYNE:** Our library branches are constantly innovating. They are always open to community suggestions for improved or extended service offerings. One recent change is to better support our diverse multicultural community by identifying to customers, via staff name badges, which languages our library staff speak. Libraries ACT is also currently drafting its Imagine 2030 strategy which will set a course for the future of public libraries in Canberra, with a focus on inclusivity, innovation and meeting community needs. The strategy aims to adapt library services to fit evolving 21st century needs, emphasised by shared community values like equity, inclusion, sustainability and affordability.



Underpinning the strategy is the Imagining 2030 community priorities project which was developed through a co-design approach with the community. That identified six key priorities that go to: unlocking access; increasing access for all; better together; collaboration shaping our greater community impact; anywhere anytime; integrating online, onsite and outreach services and experiences; lifelong learning and empowering learning at all life stages; increasing awareness of the library's value; ways of working; being people-centred; and transforming from the inside out.

Speaking of the school holidays, another innovation that has come through Libraries ACT is their collection specifically for people who may have dyslexia. That is being rolled out right across our Libraries ACT branches over the school holidays. You can book into a very small group to understand the collection over a 45-minute period. It is free and it is going to be available at all our library branches. And they have expanded their comic book selection. I think that is a terrific opportunity for kids to understand the values of their libraries during these school holidays.

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

## **Transport Canberra—bus fleet**

**MR PARTON** (Brindabella) (2.54): I move:

That this Assembly:

(1) notes that:

- (a) the Parliamentary and Governing Agreement for the 10th Assembly states that the Government will continue to transition Canberra's entire public bus fleet to zero emissions by buying 90 battery electric buses in the next term;
- (b) as of 8 April, there are currently 12 Battery Electric buses in route service with Transport Canberra;
- (c) the Transport Minister loudly announced in November, with associated photo opportunities and media stories, that four new Custom Denning Electric buses had arrived in Canberra and would be soon on the road;
- (d) there are ongoing delays to the entry into service of the four Custom Denning Element 2 Battery Electric Buses, with no clear entry into service date in sight;
- (e) this Government fails to take its own bus fleet electrification targets seriously; and
- (f) there are still several non-compliant Renault Diesel buses in service with Transport Canberra, over a year after they were meant to be retired; and

(2) calls on the ACT Government to

- (a) genuinely commit to its own electrification targets;
- (b) stop misleading Canberrans by saying that there are 106 electric buses on the road when there are only 12; and
- (c) remove the signage from the offending buses stating there are 106 electric buses in service.

Let's talk about buses. I love talking about buses—I love it. When I am talking about buses, I love talking about electric buses. Under this government, Transport Canberra are running 12 buses around Canberra—so said the minister in question time today, or at least the acting minister—with signage that says, “One of 106 zero emissions buses.” That is not true. Dare I say it: it is a blatant lie. It is not true. There are not 106 buses. The signage is from Transport Canberra—

**MADAM SPEAKER:** Mr Parton, I know you are in mid-flow, but do not use that language again.

**MR PARTON:** Okay. There are not 106 buses of the electric variety in Canberra. The signage on the buses is from Transport Canberra, so most sensible people would arrive at the conclusion that the message that is being transmitted is, “This bus right here is one of 106 in our fleet.” That would be the conclusion that most sensible people would arrive at. The claim is false. It is false and it should be removed.

I know we are not going to get this motion up. I know it is not going to get support. I know that this government will persist in running those 12 buses around with signage pretending that there are 106 of them. I would like the acting minister to think about this. The acting minister knows full well that I will communicate widely on various channels—for example, on social media—that the message is just so wonderfully utopian, *Yes minister*-ish. It is a sign that says “one of 106” and the minister has just said that there are only 12. It is just amazing. So it is likely to gain enormous viral traction. When you add that to the mainstream media—

*Government members interjecting—*

**MR PARTON:** I can tag you, if you want. I would be extremely surprised if the mainstream media do not report on it, because it is an extraordinary situation. For many thousands of Canberrans who are exposed to that message, when they see the false message on those buses, they will (a) know full well that there are nowhere near 106 of these electric buses and (b) they will know that the message on those buses is actually wildly inaccurate, and that the government know that it is inaccurate but they do not care. This messaging that was designed to create a position could well end up condemning the government and becoming a negative.

In my time as shadow minister for transport, I have become a bit of a bus nerd. As a non-executive member with no travel allowance—and I know I have mentioned that before, but I think it is worthwhile pointing it out—I funded my own way to several bus expos and I funded my own way to a number of other jurisdictions with the specific purpose of examining what other cities are doing with their ultra-modern electric bus fleets. I organised an eye-opening visit during the term to Brisbane, where I was able to ride on one of their groundbreaking tram-like electric buses that are set to fly up and down the Brisbane busways and provide sensible transport solutions in that city. I was amazed at how manoeuvrable they were. Peter, who drove the bus that I was on in Brisbane, had driven buses here in Canberra, and he remarked that they were actually more manoeuvrable around roundabouts than our articulated buses.

While we are on Queensland and public transport, has anyone been watching what is going on with the Gold Coast tram project? Has anyone been watching that? I would

suggest that anyone who has not done so should do a bit of a search. There was a massive cost blowout announced yesterday. Reading between the lines, Queensland Labor are very close to cutting their losses and pulling the pin on the next stage, because apparently it does not stack up.

The next stage of the Gold Coast tram project is 13 kilometres, so it is similar in distance to stage 2B of our tram. What is it going to cost, I wonder? It was revealed yesterday that the bill may come in as high as \$7.6 billion for 13 kilometres of tram. The Queensland transport minister said, “It’s a very tricky route because it involves two creeks.” Have you seen Lake Burley Griffin recently? It ain’t a creek. It is not a creek. The project could be as high as \$7.6 billion for 13 kilometres of light rail. So it is no wonder that the Queensland transport minister said yesterday that it was “too early to say whether the project was too expensive”. He continued:

... we really do have to consider, going forward, the viability of projects where they have very large estimates versus what the benefit would be ...

These are the words of the Queensland transport minister. These are the words of the Chris Steel of Queensland. He said:

... we really do have to consider, going forward, the viability of projects where they have very large estimates versus what the benefit would be ...

I want to repeat that again because I think it is extremely pertinent regarding the ongoing transport debate in this city, from the Queensland transport minister. He said:

... we really do have to consider, going forward, the viability of projects where they have very large estimates versus what the benefit would be ...

That is a big statement to come from the minister responsible for the project. What do you think? Do you think they are about to pull the pin? I do not know, but let us talk about buses.

There is no doubt that buses will continue to play a large role in the public transport network here in the ACT. That will be the case under a Canberra Liberals government and it will also be the case under the current governing partners. It is also inevitable as we move forward that the bulk of those buses will be electric. They will be. The great problem is that, despite talking the big talk with regard to the electrification of the bus fleet, the government are not walking the walk—and they are not failing by just a little bit; they are disastrously missing the mark. If this were a little par 3, it is not that they have not made the green with the drive; they have mis-hit the ball and they have not even got past the tee markers. That is where they are at.

The Labor-Greens government have failed to plan for the modernising and growing of Canberra’s bus fleet. They have dropped the ball on this because of their hyperfocus on the tram. I would point out that, in the early 90s, there were two buses in the fleet for every thousand Canberrans—two buses for every thousand. Now, in 2024, there is fewer than one bus per thousand Canberrans. Like so many government services, this government have failed to keep pace with population growth. I know that when we hear from Ms Cheyne—and we look forward to hearing from Ms Cheyne—she is going to talk to us about the buses that are currently on order. But I would mention that the

current order of electric buses will only replace the older types of gas and Renault buses. They certainly will not lead to any increase in service. They certainly will not.

The reality for whoever is in government in November is that we need to procure over 500 new buses over the next decade to modernise the bus fleet and to catch up to the growing Canberra population. Labor and the Greens have dragged the chain—and they continue to drag the chain—and they are going to tramp on out here and bleat about supply chain issues. My understanding is that those supply chain issues have now eased dramatically and the procurement of buses is not the actual problem. So what is the problem?

It would be appreciated if the acting minister would be so kind as to actually answer our questions regarding the four ghost buses—that is what we call them; the Custom Dennings. They were announced as coming into service back in November, but nobody has seen them. They have been gone for six months. We got a sort of non-answer on this from the acting minister yesterday. The minister must concede that a six-month delay between that glittering announcement and the buses actually entering service is quite unprecedented. There must be a specific reason that they are not driving around. At least “one of 106” would not be as far off the mark, because then we would not just have 12; we would have 16. So you would be at 10 per cent of the truth there. How about coming clean with us and telling us what the problem is? We call upon the government to get serious about its own electrification targets and to stop running buses with propaganda signage which is untrue.

**MS CLAY** (Ginninderra) (3.04): I rise to speak in support of the amendment circulated by Minister Cheyne and to speak about Mr Parton’s original motion. I will speak briefly about this motion. We have a lot to say about buses—check the *Hansard* for the dozens of speeches I have made about buses and the number of times I have spoken about them this term—but I do not want to repeat myself endlessly. I would rather put the time into developing a bus policy that is really good for Canberra.

The ACT Greens recognise that our bus network is not good enough. It falls short in many areas. I agree with Mr Parton that getting more electric buses onto the road is not happening fast enough. We want more electric buses. We also want more buses in total to grow our fleet, and we want that as soon as possible.

Both elements are important if we are going to reduce climate emissions, and we need to reduce our transport emissions. Last year they sat at around 63.6 per cent of total emissions, or around 1,047 kilotonnes. They have risen. They have gone up to 1,170 kilotonnes or around 68.8 per cent. Nearly 70 per cent of our tracked emissions are coming from transport. They are the biggest single part of our tracked emissions, and they are still going up, not down. That is primarily because Canberrans drive a lot. It is the single biggest indicator that our public transport policy right now is not working.

I want to put on the record that we have not met targets set for the number of electric buses on the road. The original motion does not mention this, and the amendment mentions it in general terms. The Labor Party will squirm and the Liberals will be grinning but it is true and we just want to make sure that we are telling history as it is. In September 2020, the Labor transport minister, Mr Steel, released the Zero Emissions

Transition Plan for Transport Canberra. In this plan there was a series of policy commitments to grow the fleet and make it fully electric. Unfortunately, what we have seen since then is a reduction in ambition—less ambition about how fast we electrify the fleet and less ambition about how quickly we grow the fleet, and both of these are vital elements. Both the number of buses we have on the road and how quickly we make them all electric are important for different reasons.

Electric buses reduce the ACT government's own emissions, and buses represent more than half of the ACT government's own emissions. That is really important, but they are not the whole story. Transport emissions from the ACT as a whole matter even more. The transport emissions from the people of Canberra are much more significant than just the transport emissions from the directorate. We could stop running a bus service altogether or we could reduce the number of buses on the road, and that would reduce the ACT government's own emissions, but it actually will not help the climate, it will not help emissions overall, because it will mean that more people are driving cars. It would be a bad outcome. That is why we need to be really careful and look at the whole picture when we are looking at this.

We do have fewer buses on the road than we had in 1990. I have made a few speeches about this. We have more people and a bigger city than we had in 1990, but we have fewer buses. We desperately need to put many more buses on the road to revive our bus service.

The other really important element in the ACT government's original plan was to grow the total number of buses and make sure that all of the new ones were electric. That is achievable and it is essential. Two things jump out at me from this plan, and I want to put on record our dissatisfaction that they could not be achieved in the time line set out just 3½ years ago. The September 2020 plan aimed for the Woden bus depot to be completed and operational by the end of 2022. This obviously has not happened. The Woden depot likely will not be open until the end of this year or maybe early next year. That two-year delay means a delay in getting more buses on the road and making more of them electric.

The September 2020 plan also wanted us to have at least 65 electric buses on the road by the end of 2023-24, and we are clearly not on track for this; we have 12. We have seen less than 20 per cent of the electric buses committed to in September 2020 delivered on time to date. The ACT Greens want to put more money towards progressing public transport infrastructure and procurement so that we can get these things done faster. There are good reasons why these deadlines were not met but the ambition of 2020 has been significantly scaled back and the minister is refusing to grow the bus fleet significantly at any time in the future.

He has made recent public comments that the two additional north side bus depots planned in the strategy are being pushed further away because we are making Tuggeranong electric sooner. This does not make sense. A fully electric Tuggeranong depot does not add a single additional bus to our network. It does not improve services. It will reduce the government's own emissions but it will not reduce ACT emissions as a whole. It will not give us more buses. It will not mean that more people can catch the bus instead of driving their car. It is not actually going to take us in the right direction. If an electric Tuggeranong bus depot comes without any improvement to the bus

services, we could even see transport emissions increase more than they did last year. More people might choose to drive rather than take an increasingly unreliable, infrequent and crowded bus. We need both: we need a good bus service, with all of the depots and infrastructure required for that, and we need an electric bus service. It is not one or the other.

The ACT Greens recognise that these targets have not been met. We call out the government when we drop targets or move commitments, particularly when these are core public services for Canberrans or when they are core climate action, because it is really important. We set these targets for a reason. It matters when we do not meet them. We are 100 per cent committed to Canberra having more buses and more electric buses sooner. We are looking at the whole picture—climate emissions, the bus service people need and the impact that government decisions are having. We need to act with urgency on this, and we need to go further and faster if we want a livable city.

The Greens are happy to support this amended motion, but we really do need to move on having a better bus service.

**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) (3.10): This motion is a stunt. Mr Parton had so little value to add that he had to spend most of his speech talking about light rail and Queensland. I hope Mr Parton does go viral, because this will be exposed as a sham, as will the sham approach he takes to his portfolio responsibility.

It is great that Mr Parton has taken himself off to other cities to look at buses. But how often does he take the bus here? Why are those Brisbane buses, those dual-articulated buses that carry fewer people than the bus fleet in Canberra already, so good to talk about here in this chamber but do not feature in the Liberals' own transport policy? Why is that?

We also know that Mr Parton was only inspired to do this motion because of Jasper Lindell's article 10 days ago—so not even from his own research or anything that the government has put out, and there are oodles of it to draw from. You would think Mr Parton would give Jasper Lindell credit if he was going to so blatantly plagiarise. But, given that there is such a dearth of talent opposite—

**Mr Parton:** I think he might have got it from us.

**MS CHEYNE:** I do not think he did, Mr Parton, because it was my response to the question on notice from Ms Clay. Perhaps you referred him to it; or, whatever it might be, well done. But if you cannot look at anything that Minister Steel has said or done and share it accurately, I really question why we are wasting time in this place, except for you to go into full flight for the purposes of your TikTok. That is fine. It is fine if that is where you want to put your effort rather than putting your effort into policy development that makes sense and into how we are going to build our buses here. I have to say that, if we are waiting for the Liberals' electric buses, we will be waiting for a long time.

**Mr Cain:** You know we released a transport policy?

**MS CHEYNE:** Yes, I do, Mr Cain; I read it. You guys could do some reading from time to time. I have read it: double-decker buses—really? Where did that come from? I would love to know. It is copied and pasted from somewhere, but I assume it is from some 1980s London glossy brochure that Mr Parton pulled out. It is absolutely bizarre to say that we will build buses here quickly—where, how, who, what land, what is the opportunity cost here? What does Mr Parton think? How long are those electric buses actually going to take to be here?

We are getting on and delivering. If Mr Parton actually wanted some answers to his questions, it is in the amendment. I move the amendment that has been circulated in my name:

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

“(1) notes that:

- (a) the ACT Government is committed to achieving net zero emissions by 2045, including the transition to a complete zero-emissions public transport fleet by 2040;
- (b) the ACT Government released the Zero Emissions Transition Plan for Transport Canberra in 2020 and the delivery of some initiatives under the Plan have been impacted by the global COVID-19 pandemic and supply chain and market issues;
- (c) the ACT Government has delivered Light Rail Stage 1 City to Gungahlin which has consistently resulted in, on average, 20% of public transport trips being powered by 100% renewable energy since operations commenced April 2019;
- (d) as of 10 April:
  - (i) 12 Yutong battery electric buses are in service in the Transport Canberra Fleet and are operating out of Tuggeranong Bus Depot;
  - (ii) 4 Custom Denning battery electric buses have been delivered and are currently completing a thorough commissioning process before operating from Belconnen Bus Depot; and
  - (iii) a contract for the delivery of another 90 Yutong battery electric buses was executed on 25 May 2023, with these buses to operate from the new Woden Bus Depot which will commence operations early 2025;
- (e) the ACT Government is progressing with the construction of the New Woden Bus Depot, retrofitting of the Belconnen and Tuggeranong depots with electric charging infrastructure, and feasibility studies for a fourth electric depot on the Northside of Canberra to support the growing electric bus fleet; and
- (f) the ACT Government has released the Active Travel Plan 2024-2030 which focusses on making it safer, accessible, more convenient and more pleasant to choose walking, cycling and other types of active travel to support a shift to more sustainable forms of transport; and

(2) calls on ACT Government to:

- (a) continue to build an integrated city-wide public transport network, combining mass-transit light rail, bus services and active travel infrastructure as outlined in the ACT Transport Strategy;

- (b) continue to progress with Light Rail Stage 2B to Woden creating thousands of local jobs to provide a public transport service powered by 100% renewable energy to more Canberrans;
- (c) continue to transition the Transport Canberra fleet to zero emission vehicles and undertake the planning required to support timely and ongoing fleet renewal and future growth as soon as possible; and
- (d) continue to advertise public transport and active travel as more sustainable ways to commute around Canberra.”.

It is clear that the Canberra Liberals just cannot be taken seriously on this matter. I have to say that this motion undermines their entire approach to transport and transport policy. Again, I feel like Mr Parton just had to go out of his way to produce a motion because there are not enough ideas. We certainly heard that this morning—plenty to criticise but no ideas and no policy from any of those opposite.

*Mr Cain interjecting—*

**MS CHEYNE:** First of all, Mr Parton talked about signage on the buses—those “one of 106”. Those are one of 106. There are 106 on order. Mr Parton admitted that himself. To say in question time that it says there are 106 in service when that is not what it says, and to say that in the media reporting—and that is what Mr Cain is now using to interject—wastes everyone’s time, and Mr Parton is making Mr Cain look like a fool.

**Mr Cain:** Because of your misleading science.

**MS CHEYNE:** There is nothing that is misleading. It is one of 106 buses. Let us look. We can do some more maths. Who is good at maths? Mr Cain is good at maths, apparently. There are 12 Yutong battery electric buses in service in the Transport Canberra fleet. They have been in service for a while. That is very exciting, and they have been operating out of the Tuggeranong bus depot. There are four Custom Denning buses that Mr Steel announced. He absolutely did—and he did announce it with great fanfare, and so he should have.

What we are doing with our bus policy, especially where it relates to new policies with new technology, is diversifying our fleet and diversifying the model and who we are buying from so that not all of our eggs are in one basket, especially if issues are identified with a particular fleet or model. You only have to look at some of the experiences in the US over this terribly cold winter with some of their electric vehicles to understand that we need to make sure that we are driving competition, trying to get as many improvements as possible and not just relying on one provider to deliver everything.

We did welcome the 12 Yutong battery buses, and they have been in service for quite a while. Then there were four Custom Denning buses announced in October. Yes, it is absolutely true that we expected those to be on the road very soon after that. There is no way that Minister Steel would have just made an announcement for an announcement’s sake. But it demonstrated that we were diversifying the fleet and we were looking forward to getting another 90 Yutong battery electric buses, but that these four were absolutely worth trying out, especially because this is an Australian company.



On 1 June 2023, Transport Canberra entered into a contract with Custom Denning to procure those further four, and they were delivered in October 2023. They are here. But first they had to undergo acceptance testing. That is really critical. Again, we are talking about new technology here. With that widescale introduction of electric buses and our own zero-emissions vehicle strategy that we have adopted, there is a strong element of risk mitigation not only from the different types of vehicles but also through the commissioning process. We have to make sure that these vehicles meet our standards. Until they do meet our standards, we are not going to put them on the road. We are not going to compromise safety, passenger comfort or service frequency just so that Mr Parton does not call them ghost buses and does another TikTok like, “I am very scared.”

The buses have been going through that process. It is important for us to make sure that they are viable and that they are ready to go. What occurred this time is that, while all of our expectations were that they would successfully complete the acceptance testing regime and would be commissioned to enter operation soon after, technical specification issues were identified. They meant that all vehicles were required to be returned to Custom Denning for some remediation. Transport Canberra and Custom Denning have been working collaboratively to manage the commissioning of those four buses. These vehicles are now back with us, back in Canberra with Transport Canberra, for reinspection.

These issues are regrettable, but we are not going to rush this just to respond to Mr Parton’s stunts, to be quite honest. We have a dedicated technical team who are committed to our government’s reform agenda, but it is also without compromise. They have been working diligently to ensure that vehicles are compliant with standards and that they are able to meet our route service requirements before entering service. Imagine if they did not; then what would we be talking about? I think the entire community and the Public Transport Association of Canberra would agree that we should get this right before we put them on the road and, if we have identified that there needs to be some further work done, let’s put in the effort then, not discovering that it too late. Our commitment to providing all Canberrans with a reliable and fit-for-purpose bus service is absolutely demonstrated through this process.

As you know, Mr Assistant Speaker, we are also going through a very big exercise in building the energy supply services and infrastructure to support our buses coming on. We are progressing with the construction of the new Woden bus depot. I appreciate it has taken longer than we all would have liked, but we know what the reasons were. We are retrofitting Belconnen and Tuggeranong depots with electric-charging infrastructure and there are feasibility and environmental studies underway for a fourth electric depot on the north side of Canberra, supporting a growing bus fleet.

We have the Zero Emissions Vehicle Transition Plan. We released it in 2020. We were clear about what we were doing. I do not know why Mr Parton tries to muddle language—well, I do—but there has been a real muddling of language here. On 31 May 2023—not even a year ago—we announced that we would be increasing the fleet to 106 electric buses over the next three years.

**Mr Cain:** Well, that is what the sign should say.

**MS CHEYNE:** Mr Cain, read the sign. It does not say what you think it says and, if you are believing Mr Parton, you are barking up the wrong tree. So one of 106—

**Ms Castley:** But it is as clear as day on the bus.

**MS CHEYNE:** “One of 106”—because they are coming.

**Ms Castley:** So is Christmas.

**MS CHEYNE:** They are procured.

**Mr Cain:** It is very creative—a work of fiction.

**MR ASSISTANT SPEAKER (Mr Pettersson):** Members!

**MS CHEYNE:** Welcome to the debate, Ms Castley. I am glad you are joining in. All we have to do is look at announcements from May 2023 and October 2023. If this were anything other than a stunt, Mr Parton might have picked up on it then. But, no, it is today because there are no other motions that could possibly have been brought, except for rehashing things that we have talked about. The Liberals cannot even genuinely reflect on their own transport policy. Mr Parton had to talk about the things he had seen elsewhere; there was nothing about what he is going to deliver, how he is going to deliver it or even how they did their costings—which I think we all have found very funny—and how they are going to build the buses here.

We are getting on with it. We have been absolutely clear. On 31 May 2023—just over 10 months ago—we said, “We are procuring buses. We have these buses on the road. We have another four coming and then we have another 94.” That adds up to 106. Those buses are procured. There will be 106 buses. This is a sham motion. I am disappointed that we are wasting oxygen in this place while talking about this motion.

Just because you say it is something does not mean it is, and that is what I can apply to Ms Castley, Mr Cain and Mr Parton. Those are not my words; they are their leader’s words. If their leader wants to lecture us about being accurate and about making sure that we are not just saying that things are because we say they are, perhaps she should lead this shambles of a party. The infighting is absolutely clear. If that means we have to keep debating these sorts of ridiculous motions just so that Mr Parton can have some content—because why else are we here?—so be it. I apologise to the Canberra community that this is what we are wasting our time on. I commend my amendment to the chamber.

**MR CAIN (Ginninderra) (3.24):** I rise in support of the motion moved under Mr Parton’s name and speak against this amendment from Ms Cheyne, which I will speak about a bit more.

This motion very sensibly calls upon the Labor-Greens government to exercise honesty in their advertisement of their bus electrification achievements. It really is as simple as it could be. It is just saying: be honest about what you are giving to the community. Be honest about it. It is very clear—

*Ms Cheyne interjecting—*

**MR CAIN:** despite the protestations of Ms Cheyne, that their signage is not giving the community an honest picture of what the government is actually achieving. She herself said there were 12 buses on the road; yet, from the signs, it would seem that there are over 100. That is what the sign says.

**Ms Cheyne:** If that is how you read that, that is on you.

**MR CAIN:** That is what the community would expect that sign to mean. It is only members on that side of the house who want to be creative in their interpretation of such plain language. What they are telling the community is just not true. That is as simple as it is.

At its core, this motion calls for improved public transport outcomes in the ACT, an objective that the Canberra Liberals are deeply committed to realising, as advertised in our very comprehensive transport policy that was released recently. The Canberra Liberals have a plan to make public transport in the ACT the envy of every jurisdiction in the country—an electrified fleet of buses built here in Canberra to take people wherever they need to go.

For the residents of Belconnen, in my electorate, this will mean a dedicated bus route connecting Belconnen to the city—another worthy public transport initiative that Mr Parton has brought forward. The Canberra Liberals' policy will mean affordable, effective and widely accessible public transport—and bus schedules—across even the farthest reaches of the ACT.

An Elizabeth Lee led government will invest in growing our bus fleet by including the use of high-capacity electric buses that will be made by Canberrans for Canberrans right here in Canberra: more jobs injected into the ACT economy, better transport outcomes, putting sustainability first and eliminating some of the supply chain challenges that are besetting all of our industries at the moment. It is about getting them made here.

This is what the Canberra Liberals are about: looking after Canberra. We understand that not everyone has the same access to paying for transport. That is why we have committed to a cheaper fare system that promotes equity with flexible payment options, discounts for regular use and a free travel zone in the city. These will be important cost-of-living measures to boot. This is about reliable, frequent and direct bus routes on rapid, local, school and express services seven days a week, 365 days a year, backed by a legislated service guarantee that would also mean we will not put misleading signs on buses saying how many electric buses are in service. We will not do that.

Just as an example of our policy, we will not tell the community that there are a certain number of electric buses when there actually are not. That is an example of a Canberra Liberals policy. I have just come out boldly there, colleagues. I think I have come out really boldly there to say that the Canberra Liberals will not falsely advertise how many electric buses are in use.

**Mr Parton:** I support your position.

**MR CAIN:** I have some support. I am sorry; I normally take this sort of statement through shadow cabinet, but I just thought I would go with the flow here and say that it is our position. I am getting some nods here; I think I am on safe ground.

How long does the ACT government—how long does Chief Minister and Treasurer Barr—need to make Canberra better, to make it a successful city? It has actually got worse. Look at our budget. Look at our deficit. Look at our service delivery. How long does a government need to work for the city that they are governing? They have had long enough. Andrew Barr and his team have had about a decade to make Canberra a spectacular success, and across so many indicia we are failing as a city.

It is time for a change, and I look forward to this transport policy being one of the headline items leading into the October election. Again, our policy will include a new feature: we will not mislead Canberrans on how many buses we have on our roads that are electrified and operating. I commend Mr Parton’s motion to the Assembly.

I do not know why Ms Cheyne has bothered with her amendment; why did she not just oppose the motion?

*Ms Cheyne interjecting—*

**MR CAIN:** If we look at Ms Cheyne’s amendment, she is going to continue to continue to continue to continue. Well, how inspirational is that? Why not just oppose the motion? Why not just say, “No, we are not supporting this amendment”? Ms Cheyne is worried about wasting the time of the Assembly. My goodness! Who has wasted the time of the Assembly more this afternoon? Who has wasted more time of our Assembly? Ms Cheyne has, by bringing a pointless amendment that adds nothing to the debate and nothing to the—

**Ms Cheyne:** At least it adds up.

**MR CAIN:** No; it does not. Twelve does not add up to 106, Ms Cheyne. Twelve does not add up to 106. You have wasted our time. If you do not like the motion, just oppose it; then we can move on to other business, if that is your intention.

**MR PARTON (Brindabella) (3.30):** We will not be supporting the amendment. It is rubbish. The amendment reminds me of when I was 12 and my mother used to serve cordial, and I would say to her, “Mum, why even pretend that it is cordial? Just give us water,” because it was so weak. That is how weak this amendment is.

It is clear to everyone that this government has made promises that it either never intended to keep or, through incompetence, has utterly failed to fulfil. This motion highlights the great lengths that this government goes to in an effort to hide its failures, and this amendment is just another feeble attempt to hide the government’s failures. The amendment spells out in absolute black and white that, although the government is loudly advertising that it has 106 electric buses on the road, it has only 12. The amendment spells out that this government is absolutely fine with continuing to communicate to Canberrans that it has 106 electric buses on the road, when it knows that it has only 12, very soon to become 16.

The fact that they are coming one day—one day down the track—is not sufficient to trumpet that they are already here. They are simply not here. This is like a mother of two rocking up at an event to get some freebies for her children and saying, “I have four kids.” “Where are your other two children?” they ask her. “My husband and I are planning to have two more.” “Are you pregnant?” “No; we are just planning to have two more.” A family of four is not a family of six because they are planning to have two more children.

The signage on these buses is like a first-year university student referring to themselves as a professor, is it not? That is what it is like. It is like saying, “Well, I am here at uni. I am doing this course. At the end of it, I am going to be a professor, so I am going to call myself professor because my doctorate is on order.”

It is abundantly clear that the government is not genuinely committed to electrifying the bus fleet. I love it, Mr Assistant Speaker Pettersson—and I know you will get this—that, in the debate on renewing the bus fleet, it is only the Canberra Liberals who are committed to establishing a bus manufacturing hub in the nation’s capital. We are the only party in this place that is putting forward a proposal which will bring long-term jobs and that will add a skills base that has never been here before.

Earlier in the day, Ms Berry spoke to us about what she described as the unique public-private partnership that is being relied upon to deliver the ice rink in Tuggeranong. That is how she described it. How is it that you can support that so-called unique arrangement, but you do not want to even consider a proposal like ours, just because it comes from us?

I cannot believe that the Labor Party used to be the party of the worker—and I know you feel the pain on this, Mr Assistant Speaker. Every Australian who wore hi-vis used to vote Labor, and now they do not. As I explain to many of them when I talk to them, “It is not that you have left your party; your party has left you.” Here we are in this chamber talking about transport, and we are the ones who will actually go the extra mile and set up an industry that will employ people wearing that hi-vis. I just find it amazing.

If this motion is a stunt then the signage on the electric buses is also a stunt. It is a sham. It is nothing more than a sham. We asked for answers on why the four Custom Dennings are not back from Sydney. The minister has not provided a sufficient answer as to where they have gone. Did they fall down a really large Canberra pothole? Have they fallen down a pothole? They have not been sighted for six months.

How long does it take to commission a new bus model, Mr Assistant Speaker? I can tell you how long it takes. I can tell you exactly how long it takes. For the last six new types of buses added to the fleet in Canberra, the average time that it took to commission a new type of bus was 57.2 days. The longest was the 14.5-metre Scania steer tag buses at 71 days. The shortest was the Volgren K360UA articulated bus at 27 days. The Yutong E12 took 35 days. So the average is 57.2 days.

We are six months down the track. We are six months with the ghostbusters—sorry, the ghost buses. Who are you going to call? We are six months down the track, and Ms Cheyne says we have to make sure that they are suitable to drive. Do they not have

wheels? Did they turn up without steering wheels? Are there no windows? You do not announce the arrival of new buses and then send them away for six months to get them commissioned. There must be a problem. The entire long-term transport policy of this government is a sham, and that was in part echoed by Ms Clay, and to some extent it is echoed by PTCBR. We thought about supporting the amendment—momentarily—but we will not be doing so.

**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) (3.36): Mr Assistant Speaker, standing order 47, please: there have been numerous times in the contributions from Mr Cain and Mr Parton where I have been deliberately—or not—misquoted or misunderstood, and I would like the chance to explain that for the purposes of *Hansard*, please.

**MR ASSISTANT SPEAKER** (Mr Pettersson): Of course, Ms Cheyne.

**Mr Cain**: A point of order, Mr Assistant Speaker: this is clearly a tactic to allow Ms Cheyne to further debate the topic, as she did yesterday.

**MR ASSISTANT SPEAKER**: Thank you, Mr Cain. It is a bit early to make that judgement, when you have not heard what Ms Cheyne's points are. Ms Cheyne, to standing order 47, if you could please explain where you have been misquoted or misunderstood, as concisely as possible.

**MS CHEYNE**: Concisely, Mr Assistant Speaker, the Canberra Liberals have continued to interpret my comments and the comments of Minister Steel on what is on the buses, in the wrap, as saying that these buses are in service. That was the nub of Mr Cain's speech. It says, "One of"—

**MR ASSISTANT SPEAKER**: Ms Cheyne, please resume your seat. Mr Parton.

**Mr Parton**: I am sorry. This is just a continuation of the debate, Mr Assistant Speaker. This is a continuation of the debate.

*Members interjecting—*

**MR ASSISTANT SPEAKER**: Ms Cheyne, I might have to cut you off. Thank you.

**MS CHEYNE**: What if I have others?

**MR ASSISTANT SPEAKER**: No. We are starting to step into the territory of continuing the debate.

**MS CHEYNE**: "One of 106 zero emissions electric buses." Full stop.

**Mr Cain**: You need to sit down.

**MS CHEYNE**: Stop being a principal. Oh, wait: you never were.

**MR ASSISTANT SPEAKER**: Members! Thank you.

Question put:

That the amendment be agreed to.

The Assembly voted—

Ayes 14

Noes 7

Yvette Berry  
Andrew Braddock  
Joy Burch  
Tara Cheyne  
Jo Clay  
Emma Davidson  
Mick Gentleman  
Laura Nuttall

Suzanne Orr  
Marisa Paterson  
Michael Pettersson  
Shane Rattenbury  
Rachel Stephen-Smith  
Rebecca Vassarotti

Peter Cain  
Leanne Castley  
Ed Cocks  
Jeremy Hanson  
Nicole Lawder  
James Milligan  
Mark Parton

Amendment agreed to.

Original question, as amended, resolved in the affirmative.

**Ms Lawder:** Mr Assistant Speaker, I would like to draw your attention to standing order 55, on personal reflection. Ms Cheyne just spoke at the end of that debate, across the chamber to Mr Cain, saying, “Stop trying to be a principal. Oh, that’s right: you never were one.” Mr Cain actually was a principal, and I ask you to ask Ms Cheyne to withdraw her attempt to slur Mr Cain. Whether it was intentional or not—I am not quite sure of her motivation—I do not think it is an appropriate thing to imply that perhaps he pretended to be a principal at some point, because that is clearly not the case. That was his career at some point before he entered the Assembly.

**MR ASSISTANT SPEAKER:** Is that a personal reflection?

**Ms Lawder:** She said he was never a principal.

**Ms Cheyne:** Mr Assistant Speaker, I am happy to speak to this. Could I please seek your ruling, because, on the information I have, I believe what I said to be true. My understanding is that Mr Cain was only a principal of a school that was deregistered by the South Australian government back in the mid-1980s because it had too few students.

**Ms Lawder:** So? He was still a principal.

**Ms Cheyne:** Of a deregistered school.

**Mr Cain:** It was not deregistered at the time. It was registered.

**Ms Cheyne:** I am just telling you what I have.

**MR ASSISTANT SPEAKER:** Ms Cheyne, please resume your seat. Mr Gentleman, on a point of order?

**Mr Gentleman:** Mr Assistant Speaker, there appears to be nothing derogatory in the comments made by Ms Cheyne. I see no objection to this in the standing orders.

**Mr Cocks:** On the point of order: the clear implication is that Mr Cain has lied about his past career. That being the case, it is fairly clear that it is a personal reflection on Mr Cain.

**MR ASSISTANT SPEAKER:** One second, members. Mr Rattenbury, would you like to join the fun?

**Mr Rattenbury:** Thank you. In your deliberations—and you may choose to come back to the chamber later—I invite you to consider how this compares to the many other comments that are made across the chamber, under the breath, on a repeated basis, by members of the opposition.

**Ms Lawder:** On the point of order, Mr Assistant Speaker: any member has the opportunity to jump up and take a point of order. If some members choose not to do that, that is entirely their choice. Ms Cheyne has clearly intended this to be a derogatory comment. She is implying that Mr Cain has lied about a past career appointment. Whether it is her understanding that it was true or not is beside the point. She was saying it as a derogatory comment to imply that Mr Cain has said something that is not true. She is the one who is not correct in this instance. She should be asked to withdraw.

*Members interjecting—*

**MR ASSISTANT SPEAKER:** Ms Cheyne and members, I did not hear the original claim across the chamber but I have heard Ms Cheyne speak to it. Please let me go away and check the transcript and reflect on this decision. I feel like this one might be above my pay grade. Madam Speaker is sitting in the back row, looking up eagerly and trying to decipher this one. We will get back to you on that point, Ms Lawder.

## **Health—general practitioners**

**MS CASTLEY (Yerrabi) (3.46):** I move:

That this Assembly:

(1) notes that:

- (a) there is a crisis in the provision of primary care in the ACT;
- (b) the Royal Australian College of General Practitioners 2023 Health of the Nation report found that:
  - (i) 64 percent of practising GPs are considering reducing the time they spend practising or are considering stopping practise altogether;
  - (ii) regulatory and compliance burden and burnout are the dominant issues leading to GPs considering reducing or ceasing practising;
  - (iii) 29 percent of GPs intend to retire in the next five years, resulting in a net premature loss of 24 percent of all practising GPs; and
  - (iv) fewer graduates are choosing to specialise in General Practice each year;



- (c) in 2022 the ACT had the lowest ratio of GPs to 100,000 people of any major Australian city;
  - (d) Canberrans themselves are finding it harder to access a GP. In 2020, five percent of Canberrans found it hard to access GP services, in 2023 this has risen to 19 percent;
  - (e) in the ACT only 3.4 percent of GPs bulk bill—the lowest bulk billing rate in mainland Australia. The average out-of-pocket cost to see a GP who doesn't bulk bill is almost \$50 for a standard 15-minute consultation – again the highest in mainland Australia and way above the national average of \$41.70; and
  - (f) many practices in Canberra have stopped taking new patients. Canberrans are putting off seeing a doctor, spending longer in consultations on multiple issues, or going to emergency departments;
- (2) further notes that:
- (a) in this dire and worsening environment for general practice the ACT Government has adopted a NSW Court of Appeal decision which found that payroll tax is applicable to medical centres that contract GPs;
  - (b) this “sick tax” could cost Canberra medical practices on average an extra \$50,000 per year. It has inevitably been passed onto Canberran consumers; and
  - (c) payroll tax exemptions and amnesties available to GP clinics in a number of other states make the ACT even less competitive as a place to set up a practice; and
- (3) calls on the ACT Government, by 30 June 2024, to present a plan to address the crisis in primary care in the ACT.

There is a crisis in the provision of primary care in the ACT, and the Barr government does not have a plan to deal with it. In fact, it has a plan to make things worse. In 2022, the ACT had the lowest ratio of GPs to 100,000 people of any major Australian city. Many practices in Canberra have stopped taking new patients.

Canberrans are finding it harder to access a GP. In 2020, 5 per cent of Canberrans found it hard to access GP services, and in 2023 this rose to 19 per cent. Canberrans are either putting off seeing a doctor, spending longer in consultations on multiple issues, or going to emergency departments. In the ACT only 3.4 per cent of GPs bulk-bill—the lowest bulk-billing rate in mainland Australia. The average out-of-pocket cost to see a GP who does not bulk-bill is almost \$50 for a standard 50-minute consultation—again, the highest in mainland Australia and way above the national average of \$41.70.

Cleanbill recently drew attention to the new but growing phenomenon of membership clinics. Membership clinics are GP clinics that bulk-bill all adult patients without concessions for a standard consultation but charge these patients some kind of membership fee in order to access the clinic. Cleanbill detected that there is one such clinic in the ACT but significantly this is one of only four clinics bulk-billing patients. This clinic is charging patients an upfront fee of \$120 higher than any other average upfront fee in mainland Australia.

The RACGP's 2023 *Health of the nation* report found that 64 per cent of practising GPs are considering reducing the time they spend practising or are considering stopping

practice altogether. Regulatory and compliance burden and burnout are the dominant issues leading to GPs considering reducing or ceasing practice. Twenty-nine per cent of GPs intend to retire in the next five years, resulting in the net premature loss of 24 per cent of all practising GPs.

In this dire and worsening environment for general practice in the ACT, the government has a plan to make things worse. It has adopted a New South Wales Court of Appeal decision that found that payroll tax is applicable to medical centres that contract GPs. Try as the Canberra Liberals might, we have not so far been able to extract any government modelling on how this “sick tax” will impact GP clinics in the ACT, although we have not given up trying. All we have been able to extract so far is an estimate that the application of payroll tax to contractor GPs could raise \$5 million, which was made in passing in a brief to the Treasurer and Minister for Health on 23 August 2023. If this \$5 million were averaged across every one of Canberra’s GP clinics, it would cost them an extra \$50,000 per year.

Of course, the application of this “sick tax” will not be uniform. The larger the clinic, the more it will pay. Inevitably, though, the cost of this “sick tax” is being passed on to Canberran consumers. What is more, payroll tax exemptions and amnesties available to GP clinics in a number of other states make the ACT an even less competitive place to set up a practice. Queensland and South Australia announced payroll tax amnesties applying to payments made to general practitioners. Then Queensland released a public ruling noting that, where Medicare benefits and out-of-pocket fees are assigned and paid directly to a practitioner who is a sole trader, these payments will not be deemed wages for payroll tax purposes. In Western Australia, payroll tax is generally only payable on wages paid to health practitioners where they are engaged as employees at common law. Yet the Chief Minister remains recalcitrant.

As I said, this government has a plan to make the primary care crisis worse. In a bizarre attempt at social engineering, it has offered a payroll tax exemption until 30 June 2025 for medical practices making payments to GPs where these practices are bulk-billing 65 per cent of all patients. We will see how that goes. If any further proof were necessary, I would draw the government’s attention to the fact that in a recent election campaign, Tasmanian Labor promised to:

Ensure that a ruling is provided to exempt GP contractors from a payroll tax, and if required, we will legislate to provide this exemption.

One measure of the effectiveness of primary care is the rate of potentially preventable hospitalisations. Potentially preventable hospitalisations are hospital admissions that potentially could have been prevented by timely and adequate health care in the community by general practitioners, medical specialists, dentists, nurses and allied health professionals. There are 22 conditions for which hospitalisation is considered potentially preventable, across three broad categories: chronic, acute and vaccine-preventable conditions. In the ACT, potential preventable hospitalisations rose from 18.2 per cent per 1,000 persons in 2012-13 to 21.2 per cent per 1,000 persons in 2019-20 and 20.7 per cent by 1,000 persons in 2020-21. We need to get this lower. In order to help achieve this, we need to have a concrete plan to address the crisis in primary care in the ACT.

The ACT Health Services Plan 2022-2030 pays lip-service to designing and reviewing models of care that focus on collaborative and integrated care with primary care providers and NGOs. It talks about “working collaboratively to sustain and maximise access to primary care and transitions between public health and hospital services, NGO services and general practice”, but it really has no idea how it will achieve this and how it will get there, particularly when primary care is under such stress.

So what is the Barr government doing? It is spending \$1.6 million to rebrand Canberra Health Services or, as has recently been lampooned, is spending \$1.6 million on a “C” with a dot over it. I think it is very telling that the health minister has had nothing to say publicly in defence of this logo. This is money which could have been put towards the actual delivery of a concrete plan to bolster primary care in the ACT.

I see that Canberra Health Services is claiming its rebrand is improving its recruitment efforts, but I would say that any success in recruiting is down to the actual recruitment campaign, rather than any rebrand. As Andrew Hughes from the ANU—not someone I would normally quote—has correctly said, “Unless there has been a change in the service quality then people will not believe the rebrand.”

Other money that could have been put towards delivering better primary care for Canberrans is the \$1.5 million this government is wasting on Sydney consultants to spruik undelivered infrastructure projects or, in the words of the contract, to:

Deliver an engagement activation focused on educating Canberrans on health infrastructure and key projects, specifically the northside hospital.

This is when it has taken the government 12 years to deliver a hospital expansion. Interestingly, the health minister has also failed to back this expenditure of money, which could also have been put into fostering primary care in the ACT. There is a total of \$3 million which could have helped improve primary care in the ACT—\$3 million which could have been saved, instead of slugging clinics with a payroll tax on contracted GPs.

In conclusion, I reiterate that GPs are burning out, retiring or cutting back on practice time and there is difficulty attracting graduates to general practice—all of which is a recipe for a worsening crisis in primary care. The Barr government must develop a practical, concrete plan to address this crisis. It needs to do this now.

**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) (3.56): I will not be moving an amendment circulated in my name, because we will not be seeking to amend Ms Castley’s motion today; we will be simply voting against it. I note that Ms Castley’s motion on the notice paper has been updated since her original circulated motion, to remove the first calls on. The first calls on at the time it was originally circulated was to release updated data on potentially preventable hospitalisations in the ACT in the years since 2017-18 and report back to the Assembly. Clearly, Ms Castley or someone in her office actually googled “preventable hospitalisations in the ACT” and found some data and removed that piece of the motion.

What she would have also found when she did that, despite her comments earlier, is that the ACT continues to have the lowest rate of potentially preventable hospitalisations out of every jurisdiction in the country, including over the period Ms Castley identified originally, between 2012-13 and 2017-18. Just a few months ago, the latest *Report on Government Services* was released, which showed that the ACT continued this trend. In 2021-22, the rate was 17.8 potentially preventable hospitalisations per 1,000 people, substantially lower than the national rate of 23.1.

I want to start my comments by talking very briefly about payroll tax, because I will otherwise get carried away with talking about our investments in primary care and I may forget to address the issue that Ms Castley and Ms Lee have been banging on about for some time but continue to not understand. In terms of payroll tax, I do want to reiterate, yet again, that there has been no change to the ACT policy regarding payroll tax. Those opposite know this. Well, there has been one change, and I will come to that, and it is a positive one. I query why the Liberals want to change the harmonised payroll tax just for general practices and not for other healthcare and social care providers that are also critical. Since the issue came to light, we have seen psychologists, pharmacists, dentists and other healthcare providers ask the same question of the Canberra Liberals, but those opposite have not provided any answers. What is their policy on payroll tax when it comes to these groups? What is their policy on payroll tax when it comes to businesses providing other services? That is always a question that we need to be asking of the Canberra Liberals.

It is also true that the ACT's payroll tax tax-free threshold is \$2 million, which is the highest in the country, and the ACT government has definitively stated that we will not be seeking to collect retrospective payroll taxes from these businesses, unlike some of the larger jurisdictions, including Victoria and New South Wales. We have been very clear about this. This was the biggest ask from the Royal Australian College of General Practitioners when I met with them prior to this decision to be taken. Their biggest concern was that general practices would be hit with a large retrospective payroll tax bill and that that would be damaging. That has not and will not happen in the ACT.

As Ms Castley also mentioned, we have introduced an amnesty from payroll tax for two years for practices that bulk-bill 65 per cent of services, to ensure that practices that have existing high rates of bulk-billing receive some extra support to adjust to the change and are supported to maintain those bulk-billing rates. To be clear: 65 per cent of services bulk-billed would still be significantly lower than other jurisdictions or primary health network regions in the country. So we have provided certainty to GPs across the city. The fact is that exempting general practice from payroll tax would, in fact, do nothing to address the fundamental challenges that are faced by primary care or, indeed, our broader health system.

Ms Castley has finally come to the party on primary care since the change of government federally. But the reality is that primary care is a commonwealth responsibility and primary care is in the dire state that it is because of 10 years of neglect, Medicare rebate freezes and cutting of the bulk-billing incentive by the former coalition government. That is why general practice and primary care are in the concerning and dire state they are. Since the Albanese government came to power, of

course, it has already moved substantially to address those issues. I am going to read from a letter that I sent to the previous Minister for Health, the Hon Greg Hunt MP, on 10 February 2020. It says:

Dear Greg,

I am writing to you to express my concern regarding access to bulk billing in the ACT following the recent cut to Medicare bulk billing incentives for children, pensioners and concession patients. As you know, the ACT has the lowest number of general practitioners per 100,000 population. While the ACT government has invested and had success increasing the number of general practitioners, the commonwealth's Medicare indexation freezes, incentive cuts and inadequate funding continue to impact across the territory.

As I raised with you at the October 2019 Council of Australian Government's Health Council meeting, the ACT continues to have the lowest rate of GP bulk billing in Australia. The recent 34 per cent cut to incentives to treat vulnerable patients in Canberra will only further reduce accessibility to those who need it most. I note that the Royal Australian College of General Practitioners, and the Australian Medical Association have also publicly raised concerns regarding the impact this latest funding reduction will have on accessibility.

I table a copy of this full letter for the information of the Assembly:

Medicare Funding—

Bulk-billing incentives—Budget cut—Impact on access to bulk billing in the ACT—Copy of letter to the Federal Minister for Health from the ACT Minister for health, dated 10 February 2020.

Of course, the Albanese government has taken a very different approach. Very early on in its tenure, it established the Strengthening Medicare Taskforce, and in its first budget made significant investments in strengthening Medicare, including tripling the bulk-billing incentive—the bulk-billing incentive, of course, being available to support bulk-billing of GP appointments for children under 16, pensioners and other commonwealth concession cardholders. This is a \$3.5 billion initiative to triple bulk-billing incentives to address the sharp decline in bulk-billing rates over the previous years. Of course, this has in fact had an impact.

The increases to the bulk-billing incentive came into effect from 1 November 2023, and the data shows that there was a small increase in bulk-billing in the ACT: from 53.1 per cent at the end of September to 52 per cent at the end of December. For services that were not bulk-billed, the average out-of-pocket payment for GP services reduced as well. This shows that improvements can be made to primary care with the federal Labor government and an ACT government working in partnership, which is exactly what we are doing.

Again, for the benefit of the Assembly, I table the first two pages of the *Building a stronger Medicare—Budget 2023-24* statement from the federal government, which includes further information on the bulk-billing incentive tripling:

## Medicare Funding—

Budget 2023-24—Building a stronger Medicare—Summary of package—  
Brochure, prepared by the Federal Department of Health and Aged Care,  
undated.

The ACT government has done the heavy lifting on sustaining general practice and primary care in the ACT under the period of the former coalition government. The ACT government has invested more than \$16 million in primary care initiatives since 2017 to ensure better care for all Canberrans, and especially for people experiencing disadvantage or with complex needs who face barriers for accessing timely high quality health care. This includes funding for Meridian to establish a culturally safe gender-affirming primary healthcare clinic; funding for Next Practice to provide integrated primary care for up to 250 house-bound ACT residents with complex and chronic healthcare needs; funding for Anglicare's Junction Health Service to establish a mobile clinic for young people aged 12 to 25 years who are experiencing or at risk of homelessness; funding for Companion House for people with refugee and asylum seeker backgrounds who have experience of torture and trauma; funding for the Chat to PAT mobile clinic, which provides wraparound primary care for disadvantaged Canberrans; and, of course, ongoing funding for the Canberra after hours locum medical services. We have also taken initiatives to expand the GP workforce, increase the GP to population ratio, encourage bulk-billing and develop primary care infrastructure.

One of those initiatives we took to expand primary care infrastructure was, of course, to support the establishment of the Interchange Health Co-op in Tuggeranong. The Interchange Health Co-op would be the one membership clinic left in the ACT. Ms Castley, in her media release and in her comments, appears to be criticising this model of care, saying that the clinic was charging patients an upfront fee of \$120, being higher than other average upfront fees in mainland Australia—but, I would note, significantly less than the out-of-pocket costs for three average GP appointments in the ACT. Clearly, Interchange Co-op members think this is value for money, as did National Health Co-op members—the 30,000 National Health Co-op members that used to be a member of this organisation before it became untenable as a result of the coalition government's neglect of primary care.

More than 30,000 people in the ACT relied on the National Health Co-op for bulk-billed general practice services. Indeed, prior to it going into administration, it accounted for 14 per cent of bulk-billed general practice appointments in the ACT. So it is quite astonishing to me that Ms Castley is standing here and criticising this model that was so well supported by Canberrans. I do recall—and I am pretty sure—that Ms Lawder came to the opening of Interchange and was pretty enthusiastic about it at the time.

So what are we doing? As I indicated, we have already invested \$16 million since 2017 in a range of initiatives. But we continue to work with the commonwealth government, with the Albanese Labor government, and one really great example of this is working with the federal Labor government on the primary care pilot that was co-designed with the Capital Health Network and with local GPs. In the pilot, Canberra Health Services and participating GPs, 15 participating practices, will identify patients with complex health needs and enrol them in a 12-week trial, where they will be eligible for free appointments with a GP and allied health professionals. This primary care pilot

program aims to support up to 750 Canberrans with complex health needs over the next 18 months.

Ms Castley's final motion, having corrected herself on whether or not we needed to provide her with the information that is readily publicly available, calls on the ACT government to, by 30 June 2024, present a plan to address the crisis in primary care in the ACT. I can summarise our plan very succinctly for Ms Castley. We plan to work with the Albanese Labor government collaboratively and cooperatively, recognising its significant investment in primary care and the joint commitment through national cabinet to the outcomes of the Strengthening Medicare Taskforce. So I do not think we need to pass Ms Castley's motion.

The other thing I would point out about Ms Castley's motion, though, just in terms of correcting some facts, is that Ms Castley's motion indicates that only 3.4 per cent of GPs bulk-bill. In defence of Canberra's GPs, this is completely and utterly untrue. Most GPs bulk-bill. That is why more than 50 per cent of GP services are bulk-billed. The "3.4 per cent of GPs" could not possibly deliver more than 50 per cent of GP services in the ACT. It is absolutely ridiculous. Ms Castley probably needs to check her facts, as usual.

I will close by indicating that Ms Castley did talk about the money that has been invested in Canberra Health Services brand project and recruitment, saying that the \$1.6 million does support the recruitment project. She seems to think they are completely different things. She also quoted from Dr Andrew Hughes, from the ABC information. Dr Hughes also said, "It says you are modern and people want to work in a modern organisation." Caitlin Brae, who moved from Canberra to Bega, New South Wales, to work at CHS earlier this year, said that the new recruitment campaign with the new branding caught her eye, saying, "I have friends that already nurse up here in Canberra. They love the ICU. They are working there. Also the lifestyle compared to going to a larger tertiary centre like Sydney, for example, I have found a lot more appealing. Less commuting." This recruitment campaign is working, and all Ms Castley can do is continue to undermine Canberra Health Services and its exceptional and dedicated staff.

**MR COCKS** (Murrumbidgee) (4.11): I want to speak briefly on this because, despite the minister's claim that she is interested in facts, she continues to perpetuate the Labor Party's myths about bulk-billing and the history of that Medicare freeze.

I point to the AAP FactCheck entitled "PM's omission misleads on Medicare rebate claim". The reason that title exists is that that indexation freeze was initiated and implemented by a Labor government. This is a freeze that was implemented under Julia Gillard. This is something that the Labor Party loves to forget about, but this was their policy.

Here in Canberra, the Canberra Liberals are focused on making sure we have more GPs and more bulk-billing. We want to make sure that Canberrans are getting the services they need and the services they deserve, which the ACT Labor government has not delivered.

When I am out in mobile offices, when I am knocking on doors and when I am meeting people across my electorate, I hear that they are worried that they cannot get to see a

GP, let alone a bulk-billing GP. People in the suburb of Fisher approached me recently when I was there. They told me that they are worried about the future of their local general practice, because of the actions of this government. When I am out in the Molonglo Valley, they desperately want to make sure they can access a GP, and make sure they can access bulk-billing. But under this government, Canberra is doing worse than the rest of the country.

It is time for a different approach. It is time to get beyond the blame game that this government seems intent on. It is still blaming a government federally that has not been there for years. It is blaming a government that has been replaced by one of its own. But the problems here still persist. We need to take a different course of action, and I commend Ms Castley's motion.

**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) (4.13): We do have people here in the ACT who have difficulty accessing primary care, who cannot get an appointment with a GP as quickly as they need it or who cannot afford out-of-pocket costs, because not everyone can easily access a bulk-billing GP.

The most recent 2023 survey of ACT women's health by Women's Health Matters showed that the main reasons for women rating GP access as "fair" or "poor" were difficulty getting an appointment or that it was too expensive. The primary care access that was rated most poorly included mental health, specialists, medical care at short notice and medical care after hours. The primary cause of that access difficulty is not payroll tax. These areas of medical care that ACT women are saying they are finding hardest to access are delivered by GPs and chronic condition specialists, who are largely funded by the federal government through the MBS.

We have seen over a decade of neglect and mismanagement of primary care by federal Liberal governments. To come in here now and claim that a handful of corporate clinics having to start paying a payroll tax that all businesses with a multimillion-dollar payroll are required to pay, and for which they can actually get an exemption if they are bulk-billing, as we heard from Minister Stephen-Smith, when in fact the majority of GPs are not working in clinics that are impacted by payroll tax, shows the lack of thought that the Canberra Liberals have put into this very serious issue.

If we want to improve access to primary care in the ACT, it will require the ACT and commonwealth governments to work together, alongside GPs and those people in our community who most need quality, bulk-billed care for chronic conditions, as we heard Minister Stephen-Smith talk about.

There absolutely are things that we can do to make those improvements. I have been talking with GPs and healthcare advocates to better understand what the options are, and I still remember what the GP policy team at the Australian Medical Association talked to me about during the time that I worked there, before I came to this place. I remember the stories that women told me about what they valued in a primary healthcare service during the research work that I did, at the request of ACT Health, when I worked in the community sector.



I have been looking at what trials or pilots have been run in Canberra in the past, as well as the ones that are working well in other parts of Australia and internationally, because that is what a responsible government should do—listen to and work with the community on the hard stuff. That is why, when we realised that mental health was one of the top five reasons why people need medical care in the ACT, we got funding—and I would like to thank Minister Rattenbury, the ACT’s Minister for Mental Health at that time, for the work he put into this—to co-design a pilot Safe Haven service in the ACT. It is a warm, welcoming space where a person experiencing distress can go, with no appointment needed, no out-of-pocket cost and no Medicare card required, to be supported by skilled peer workers.

That co-design led to our first Safe Haven opening in Belconnen, right next to the nurse-led walk-in clinic, and close to buses. It opened just as our Canberra community was emerging from the COVID-19 period, when so many people had experienced financial pressures, social isolation and worries about what the future might be during a pandemic.

I want to thank the Office for Mental Health and Wellbeing, and Stride Mental Health for the huge effort they put into getting that service open when we needed it most. It has been such a success that I have been able to secure funding for a second Safe Haven on the Canberra Hospital campus on the south side, in alignment with the recommendations of the co-design team.

I listen to GPs talk about how committed they are to finding ways to provide good primary care for mental health, while also needing to know that there are specialists and other programs that they can refer people to if they need more than primary care. I know that the challenges they are facing are largely driven by the way that the Medicare Benefits Schedule impacts on their ability to cover the full costs of providing quality care. That is why I am very much looking forward to continuing the conversations I have been having about improved access to primary care with GPs and with community sector organisations who advocate for people receiving care, and for their carers and families. I will not be supporting this motion today.

**MR CAIN (Ginninderra) (4.17):** I stand to speak in support of Ms Castley’s motion and commend her for bringing it to the Assembly’s attention. I commend Ms Castley’s motion for a plan to be presented to address the crisis in primary care in the ACT. There is a clear crisis in the provision of primary care in the ACT, despite the health minister’s protestations.

Across the ACT, Canberrans are holding off on seeking medical assistance or seeing their GP because it is becoming increasingly costly, both financially and time-wise. In my electorate of Ginninderra, I have heard from a number of my constituents who have lost confidence, unfortunately, in the ACT health system and its capacity to deliver primary health care.

As Ms Castley’s motion notes, Canberrans’ access to and availability of general practitioners is in dire straits. As of 2023, 19 per cent of Canberrans found it hard to access GP services, an increase from five per cent in 2020. A mere 3.4 per cent of GPs bulk-bill in the ACT, the lowest bulk-billing rate in mainland Australia.

In typical fashion, the Chief Minister and health minister will shirk responsibility and blame the former federal coalition government. That is ridiculous. They will blame the Liberal Party, despite the fact that the quality of the ACT health system is decreasing at a more rapid rate under the federal Labor government than before. They will blame the Liberal Party, despite the fact that Canberrans are finding it harder to access GP services now, under the federal Labor government, than before.

ACT Labor will insist, as they often do, that it is not their fault. Minister, as you often do, you put up your hand and say, "It's not my fault," yet you are the minister. Of course, it is not Ms Stephen-Smith's fault, as long as we ignore the fact that she has been health minister since July 2019. She has little responsibility for the health system, apparently. It is all the former federal coalition government's fault. Of course, it is not her fault, yet the sick tax that she supports could cost Canberra medical practices an extra \$50,000 a year. Ms Stephen-Smith's sick tax will make the ACT even less competitive and attractive for GPs to practise in.

As Ms Castley's motion notes, the RACGP's *Health of the nation* report notes that regulatory and compliance burden and burnout are the dominant issues leading to GPs considering reducing their practice or ceasing to practise. Ms Stephen-Smith's sick tax will only serve to worsen the burden and burnout on Canberra's general practitioners, which will further impact the quality of primary health care that Canberrans receive.

In the five years that Ms Stephen-Smith has served as health minister, the state of the ACT health system and primary health care in the ACT have never been worse. They have got worse. Vulnerable Canberrans are the ones who pay the price for such mismanagement. That is why we need a plan to address the crisis in primary health care in the ACT.

I want to thank Ms Castley for bringing this motion forward and for supporting vulnerable Canberrans who have been continually let down by the poor primary health care delivered during 23 years of mismanagement by ACT Labor and the Greens, and, in particular, the Barr-Rattenbury government. I commend Ms Castley's motion to the Assembly.

**MRS KIKKERT** (Ginninderra) (4.21): I stand as a witness for the countless dedicated general practitioners who tirelessly serve our communities. I want to address the failure of our government in their lack of support for our GPs. There is a crisis in primary care in the ACT. The GP payroll tax could cost Canberra medical practices an extra \$50,000 per year, on average, and, as noted in Ms Castley's motion, this cost has evidently been passed on to Canberra consumers. That is why it is called a "sick tax".

This burdensome GP tax is a matter that affects not just the livelihoods of our healthcare professionals but also the accessibility and quality of health care for every individual in our society. This parliament had the opportunity to dig further into the GP payroll tax and have an inquiry. Over 900 Canberra residents signed a petition and supported an inquiry on this very important issue, but it is a real shame and a deep disappointment that the Standing Committee on Public Accounts chose to not inquire into this critical matter.

Let us acknowledge and celebrate the remarkable achievements of our GPs. These individuals are the backbone of our healthcare system, providing essential medical care,

compassion and expertise to those in need. Their unwavering commitment to healing and services is nothing short of commendable, and we owe them a debt of gratitude for their selfless dedication.

However, despite their valuable contributions, our government has chosen to burden them with an unnecessary payroll tax. This tax not only translates into increased costs for GPs but also ultimately means a heavier financial burden for patients needing medical attention. It threatens to undermine the very foundation of our healthcare system, making it harder for individuals and harder for families, especially those already facing economic challenges, to access the care they desperately need.

The failure of the committee to inquire into this pressing issue is nothing short of unacceptable. It reflects a disregard for the wellbeing of both our GPs and the patients they serve. By turning a blind eye to this issue, they are neglecting their duty to uphold the interests of our citizens and are failing to address a matter of critical importance.

We cannot stand idly by while our healthcare system is undermined and our GPs are burdened with unjust taxes. The committee should have risen in solidarity with our healthcare professionals and demanded action from our government. It should hold the government accountable for their actions and demand that they prioritise the wellbeing of our communities over the government's political agendas. Our healthcare system can be strong, accessible and equitable for all, as long as the government does the work, works together and supports our healthcare professionals.

**MS CASTLEY (Yerrabi) (4.26)**, in reply: The minister spent a lot of time talking about federal responsibility, so I want to say something about the ACT Primary Care Pilot. The Primary Care Pilot is a federally funded trial that aims to support people with complex needs to manage their health in the community so they are less likely to need to go to emergency departments or hospital. The Primary Care Pilot model aims to strengthen partnerships between primary care, community based care and the public health system to assist people who are at risk of going to ED or hospital. Approximately 15 general practices are participating in the Primary Care Pilot. GPs from these practices will refer patients to the PCP if they are at risk of needing to go to ED or hospital. This pilot was given funding for 18 months and it will aim to provide a three-month time-limited intervention for each participating patient.

I fully support this pilot, but it is not a plan. What I am here to do today is to ask the government to give us a plan. This pilot is federally funded. The ACT absolutely has to do some heavy lifting here. It cannot pass the buck by saying primary care is only a federal responsibility. The situation in Canberra is too dire.

**Ms Stephen-Smith:** It is literally a federal responsibility.

**MS CASTLEY:** It may be, but you have a responsibility as a government to come up with a plan for our hardworking GPs who are trying to help Canberrans with the primary health care that they need.

Primary care is under such stress. On a whole range of indicators, the ACT government need to act now. They need to table a practical plan. They cannot just pass the buck and

say, “It’s the federal government’s fault.” It is not. We are struggling in Canberra. Our GPs are struggling. It goes to business as well. These are people who are desperately trying to do the right thing by Canberrans.

On potentially preventable hospitalisations, we see once again that the health minister has decided to try to score cheap political points rather than address the deterioration of primary care. The fact of this matter is that, as I said in my speech, the number of potentially preventable hospitalisations have risen since 2017-18. I note that the last figures published in a series are from 2017-18. It took some digging to get the most recent figures. If you Google “bulk-billing in the ACT”, it comes up with a big 3.4 per cent. According to Cleanbill, the bulk-billing rate in the Australian Capital Territory is 3.4 per cent, which is the lowest in the country. We have that.

The government must come up with a plan. I have said it a number of times. We have all said it. They have to have a comprehensive suite of measures. The government are great at plans and strategies which sound good on paper, but they are not realised. It is a bit like their infrastructure projects.

I stand very proud of this motion. That is all I have to say on that.

Question put:

That the motion be agreed to.

The Assembly voted—

Ayes 7

Peter Cain  
Leanne Castley  
Ed Cocks  
Jeremy Hanson  
Elizabeth Kikkert  
Nicole Lawder  
Mark Parton

Noes 14

Yvette Berry  
Andrew Braddock  
Joy Burch  
Tara Cheyne  
Jo Clay  
Emma Davidson  
Mick Gentleman  
Laura Nuttall  
Suzanne Orr  
Marisa Paterson  
Michael Pettersson  
Shane Rattenbury  
Rachel Stephen-Smith  
Rebecca Vassarotti

Question resolved in the negative.

## **Statements by members**

### **Multicultural affairs—events**

**MRS KIKKERT** (Ginninderra) (4.34): I give a shout-out to the Australian Multicultural Action Network. Our wonderful hosts for the beautiful International Women’s Day celebration were Radha and Ravi. Thank you, Radha and Ravi, and your team for an amazing event. It was filled with inspiring stories and heartfelt reflections on the incredible individuals who have shaped us into who we are today. Thank you, Radha and Ravi, for allowing us to honour those who paved the way for us and continue to uplift others’ journeys.

Another shout-out goes to the Ahmadiyya Canberra community for hosting a very beautiful Iftar event over the weekend. I want to acknowledge and give thanks for their achievements in fostering unity, serving the community and spreading kindness far and wide. Their efforts make a real difference, and we are very grateful for their dedication to always do good.

### **Suburban Land Agency—Elm Grove Homestead**

**MR CAIN** (Ginninderra) (4.35): I rise to speak briefly about the unfortunately ongoing dispute between the SLA and Elm Grove Homestead. The local leaseholder of this heritage listed Elm Grove Homestead, Mr Lee Carmody, has been locked in an ongoing dispute with Minister Berry and the SLA for the last 18 months. The issues that need resolution include the replacement of the southern boundary fence, the finalisation of the entry driveway to Elm Grove, the provision of a sewer tie for Elm Grove, and the lack of security of the SLA's adjoining undeveloped land.

I paid a visit to Elm Grove a few months ago. I have been out there to see what is happening myself. It does not appear to be receiving the same level of support or infrastructure from the ACT government that other heritage listed farms adjoining greenfield SLA estates have received in the past, and I believe it is on the minister to explain why that is the case. I call on Minister Berry and the SLA to resolve this dispute appropriately and promptly.

*Discussion concluded.*

### **Adjournment**

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

That the Assembly do now adjourn.

### **Housing ACT—tenancy conditions**

**MRS KIKKERT** (Ginninderra) (4.36): Today, I speak about my constituents in Holt and Scullin that I have written to the Minister for Housing and Suburban Development about. I am deeply concerned about the failure of the ACT government and its minister to uphold its promise of safety for the people of Canberra. It is a promise enshrined in the agreements made with ACT Housing tenants—a promise of quiet enjoyment of their homes and to not interfere with the quiet enjoyment of their neighbours in their own homes. As outlined on the ACT Housing website, these agreements are quite clear. Tenants are not to transfer their tenancy without permission, they are not to allow unauthorised individuals to move in, they are to submit any new applications if necessary, and, importantly, they are to ensure that neither they nor their visitors create disturbances or excessive noise.

Despite these clear requirements, we find ourselves in a situation where these agreements are being breached and the sanctity of quiet and safe enjoyment is being shattered. The consequences are dire. Residents are left feeling unsafe and scared in

their own home, and their peace is disrupted by noise, disturbance, even threats to their lives, and physical abuse.

This should never have been allowed to occur. I call on the minister for housing to condemn these violent acts. The police were called. The failure of the minister to enforce this agreement is not just an administrative oversight; it is a betrayal of trust. It is a failure to prioritise the safety and wellbeing of Canberra's residents. We cannot stand idly by as this breach of trust continues. I call on the minister to do her job. My constituents and I demand action to rectify this situation because every Canberran deserves to feel safe and secure in their own home. It is time for the government to fulfil its obligation to ensure just that.

### **Carbon emissions—reduction**

**MS CLAY** (Ginninderra) (4.39): Yesterday, the ABC ran a piece about how the world has been the hottest on record for 10 months straight. The Science Council explained why it was hotter than predicted, even on the most pessimistic climate predictions. We are in uncharted territory with more record-breaking heat so soon after a record-breaking 2023.

Yesterday, I tabled additional comments for a report of a committee I chair. I do not usually write dissenting comments when I am the chair, because I have had my say during the inquiry, but some things do not make it into the report and they cannot remain unsaid. What was it that needed to be said? It is good news. We are reducing emissions in some areas like electricity and fossil-fuel gas. A decade ago, ACT emissions from fossil-fuel gas, stationary energy and electricity were 2,734 kilotons, or around 68.4 per cent of our emissions. These have now dropped to 374 kilotons, or around 30 per cent of our emissions. That is really effective action. The Greens emissions reduction minister, Shane Rattenbury, only recently announced policy and programs to phase out fossil-fuel gas, and emissions from fossil-fuel gas dropped over the past year. But there is also bad news: other emissions are increasing.

Let's talk about waste. When our committee held the inquiry, emissions from waste and wastewater sat at about 9.3 per cent of Canberra's tracked climate emissions, or around 153 kilotons. They have since risen to 11.1 per cent, or around 180 kilotons. Emissions from waste in landfill primarily come from organic material like food and wood waste. The ACT government committed to reducing food waste and emissions by delivering a Canberra-wide food waste service by 2023. This was going to be delivered via a large composting facility. That facility has been delayed to 2026 at the earliest. Because of these delays, we will still be sending food waste to landfill in 2026, and maybe even later. That waste will still be generating emissions in 2046. I am really struggling. How does that match up with the ACT's goal of net zero emissions by 2045? Why are we comfortable to delay action on something that affects over 10 per cent of our tracked emissions? How is it an appropriate response to a declared emergency?

The ACT has a thriving local compost sector. We have solid results from our FOGO waste pilot in Belconnen. We could reduce food waste going to landfill earlier if we looked at interim options that do not rely on a large composter in an environment where capital works are constantly being delayed. The City of Sydney is exploring innovative

solutions to prevent FOGO going to landfill by using insect farming. We have those businesses here too, along with compost and worm farm businesses. But, here in the ACT, the government is set on no further action until later this decade. This is not a crisis response; it is business as usual.

We could take real climate action now by expanding the Belconnen pilot. We could also use our existing composting and insect farming sector or we could find new services that could recycle food. We could do all these things right now, before 2026, and we could do it as a low-risk trial. That would mean less food waste going to landfill and fewer emissions locked in for the next two decades. It would also create more jobs. We might even find we do not need the big industrial composter and we might save Canberrans the cost of it.

But it does not look like the ACT government is looking into those options. Before any procurement was underway, Shane Rattenbury and I pitched our concerns and the above options to the Labor minister, but he knocked it back. The procurement for collection contracts has now finished. Those contracts will not be public until 25 April, so I do not know what is in them. I really hope the results will divert food waste from landfill earlier than late this decade, but I am not holding out for it.

### **Yerrabi electorate—events**

**MS ORR** (Yerrabi) (4.43): I rise today to talk about all of the great stuff happening in Yerrabi, and there is much to cover. In January, I was very lucky to drop in to the recently opened Gunners Place, on Gribble Street in the Gungahlin town centre. I would like to thank Shaun Hodson and the team at Gunners Place for inviting me to check out this incredible space that the ACT government, in partnership with a range of community organisations, have set up to serve Yerrabi as a new youth and community hub and a base from which other groups can support the community. Gunners Place has been a long-term goal and a passion project for many people, and I am very pleased to see it up and running.

It was also fantastic to drop in to the Canberra Environment Centre and see how they have settled into their new home at Gungaharra Homestead in Harrison. Their reinvigorated community garden, recycling and sustainable education programs are welcome assets and are highly appreciated by the local community.

As always, Yerrabi's multicultural community have been quite active. They really got involved in Australia Day activities, which I note is also India's Republic Day. I was very glad to join FINACT at the Margaret Hendry primary school to celebrate the day and also to meet the new High Commissioner to Australia from India. On the same day, I also had the pleasure of attending the Afro-Aboriginal Cultural Showcase at the Yerrabi Pond, and saw a bunch of great performances from many local groups.

In March, I was delighted to attend FINACT's annual AusIndia Fair at EPIC, an event that continues to bring together a large part of our Indian community and celebrates all of the different things going on in the community. I very much enjoyed attending the BAPS inauguration festival for the new temple in Taylor and the Nagar Yatra parade, a big celebration leading to the opening of the temple.

Another great event that I had the pleasure of attending was the golf day of Skye and her family for the Children's Tumour Foundation, which was held at Gungahlin Lakes club. It was a great day where everyone got involved and had a few shots. No balls went missing, but there were a lot of fun times and a lot of money was raised.

Lastly, I would like to note that I attended the CMC's iftar and dinner at the Gungahlin mosque, just the other weekend, and it was wonderful to see the community coming together and celebrating.

March was also a great month for updates on the Giralang shops. There was a little bit of activity around some stuff that has been going on there. Everyone is quite happy to see that development progressing. A lease variation has been put in, which I had a number of people ask me about, and I have confirmed with the developer that it is for a Pilates studio that was interested in operating in the shops. We have also had confirmed a cake shop and a supermarket, and everything is progressing. I understand that the development is on track, subject to finalisation of approvals, and that we will start to see that one finally open.

Finally, while it has only been April for a few days, Yerrabi has still managed to pack in one last honourable mention. This Monday, in my own suburb of Franklin, I attended the first sod turn to mark the beginning of construction of the new fenced dog park. Even though my cat Portia will not let me bring home a puppy, I have long been a proponent of the park, as it is necessary infrastructure for Franklin, which, like the rest of Canberra, has one of the highest rates of pet ownership in the country. This was reflected in the government's 2022 community consultation, in which Franklin residents confirmed the need and enthusiastic support for the park. I am, along with just about every dog in Franklin, very much looking forward to its completion.

### **Multicultural events—Ramadan**

**MR CAIN** (Ginninderra) (4.46): I am just waiting for confirmation, but it is my understanding that today is the last day of Ramadan and tomorrow will commence the feast of Eid al-Fitr, which is a celebration of the end of this month-long period of fasting. I want to give a big thankyou and acknowledgement to our Muslim community in Canberra and also mention that I had the privilege of attending three iftar or fast-breaking dinners during the month of Ramadan.

The first was in the middle of March, on 17 March, at Ginninderry Link, in west Belconnen. I want to thank particularly HelpingACT and the wonderful Mohammed Ali for his organisation, along with UnitingCare Kippax volunteers, who helped to distribute the food to us, and, of course, Ginninderry, the development group, for hosting and laying out a beautiful spread of tables and chairs to make room for quite a number of guests, many from our Muslim community, but some who were leaders of our multicultural and political community. There were other MLAs there, and I want particularly to acknowledge the presence of the Canberra Liberals leader, Elizabeth Lee.

On the night of Saturday, 30 March, it was a delight to attend the Gungahlin mosque, which had a particular focus and attraction for our Bangladeshi-Australia community.



I want to thank Dr Masud Hasan, the president of the Canberra Islamic community, for the invitation and the opportunity to participate.

Last weekend, Kippax Uniting again showed their community support by hosting an iftar dinner at their church site, again in conjunction with HelpingACT and the Ginninderry group, who all came together to create a wonderful evening with about 200 different people. It included a wonderful presentation from His Excellency Zahid Hafeez Chaudhri, the Pakistani High Commissioner, who spoke very glowingly about his observations of the success of multiculturalism in Australia and the acceptance of the broader Australian community of many different cultures and practices. Again, it was good to be in the company of many of our MLAs. In particular, one of the Ginninderra candidates, Ms Chiaka Barry, from the African-Australian community, attended with me.

I wish our Muslim community all the very best for tomorrow. It is my understanding that they will celebrate the Eid al-Fitr, to celebrate the end of the Ramadan fasting period, which includes alms giving, prayers and community gatherings. I look forward to being a participant, in the next year, in celebrating with our Muslim community their particular religious practices, such as Ramadan.

Question resolved in the affirmative.

**The Assembly adjourned at 4.50 pm.**

## Schedule of amendments

### Schedule 1

#### Liquor (Night-Time Economy) Amendment Bill 2023

##### Amendments moved by the Minister for Government Services and Regulatory Reform

1

Clause 2

Page 2, line 3—

*omit clause 2, substitute*

#### **2 Commencement**

- (1) This Act (other than the provisions mentioned in subsection (2)) commences on the day after its notification day.

*Note* The naming and commencement provisions automatically commence on the notification day (see Legislation Act, s 75 (1)).

- (2) The following provisions commence on a day fixed by the Minister by written notice:

- sections 9 to 17
- sections 19 to 22
- section 24.

*Note 1* A single day or time may be fixed, or different days or times may be fixed, for the commencement of different provisions (see Legislation Act, s 77 (1)).

*Note 2* If a provision has not commenced within 6 months beginning on the notification day, it automatically commences on the first day after that period (see Legislation Act, s 79).

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