



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

**DAILY HANSARD**

Edited proof transcript

8 May 2025

This is an **EDITED PROOF TRANSCRIPT** of proceedings that is subject to further checking. Members' suggested corrections for the official *Weekly Hansard* should be lodged in writing with the Hansard office no later than **Wednesday, 21 May 2025**.

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**Thursday, 8 May 2025**

**The Assembly met at 10 am.**

*(Quorum formed.)*

**MR SPEAKER** (Mr Parton) (10.03): Members:

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

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

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

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

## **Early childhood education—National Quality Framework reform**

### **Ministerial statement**

**MS BERRY** (Ginninderra—Deputy Chief Minister, Minister for Education and Early Childhood, Minister for Homes and New Suburbs and Minister for Sport and Recreation) (10.04): I rise today to talk about the importance of early childhood education and the recently announced proposed reforms to the National Quality Framework.

Investing in the education of our youngest Canberrans is a priority of this government. We know that equitable access to quality, play-based, early childhood education is a powerful way to support children's learning and wellbeing and, importantly, sets children up for success. We know that this is especially true for children experiencing disadvantage or vulnerability. Participating in quality early childhood education is life changing and plays a significant role in turning the curve on inequality.

Early childhood education is where we can make huge strides in closing the gap for Aboriginal and Torres Strait Islander peoples, in addressing the increasing prevalence of gender-based violence and in leveling the playing field for all children, regardless of the postcode or circumstance that they are born into. That is why our universal free three-year-old preschool program is a significant priority for this government and is part of our biggest-ever investment in the local early childhood education sector.

Valuing children and investing in their learning and development requires us to value and invest in the early childhood workforce. We cannot talk about children and the importance of early childhood education without talking about the critical and

important work done by educators. I am so proud that the ACT has advocated raising the profile of the early childhood workforce, valuing the work of educators and supporting increased professional recognition. Our support for the ACT's early childhood education and care workforce through a new workforce strategy ensures that we are taking action to improve sector supports, build capability and enhance career pathways and professional recognition. This is nation-leading work and a vital reform.

I would like to thank Ms Tough and your good self, Mr Parton, for bringing to the Assembly's attention earlier this year the important issues raised by the failure of Genius services in the ACT. Since this issue was first raised in the Assembly, the provider of a number of Genius services around the country were placed into administration. The behaviour of these providers has been totally unacceptable, with allegations of staff not being paid, rent arrears, resources running out and unpaid cleaners ceasing services. This is not what I expect or have ever experienced in the ACT in my time as Minister for Early Childhood Education. It is far from what children are entitled to, what families expect and far from what educators deserve.

The National Quality Framework—the NQF—was introduced in Australia in 2012 to set standards and legal obligations for education and care for children. The NQF includes the Education and Care Services National Law and Regulations and the National Quality Standard. The NQF established a regulatory framework, with state and territory regulatory authorities established to uphold quality, safety and compliance. The NQF sets minimum requirements for services' physical premises, educator-to-child ratios and educators' qualifications. There are also a number of offences under the NQF which are focused on the safety, wellbeing and healthy development of children. The objectives of the NQF include best practice and continuous improvement in education and care and, importantly, that the rights and best interests of children are paramount.

The priority for early childhood providers should always be the safety, wellbeing and provision of quality early childhood education for children. Although the ACT Regulatory Authority, and other state authorities are taking action to address incidents that pose risks to children, I recognise that there are limitations in their powers under the Education and Care Services National Law. When the NQF was established, it did not contemplate the type of activity we are seeing, with investment companies targeting the sector for growth in the value of company shares through targeted acquisitions and sale of established education and care services. Our regulators are especially limited in their ability to deal with the sort of sharp practice that is usually the realm of corporate regulators.

Many of these problems were highlighted in the recent ABC *Four Corners* report that focused on early childhood education and care providers running services that continually fail to meet the National Quality Standard. Continually failing to meet the National Quality Standard is entirely unacceptable for children, their families, the educator workforce and our community. We would not accept this for schools, and we must certainly not accept this for early childhood services. The *Four Corners* report highlighted several cases where providers were accessing lucrative childcare subsidy payments while providing poor quality and noncompliant education and care to children. Appallingly, these providers and individuals were not meeting their legal obligations to children or their workforce.

While the vast majority of educators and providers are working hard every day to provide high quality early childhood education, including ensuring they uphold the law and their legal responsibilities to children and the workforce, we need stronger powers to address the actions of companies and individuals who are not doing the right thing. In December last year, I wrote to state, territory and commonwealth ministers seeking their assistance to investigate the matters raised by the Genius failings and highlighting the limitations for regulators under the national law as it currently stands. I am grateful to my federal ministerial colleagues for responding to my call-out of this issue and for regulators working together to address these failings.

I appreciate the work commenced by all governments, which has been led by Minister Anne Aly's recent announcements proposing measures to target persistently failing education and care providers with new federal powers. These powers could lead to unscrupulous providers losing their childcare subsidy funding. The proposals include preventing new applications for service approval for providers whose services are not meeting the National Quality Standard or who have repeated breaches of the national law; broadening childcare subsidy compliance activity to consider multiple breaches of the national law and a provider's track record of quality ratings; and requiring providers to correctly pay staff as a condition for continued CCS approval. The proposals would give the Australian government additional powers to act earlier to cease funding where services are not meeting their obligations to the educator workforce, who are the people responsible for the safety, education and care of our youngest children.

I am committed to working with all governments to prevent these unprincipled players from entering and expanding in the early childhood sector and to address consistently underperforming services. I welcome Minister Aly's proposals and will work hard with my colleagues to ensure that we never see again the issues experienced by children, educators and families at Genius services repeated anywhere in the ACT or across the country.

I present the following paper:

National Quality Framework Reform—Ministerial statement, 8 May 2025.

I move:

That the Assembly take note of the paper.

**MISS NUTTALL** (Brindabella) (10.11): The Greens welcome these reforms to support early childhood education and care educators and families. I am grateful that the minister has listened to Ms Tough, Mr Parton and I as we have urged her to work with her federal counterparts to reform and future-proof our early childhood education and care system—and, credit to her, I suspect she would have done it anyway.

We know that the behaviour of Genius and similar providers is completely unacceptable. Anything done to hold them to account at the ACT or federal level is supported by the Greens. However, I do have lingering concerns that these proposed reforms do not go far enough. The key issue that we have found to the government's response to the Genius scandal is how deeply reactive the system is. There are far too

few measures in place to ensure that the relevant regulatory bodies are being proactive in ensuring that providers—especially for-profit providers—are providing a service of acceptable quality.

Yes, absolutely we should make it harder for dodgy providers to get approvals, of course. Their track record should be a factor in getting the childcare subsidy, of course. If a provider is engaging in wage theft, then obviously they should not be permitted to access childcare subsidy funding. But all of these measures are still applied after the bad thing has already happened. What will be done to ensure that we do not have another Genius childcare fiasco? Certainly these measures may have lessened the impact of that cascading failure, but I suspect that none of them would have completely prevented the impact the closures and staff walkouts had on children, on educators, on families and on staff in attendance. These responses are all aimed at preventing dodgy providers like Genius from receiving additional funding or from expanding. What they do not do is actually ensure that childcare centres are held to a higher standard of conduct that can proactively push centres to improve before they reach crisis level.

I will conclude by echoing the federal Greens policy, that what we actually really need is an early childhood education and care commission. We need to look at the sector as a whole and we need to find ways to manage the issues that are emerging there. Bandages are good, but what we need is a doctor. I, again, support these proposed reforms, but far more is needed.

**MS TOUGH** (Brindabella) (10.14): I rise to thank Minister Berry for the update on reforms in the early childhood sector. I am really pleased to hear of this new workforce strategy and these changes to the NQF. What we heard last year about Genius was absolutely shocking, and I continue to be in contact with educators and parents at centres that were owned by Genius and with what their future looks like now, looking for new providers. What happened to those families, to those educators, to the staff and to everyone involved was just horrendous. It was almost incomprehensible how the staff and the families were treated with repeated wage theft and with things not being cleaned and fixed. It was incomprehensible that these things are happening in early childhood education. So I am really pleased to see that things have come from those investigations and what we heard in those allegations.

Investment companies operating in the early childhood sector raises concerns across the board. *Four Corners* showed us stories from not just here in Genius in Canberra but also from different companies across Australia and how they are coming in and buying childcare centres. Sometimes—not in every case, but sometimes—that just means that the safety of children and staff and their education is not put at the forefront of what that centre is about.

So I think it is really important that we have these NQF reforms to address that and make sure that the safety of children and staff is paramount, that children's education and children's play—that children are in a safe, fun and happy environment—is paramount and that staff are not left without pay and without resources and can do the job that I am sure they love doing. It is a wonderful job they do. It is such an important job in society to be an early childhood educator, and they deserve recognition and support.

I really am optimistic that these NQF reforms will help ensure that these practices that we had not seen before in early childcare education are recognised and that the NQF moves along to protect people into the future. As the minister said, we would not accept this in schools. If this was happening in schools there would be outrage across the board by everybody and things would happen. But, because it is early childhood education and it is a female-dominated workforce, this kind of happens in silence and things do not move as quickly. We would not let it happen in schools, so we should not be letting this happen in early childhood education. It should be treated just as importantly as all other forms of education. Just because they are young children and not school-aged yet does not make them any less important, and it does not make the workforce any less important than our teachers and educators in schools. So I am really, really happy to hear about these reforms this morning.

Thank you, Minister, for acknowledging the work that my colleagues Mr Parton and Miss Nuttall and I have done in bringing attention to what happened in Genius here in Canberra last year, and having that as a trigger for national reforms. I was hearing Genius stories from people in WA, in Queensland, in Victoria and in New South Wales—across the country—who were reaching out and saying, “This is happening where I am, too. What can I do?” and was able to support people and say, “Here is a contact at the Fair Work Ombudsman to talk to about the wage theft; here is the contact for your local early childhood regulator. Talk to them so we can build this story across the country of what is happening.”

It is really heartening to know that this is starting reforms and that there is a brighter future in early childhood education that has come out of dark days for a lot of families and educators. So I am optimistic that this is a trigger and that we will not see this again in this sector, and that regulators working together with national reforms to the NQF means better days in early childhood education, a brighter future for our kids and their educators, and that we can do something about this. So thank you, Minister. I am optimistic for the future.

Question resolved in the affirmative.

## **Canberra grassland earless dragon—conservation efforts**

### **Ministerial statement**

**MS ORR**(Yerrabi—Minister for Aboriginal and Torres Strait Islander Affairs, Minister for Climate Change, Environment, Energy and Water, Minister for Disability, Carers and Community Services and Minister for Seniors and Veterans) (10.18): It gives me great pleasure to rise and make a ministerial statement about the ongoing work and new financial investment that the ACT government is making to prevent the extinction of an iconic species, the Canberra grassland earless dragon.

The Canberra grassland earless dragon—hereafter referred to as the dragon—is a small lizard that is up to 150 millimetres long and weighs five to nine grams. They are found only in the Canberra region and were recognised as a distinct species in 2019. The dragons live in natural temperate grassland, one of our threatened and our precious ecological communities, and generally only in areas that have had little or no ploughing or pasture improvement. They like well-drained sites with patches of tussocks and open spaces between those tussocks. They eat small invertebrates and interact with other



native grassland animals, using burrows made by spiders and insects for shelter and nesting.

Many MLAs would have had the pleasure of seeing the dragons in the field or at the Tidbinbilla breeding facility. But, sadly, the ACT's remaining populations of dragons are threatened by a loss of habitat and degradation of habitat due to fragmentation, altered grazing, fire regimes and weed incursion. Fragmentation of habitat has led to isolated dragon populations rapidly losing genetic diversity through inbreeding. The remaining habitat is limited to the Majura and Jerrabomberra valleys and some adjacent areas of Queanbeyan, in New South Wales.

The number of dragons in the wild has fallen suddenly and dramatically over the past decade. This decline was particularly evident during the severe drought in the lead-up to the Black Summer Bushfires. The dragons are now considered critically endangered. They are likely the most imperilled species in the ACT and are one of the top priority species for conservation at a national level. Without active and sustained conservation measures, the dragons are at extreme risk of extinction. If this species were to go extinct, it would be the first documented extinction on a mainland reptile in Australia right here in Canberra, and we cannot let this happen.

Since 2020, the ACT government has invested \$2.7 million in preventing the extinction of the dragon. This funding has enabled a substantial amount of groundwork in conserving the species to be undertaken. This includes work to restore and reconnect natural temperate grassland habitat to help the dragon and other grassland species survive in the landscape; the establishment of two small insurance and captive breeding populations at Melbourne Zoo and Tidbinbilla Nature Reserve; and the development of software that allows sophisticated pairing of animals in captive breeding colonies, which involves dragons being genotyped to understand the variation in genes of individuals in computer simulations that are run to decide which individuals should be paired to maintain genetic diversity.

The work also includes the establishment of a large outdoor predator-proof ring-tank facility to facilitate ecological and behavioural research. This facility is a flagship program, and research is being undertaken with other partners. There are also trial introductions of captive bred individuals into a carefully managed wild release site and the development of population viability analysis to optimise captive breeding colonies and to inform the size, location and timing of future re-introductions.

Today, the government is pleased to announce its commitment to an ambitious recovery effort over the next four years to continue and increase our efforts to prevent the extinction of the dragon. The continuation and expansion of the recovery program for dragons reinforces the ACT government's leading role in conservation of this species. Importantly, I am pleased to announce that the ACT government will be jointly releasing the new recovery plan for the four grassland earless dragons of southeastern Australia with the commonwealth government. The ACT government will establish a nationally registered recovery team, creating a platform for coordinating species experts and stakeholders to engage in recovery. The recovery team will prioritise, facilitate and oversee actions from the upcoming commonwealth plan and the updated ACT Canberra Grasslands Earless Dragon Action Plan 2025-2035.

Further, our commitment includes the investment of a further \$4.5 million to support our efforts, with \$2.4 million of that to run a new recovery program, including positions needed to breed dragons, maintain captive colonies and facilitate actions from the species action and recovery plans; approximately \$2 million for the expansion of the Melbourne Zoo breeding colony, with a focus on maintaining genetic diversity—Melbourne Zoo has been a pioneer in captive breeding of Canberra grassland earless dragons over many years and has the in-built expertise and economics to rapidly increase production of dragons to 200 breeding individuals; and \$120,000 to enable continued releases from captivity into the wild.

Genetic analysis and matchmaking programs are essential to addressing inbreeding. Genetic diversity decreases in these isolated populations because individuals only have access to those genes that were present when the population became separated, not the genetic variation that is present across the species. As dragons inbreed with each other, the gene pool is further depleted. Our continuing work aims to capture, represent and maintain the remaining wild genes in captivity and produce genetically-optimised dragons for release. Increased genetic diversity includes greater fitness potential for disease resistance, drought tolerance and other factors that help the dragons survive under different environmental pressures.

As indicated by the importance of genetic diversity, robust science underpins and guides adaptive management for conservation in the ACT. Research and monitoring is integral to the dragon recovery program and will inform future management strategies and effective threat mitigation for this and other species. The ACT government dragon research program will include investigating the impact of threats faced by wild dragons, such as climate change and habitat degradation and fragmentation; understanding the effectiveness of management and mitigation actions; the mating behaviour studies, which will inform genetic management; more efficient detection methods such as eDNA and sniffer dogs; improved habitat restoration techniques; and future releases of captive-bred dragons to maintain existing wild populations and to establish new self-sustaining populations.

There has been quite a bit of public discussion on the dragon and its chances of survival. Much of the recent discussion has focused on the impacts on the dragon arising from the northern road development that is being progressed by the Canberra Airport. A lot of this discussion has argued that the development will lead to the extinction of the dragon. In working through all the perspectives surrounding the plight of the dragon and with extensive briefing from the Environment, Planning and Sustainable Development Directorate, the view I have come to is that the recovery of the dragon is quite complex and requires a considered, nuanced and multifaceted response. I think it is fair to say that the development of the road will have an impact on the species; however, I am not sure it is fair to say that this one single action will be the thing that determines the fate of the dragon.

I appreciate that some people will be disappointed to hear me say that, but I have not arrived at this view quickly or flippantly, and I would like to share some of my thinking and how I have arrived at this view. If you put everything in its simplest terms, to recover the species, you need dragons and you need a place for the dragons to exist. That is to say, you need both, not an abundance of one or the other. So, while we most definitely need habitat, having abundant habitat but no dragons is not going to recover

the species. That is why I formed the view that, in the first instance, we need to increase the number of dragons and ensure they have a sound genetic diversity, and it is why I have put the case within the government that, in the first instance, our efforts on captive breeding and the release program need to be continued and increased.

In having said that, I note I have also said no one thing will determine the fate of the dragon, and I acknowledge that the captive breeding and release program will also not be the silver bullet that saves this species and that complementary measures will need to be progressively implemented. Should the ACT government prove to be the world's best matchmaker of dragons and, over the next four years, we deliver more little dragons than one could hope for, we are going to have a very good problem of finding a suitable home for them. This brings up the question of habitat firmly into view. The ACT government is already working to restore habitat so that the dragons we successfully breed have a suitable home to be released to. This will not only further conserve our wonderful native temperate grasslands but also ensure dragon populations improve in the wild and not just in captivity.

As we continue to restore habitat, every bit of native temperate grasslands will be important, and the loss of even a hectare from any current site will be a lost opportunity for habitat growth. I can say quite honestly that I would love to see every bit of potential dragon habitat preserved and, over time, inhabited by an abundance of dragons. I do, however, acknowledge that the environment and planning system provides for applications to be made and considered and decisions made on balance against a range of considerations, including but not limited to environmental.

The facts are, as I understand them to be, that the airport have followed the federal approval system, have received developmental approval and are within their rights to build the road and that the only things that will stop the road being constructed at this point in time are the airport deciding not to construct it or the federal minister overturning the decision. I think it is fair to say that, given the construction works undertaken to date, the airport is not about to abandon the project. That leaves the option for the federal minister to overturn the decision, and I note there is a campaign currently afoot calling for such action.

While some will argue I should join the campaign to have the federal environment minister reverse the approval decision, I consider this to be a high-risk strategy, not because, as some have implied, the federal minister is from the same political party as me and I do not want to be seen to be rocking the boat, but because very few decisions of this nature have ever been overturned. The reality of overturning decisions like this is that the bar is extremely high, and the federal minister needs to be able to demonstrate against a very strict administrative decision framework that the bar has been met beyond doubt in order to reverse the decision. In other words, it is not a situation where you can just choose to change your mind no matter how much campaigning or political pressure is applied. Should the current calls for the decision to be reversed prove unsuccessful—and history would suggest that it is more likely than not—then the road will go ahead with no guarantee of any further action beyond that already agreed to date.

I have come to the view that this is the worst-case scenario, closely followed by the road not going ahead and no further action beyond that already agreed to date. This is because, if we focus on one part of the puzzle and not the whole puzzle, we run the risk

of missing pieces that are just as or even more important. With this in mind, I have made representations to the federal environment minister and Canberra Airport stating that, should Canberra Airport choose to proceed with the development, it is the ACT government's view a range of mitigation and offset measures would need to be put in place and outlined what a minimum standard for these would look like.

In response to my representations, Canberra Airport have been productively engaging with the ACT government. I am hopeful that we can collectively support a species-positive response as two of the main managers of habitat lands. With the federal government in caretaker, the discussion has not been quite as active with them, but I am looking forward to the new government being sworn in and recommencing discussions with the minister, once appointed. I am also happy to put on the record that I plan to drop Defence a line to see what more we can do together, as they also have the privilege of being managers of habitat lands, and I reckon everyone with a bit of the puzzle should get on board with recovering this very precious species. In short, I am hopeful that the recovery of this species can become a joint effort and not one of separate parts in conflict with each other. That is what I, as the responsible minister in the ACT government, will work towards.

In addition to increasing the numbers of dragons and making sure they have as much quality habitat as possible, we also need to learn a lot more about this cryptic little species. The research and monitoring that is built into the ACT Species Recovery Response will continue to educate us and allow us to identify new opportunities to improve our efforts, and we will continue to identify more opportunities where we can learn and fill gaps in our current knowledge.

I would like to thank the dedicated and specialised ACT public service staff, who are working tirelessly to prevent the extinction of our precious dragons, as well as the many ACT government partners in this project. The University of Canberra plays a lead role in the behavioural, genetic and ecological research of the dragons and has been working with the ACT government for over 15 years on this species. Melbourne Zoo has a captive colony of dragons, from which it provides animals for release and research, and has shared its expertise in husbandry and breeding techniques developed over several years with the ACT government. The ACT government collaborates with the Australian government and Department of Defence to monitor and conduct research on dragons at the Majura Training Area and works closely with the New South Wales government to monitor and recover the species in adjacent New South Wales lands.

The commonwealth is also funding work to increase our understanding of the natural area occupied by dragons and to increase our understanding of the species range. The investment of the ACT government in dragon recovery will also support conservation efforts for other threatened species, such as the golden sun moth, the striped legless lizard, the Perunga grasshopper, the button wrinklewort and the endangered natural temperate grassland ecological community. We want to ensure no other ACT species declines to such a critically low level as to need this intensive recovery effort.

As an endemic species in the ACT and a national priority for conservation, the ACT government has a specific responsibility to spearhead efforts for dragon recovery. Today's announcement fulfils this obligation through supporting an ambitious four-year recovery effort from which we can continue to build, to ensure that this species

will hopefully thrive in our Canberra grasslands long into the future.

I present the following paper:

Preventing the extinction of the Canberra grassland earless dragon—Ministerial statement, 8 May 2025.

I move:

That the Assembly take note of the paper.

**MS CLAY** (Ginninderra) (10.33): I welcome the minister's statement today. It is great news about the \$4.5 million of funding—it is really welcome news—for the breeding, and the restoration and reconnection of the habitat. These are great actions.

I would also like to thank the minister for a number of other things that she has done recently. She has set up a meeting between the Canberra Airport Group and Friends of Grasslands. I think that is an excellent step forward. She noted that she is planning to speak to Defence about some precious habitat land that is managed and owned by Defence. That is also an excellent step forward. These are all really good things to see.

I also want to thank the community for campaigning on this and for speaking up about maybe losing forever our dragon here in Canberra. A lot of people have been really worried about this. It is great to see that, when the community come together and speak up on an issue, there can be some different outcomes and some good steps forward.

I have seen the media release put out today by the Conservation Council and Friends of Grasslands. I want to read out a couple of comments from that media release. Professor Jamie Pittock, who is the president of Friends of Grasslands, knows a lot about these dragons, and has been working on this for a long time. He said:

“The dragon is a “Goldilocks” species that only lives in natural grasslands that are managed “just right” for all the flora and fauna of this critically endangered ecosystem to thrive. Minister Orr and the ACT Government are congratulated for this major and timely investment in the survival of Canberra's own dragon.”

“It is time the Canberra Airport Group showed a similar commitment and abandoned their northern road development that would bisect the largest remaining contiguous area of dragon habitat.”

The Chief Executive of the Conservation Council, Dr Simon Copland, has also made some comments on this. He said that this funding is “extraordinarily welcome”, but he does note:

In the start of their first term, the Federal ALP Government committed to no new extinctions under their watch.

That was certainly an undertaking that I heard from a number of our federal candidates recently. Dr Copland went on to say:

The ACT Government have now stepped to the plate to do everything they can to

stop the extinction of the Earless Dragon. It is time the Federal Government demonstrated similar leadership by cancelling the approval of the Northern Airport Road to save the best habitat currently available for Canberra's dragon."

It is welcome news. I absolutely take on board the minister's careful explanation. I do welcome the detail in today's statement. It has been useful. Extinctions are complicated. They often will not have any one single cause. I think that a lot of our extinctions are contributed to by our changing climate. They are contributed to by habitat destruction, and here in the ACT we have destroyed 99 per cent of the grasslands in our region. There has been a lot of destruction already. Obviously, there are predators and pest species. There are many impacts that contribute to a species becoming extinct.

It is important to make sure that, when we are on the brink of an extinction, it is an identity moment for us. It is a moment for us to stop and think about who we are and where we are headed. If we do not do everything we can to stop that extinction, what does that say about us as human beings? Does that mean we are happy for the extinctions to continue?

I very much welcome the actions that the minister has announced. Each and every one of those is really valuable and may give our dragon a fighting chance. We will actually not know right now.

I am not sure; the community groups and experts who have been working on this are still worried about the road. I am grateful to the Canberra Airport Group. I want to thank them for meeting with the Greens recently. We had a good meeting about this, and we shared a lot of information. There was a lot of consensus and common ground. It was good to establish that. I absolutely understand that they are within their legal rights to build this road; we do understand that.

I was also pleased to hear them restate an undertaking they have made a few times—and they seem to be quite committed to this undertaking, which is great to see—that they will not go ahead and do the roadworks in a sensitive area until the federal environment minister has had the chance to reconsider the original approval. I was pleased to hear that undertaking and that restatement.

It is up to the federal environment minister to look at that decision really carefully. I hear what our local environment minister has said—that these decisions are not often overturned. I understand that, historically, maybe these decisions have not often been overturned. We are in a unique situation here. This was an approval that was made about a species that was not critically endangered at the time. It has since been uplisted by the federal environment minister to "critically endangered"—the last stop before extinction.

Things have changed since that decision was made. That is often a really good reason to change an administrative position. We know, and we have heard again, that if the dragon becomes extinct, this will be the first documented case of a mainland reptile extinction. This is a fairly major moment in our history, and that is probably another good reason to make a different decision from the one that was made previously.

I will say this really simply: if we keep doing the same things that we did yesterday, we

will not get a different outcome from the one currently predicted. If we keep with business as usual on the environment, if we keep running projects the way we have been, and that look like they are leading to extinctions, we will not get a different result unless we choose to do something differently.

That is the basis on which we need somebody to be engaging with this, as a decision-maker. There are a lot of people involved in this; there are a lot of decision-makers. With respect to the Canberra Airport Group, I am delighted that they have made the undertaking to pause the roadworks in a sensitive area. I would love them to reconsider, again, how important this project is. Is it more important than the existence of dragons, full stop?

We understand that this is one small part of a picture, and it was good to hear our ACT environment minister looking so holistically at this and working on all the pieces of the puzzle. It was excellent to hear that. We absolutely need to do all we can on all of these pieces. We need to look at genetic diversity, breeding in captivity and re-release. We need to look at protection and preservation of habitat.

I will again mention Professor Pittock's words—that the area we are talking about is one of the best-known areas of habitat. It is quite important, as one of the pieces in that puzzle. For a lot of people, this is looking a bit symptomatic of our environment laws, all around. A lot of people recognise that our environmental laws are broken; they are not protecting the environment. Our nature protection laws are not protecting nature. If we are seeing more extensions, clearly, the way we are running our projects and doing our business is not avoiding that outcome, so we need to do something different.

It is a little bit symptomatic of the way we treat our environment, where we make a decision, put up a project, perhaps have a commercial reason to run that project, and we do not change that decision, no matter what. We may do something else over here. We may offset some land. We may look for some other habitat somewhere else. We may put in some funding. It is really welcome funding; it is significant funding that we heard about today, and I do not diminish that at all.

None of the things that we are doing will ever lead to a different decision on the original project. It is no longer working if we constantly say, "I will continue with business as usual and, if I do something else over here, it won't matter." It is clear, from the outcomes we are seeing in our environment, that it does matter.

We are running out of time. This is becoming quite an urgent matter. I would urge every decision-maker in this to do everything they can and to think about the impact of their decision today, in a hundred years and in a thousand years, because that is the nature of the decisions we are making. It is not yet too late. We believe it is not yet too late, but we need to do all we can.

**MR WERNER-GIBBINGS** (Brindabella) (10.42): Like my colleague Ms Clay, I, too, welcome Minister Orr's announcement of further funding for the Canberra grassland earless dragon. I also thank the minister for the lift that she gave me earlier this week to the dragons breeding facility in Tidbinbilla, which gave me a chance to look out the window and take in just how exceptional the Tidbinbilla Nature Reserve really is. I think it is one of the best things about living in the ACT's best electorate. It is, without

a doubt, the most engaging, accessible, beautiful and best nature park in the ACT.

Indigenous people have lived in and around Tidbinbilla for at least 20,000 years. It is on the Australian National Heritage List. The International Union for Conservation of Nature classifies Tidbinbilla as a category 2 protected area. The reserve covers more than 54 square kilometres. It is nestled between the Tidbinbilla mountain and the Gibraltar Range. It offers bushwalks, hikes from 30 minutes to over six hours, wildlife observation spots, and Indigenous culture and conservation learning opportunities.

It is home, as I am sure many of us understand, to a wide range of Australian animals living in diverse sub-alpine habitats, including wetlands, grasslands, wet and dry forests, and woodlands. There are kangaroos, wallabies, koalas, platypi, potoroos, bandicoots, wallaroos, echidnas, emus, lyrebirds, and many other birds and reptiles. I found out earlier this week that it has the highest density of platypi in Australia.

This means that the citizens of Brindabella are privileged to live amongst—and the rest of Canberra are lucky to live near—some of Australia's most important species and ecosystems. Tidbinbilla staff are leaders in conservation research into these species and ecosystems and have charge of government breeding programs for the southern brush-tailed rock-wallaby, the northern corroboree frog and the Canberra grassland earless dragon.

Tidbinbilla manages the largest captive breeding population for the critically endangered northern corroboree frog. More than 2,000 frogs have been released into the wild since that breeding program was established. The Tidbinbilla team is also working towards a self-sustaining population of the southern brush-tailed rock-wallaby, which will be centred around the 120-hectare predator-proof enclosure, the Jedbinbilla Safe Haven, which was completed in June last year. The safe haven will look after at least 100 individuals, allowing natural processes, such as foraging and choosing a mate, to occur—and, importantly, occur in a setting that is safe from foxes and other threats.

The conservation work being done at Tidbinbilla is a testament to the commitment of the ACT government in this space, and the dedication and passion of many in our community. You might remember, Mr Speaker, that I referenced the Canberra grassland earless dragon—perhaps, for short, the CGED—when discussing World Wildlife Day earlier this year. As the minister noted, these earless dragons are critically endangered. I am delighted by the minister's announcement this morning that the ACT government will invest a further \$4.5 million in supporting conservation efforts and genetic diversity for the CGED.

The biosecure breeding facility that the minister and I visited earlier this week protects CGEDs from disease and provides optimal conditions for their wellbeing. Each dragon is housed with everything it needs, such as a burrow, grasses to climb on and a basking platform. The facility is working well and it is crucial in ensuring the survival of this important ACT animal.

I am sure the ACT government's crucial and timely funding will level up Tidbinbilla's breeding program, in partnership with the Melbourne Zoo, to the point that releases of



Canberra grassland earless dragons and the establishment of sustainable, viable populations in the wild are possible.

To perhaps build incrementally on the minister's announcement, today I would like to announce the launch of my campaign to have the Canberra grassland earless dragon formally adopted as the ACT's reptilian emblem. The ACT already has a multitude of emblems, Mr Speaker, as I am sure you are aware. The gang-gang cockatoo is our faunal emblem. The royal bluebell is our floral emblem. The southern brush-tailed rock-wallaby is our mammalian emblem, and the *Batocara mitchelli* trilobite is our fossil emblem. But that is it; that is all. Not one bit of meat is thrown to our cold-blooded constituents—until now. You can imagine it, Mr Speaker: an image of the Canberra grassland earless dragon, in its iconic, chest-up stance—which is actually a threat posture—festooning ACT merchandise. And it could all begin here.

No-one in the Assembly would accept the loss of the ACT's reptilian emblem, so I am hoping that you and our colleagues will join me in helping to raise the profile of this charming little creature just that little bit more, so that it does not become—and Ms Clay suggested this as a possibility—the first documented extinction of a mainland reptile in Australia. That is a worst-case scenario if our recovery efforts fail.

As it stands, we have the science, we have the ACT government's commitment and financial support, and we have the facilities and dedicated team at Tidbinbilla and Melbourne Zoo to ensure that the ACT will not be known for the lizard we lost, but for the dragon we saved.

Question resolved in the affirmative.

## **WorkSafe ACT—industry engagement**

### **Ministerial statement**

**MR PETTERSSON** (Yerrabi—Minister for Business, Arts and Creative Industries, Minister for Children, Youth and Families, Minister for Multicultural Affairs and Minister for Skills, Training and Industrial Relations) (10.48): I am pleased to provide an update to the Assembly on some of WorkSafe ACT's recent industry engagement. In addition to its compliance and enforcement activities, WorkSafe ACT is committed to proactive engagement with employers, workers and the wider community on workplace safety.

Through this engagement, WorkSafe seeks to improve approaches to safety and to refine the capability of duty holders in managing safety in their workplaces. This is one of WorkSafe's key priorities and it is reflected in their 2025 to 2029 strategic plan. It directly supports their broader compliance model through supporting an improved understanding of our safety regulatory system.

To put it simply, the better we can understand the safety challenges we face as a community, the more sophisticated workplaces can be in responding. A good example of this approach has been improving engagement with vulnerable workers. These are people who, due to a range of factors, such as being new to the workforce, language barriers or coming from different cultural backgrounds, are at increased risk of experiencing a work-related injury or illness.

No worker's safety should be disadvantaged by their background or experience. Recognising this, WorkSafe has a vulnerable workers team who provide practical information on work health and safety to these cohorts. For culturally and linguistically diverse workers and business owners, this has been through preparing tailored translated guidance, outlining key safety and workers compensation information. This information is available in a variety of languages that are common in our community, including simplified Chinese, Nepali, Vietnamese and Punjabi. These materials are available on the WorkSafe website and are distributed at community events that WorkSafe attends.

WorkSafe also prioritises engagement with young workers through its vulnerable workers team. This work has also led to the recent launch of the young workers portal, which is a one-stop shop for young workers, apprentices, their employers and families to receive tailored advice about workplace safety. For young workers, it is a resource to understand their rights and responsibilities and, for families, employers or educators, it is a place to understand how to tailor support for young people to be safe at work.

This focus on engagement with vulnerable workers aims to ensure that those at a higher risk of injury, such as young workers, or workers from culturally or linguistically diverse backgrounds, are provided with the additional support they deserve to be safe in their workplace.

In addition to this focused engagement with vulnerable workers, WorkSafe also engages extensively with industry. This is with the aim of facilitating discussion and improving understanding of safety concerns, industry to industry. Launched last year, WorkSafe's regular industry breakfasts continue to bring together key stakeholders to discuss safety in their sector. Each event features expert panellists who offer comprehensive insights into that industry's safety challenges. It provides the opportunity to ask questions and foster discussion between industry leaders on how they can improve safety as a sector. The industry breakfast series is back again for 2025, and those interested in attending one can find out more about upcoming events on WorkSafe's website.

While these are great events, we acknowledge that not everyone will be able to attend. They should not miss out on the chance to hear insights from experts and to learn the latest thinking on workplace safety. To that end, WorkSafe has recently launched the Safety Spotlight program. Available to anyone at any time, the Safety Spotlight program provides practical insights on safety, discussing the latest trends, safety advancements and stories of successful programs from experts. Its first edition focused on managing fatigue as a key psychosocial hazard. Future programs are coming throughout 2025, each one providing new insight to a key safety challenge.

To complement this, WorkSafe is also developing tailored education and guidance materials for small businesses so that they, too, may build their capability in creating safe workplaces. Together, this forms an overall package of resources, events and materials from WorkSafe on safety. It allows anyone to easily learn about a new safety topic, to hear about a new approach or to understand better our work health and safety system.

WorkSafe continues to be a nation-leading regulator. I am pleased to see the continued refinement of resources, approaches and opportunities to engage on safety. This work, I recognise, has been a key focus of our WHS Commissioner, Jacqueline Agius, and I am pleased to note she was recently reappointed for another five years as commissioner. Workplace safety continues to be a priority of the ACT government, and I look forward to seeing WorkSafe's engagement efforts continue.

I present the following paper:

WorkSafe ACT industry engagement—Ministerial statement, 8 May 2025.

I move:

That the Assembly take note of the paper.

Question resolved in the affirmative.

## **Urban Forest (Approval Criteria) Determination 2025 (No 1)—amendment**

**MR BRADDOCK** (Yerrabi) (10.54): I move:

That, in accordance with section 68 of the *Legislation Act 2001*, Disallowable Instrument DI2025-16, being the Urban Forest (Approval Criteria) Determination 2025 (No 1), be amended as follows:

**(1) In Section 1— Approval to damage a regulated tree**

(a) Omit (1)(a)

(b) Omit (1)(f) and substitute:

(f) the tree has poor form or low vigour, or is dead, or is in decline and its life expectancy is short; and is of low amenity and ecological value to the surrounding landscape or canopy cover; or

**(2) In Section 3— Approval to damage a public tree**

(a) Omit (1)(a)(i)

(b) Omit (1)(a)(v) and substitute:

(v) the tree has poor form or low vigour, or is dead, or is in decline and its life expectancy is short; and is of low amenity and ecological value to the surrounding landscape or canopy cover; or

(c) Omit (1)(a)(ix)

(d) Omit (1)(b)

**(3) In Section 4— Approval to undertake prohibited groundwork within the tree protection zone of a public tree**

In all cases, substitute “an acceptable” with “minimal”.

My motion invokes section 68 of the *Legislation Act 2001*, which is a section which has not been used by this Assembly in a very long time, possibly as far back as when John Stanhope was Chief Minister. Section 68 allows for the Assembly, by resolution,

to amend a disallowable instrument—in this case, the disallowed instrument is the Urban Forest (Approval Criteria) Determination. I provided notice of this motion at the end of the last sitting in the interests of getting it on the notice paper for transparency, to give members the opportunity to consider its content and to start the clock ticking on the six sitting days in which it must be debated or otherwise be taken to succeed.

I thank members who have accepted briefings on my amendments in the intervening period. I also thank Ms Cheyne, her office and officials for their engagement on this issue. We engaged regarding this instrument shortly after it was first notified on 7 March 2025. My concerns with the instrument were somewhat addressed during those engagements but not fully alleviated. That is why this is an amendment motion under section 68 rather than a full disallowance motion under section 65.

The determination does a number of things to relax the requirements for approving removal of or damage to a tree. Some of those appear warranted—for example, allowing a tree to be removed where it is an inappropriate species for a location, considered against the strategic objectives of the Urban Forest Strategy. However, there are some elements in the determination which make me uncomfortable and, I believe, undermine the intention of the original Urban Forest Act.

A public tree being dead should not be sufficient grounds to approve the removal of that tree. While I expect that the minister will argue that any approval for removal must also satisfy the condition that all other reasonable remedial treatments and risk mitigation measures have been determined to be ineffective, you cannot exactly remediate a tree from being dead, because it is dead. But dead trees still have important roles in providing habitat for wildlife by providing hollows and perches. It is for this reason I want to see a provision wrapped in with other new provisions introduced by the instrument—those being the new options to remove or damage a tree where the tree has poor form or low vigour and is of low amenity or ecological value to the surrounding landscape or canopy cover.

My amendments make two other additional changes to this clause which I believe help preserve the original intention of the Urban Forest Act. Firstly, I believe it must only be possible to damage or remove such trees where they have both low amenity and low ecological value to the surrounding landscape or canopy cover. Just one of those categories should not be enough. Secondly, I am taking the opportunity to also wrap in the option of damaging a tree when a tree is in decline or its life expectancy is short to be constrained by the same criteria of needing to have low amenity and ecological value.

This should improve the interpretation of the instrument. To have the criteria sitting independently of new criteria reflecting on the amenity and ecological value otherwise risks an interpretation that a tree in decline can be removed, irrespective of its ecological value. The same concerns with dead trees apply. Dead and dying trees can still provide value to their ecosystem.

The next element I find problematic is the blanket ability for the government to give approval for damage to trees when so-called pruning is required for vehicles, machinery or equipment to access a construction site or unleased land to undertake construction works if all other practical alternatives have been considered and determined to be

ineffective and the decision maker is satisfied that access is required at this location. I am sure everyone in this chamber has seen construction companies and property developers running roughshod over vegetation and insisting that trees had to be damaged or removed when that was not actually the case. We also tend to get an “Oops” after the event from those same construction companies. The Greens want to foster a system where developers and construction firms plan with tree retention in mind rather than the accidental default to tree destruction happening. I was not convinced from the briefing I received that this new facility in the instrument is needed, and I am not comfortable in helping a developer in their intention to knock down inconvenient trees ahead of the fully considered review of the Urban Forest Act.

The third and final change that I take issue with and want amended is changes to approvals to undertake otherwise prohibited groundwork within a tree protection zone of a public tree. The instrument previously required that this is only permitted where there was minimal impact on a tree. This has been changed to where it will have an “acceptable impact” on a tree and proceeds to define what “acceptable impact” is. I appreciate that additional clarity was needed, and I would like to thank directorate officials for outlining why a definition to the level of impact was needed in this instrument. However, downgrading “minimal” to “acceptable” substantially changes the context and tone, and it undermines the intent of the Urban Forest Act in protecting and maintaining our urban canopy.

For those who have forgotten, broadscale land clearing and tree removal was once considered not only acceptable but also a good thing to do—never mind the modern-day consequences. I am happy with more context around the term “minimal impact”, because it genuinely did sound like it was being misconstrued with “no impact”, but it still needs to be a genuinely minimal impact approach to public trees. I want people to minimise the damage that they inflict on our public trees, rather than going up to the maximum acceptable damage that the trees can tolerate.

There is one other area that is worth reflecting on, because I know it is front of mind for many Canberrans, and it is also the subject of a petition from you, Mr Speaker. A lot of people are genuinely concerned about the risk presented by unsafe and dangerous trees. The determination I am amending has left unaltered any provisions relating to the criteria for removing dangerous trees, nor am I trying to touch those provisions today. I know those concerns are at the heart of the review of the Urban Forest Act, and I suspect that the review will find that there are issues with how trees have been assessed under the laws and regulations, rather than issues with the regulations themselves. But that is a discussion for another day, possibly when you table your petition, Mr Speaker. I commend my motion to the Assembly.

**MR MILLIGAN** (Yerrabi) (11.01): I thank Mr Braddock for bringing forward this motion today in relation to the urban forest approval criteria for the disallowable instrument. Legislation should be clear, concise and transparent. As I understand it, the amendments presented by Mr Braddock today will not achieve that. In fact, they will make it more complicated.

The proposal to omit 1(a) and 1(f) in section 1—approval to damage a regulated tree—and substitute this with a hybrid of the two introduces extra conditions on what already exists. Currently, the list of criteria for assessing tree removal in section 1 are applied

independently, as indicated by the word “or” at the end of each criterion. Mr Braddock’s amendment not only combines multiple conditions but includes the word “and”, which means all those conditions must apply as one criterion. This makes it more complicated and difficult for those who are seeking the removal of any regulated tree. This is a safety issue and one which is raised over and over again by constituents in my electorate.

I have made many representations to the Assembly on behalf of many residents, as Ms Cheyne would be able to testify to. One case in particular is a constituent who lives in Nicholls. At the front of their home is a large tree on the nature strip that has significantly cracked their driveway and is starting to affect the foundations of their home. My concern is that, if Mr Braddock’s amendments are successful today, it may mean that that tree may not ever be removed.

The damage done by public trees to private homes is the government’s responsibility. We need to put our constituents’ safety first by making this legislation clear, concise and transparent so that constituents can report and resolve any problem trees on or near their property. I am constantly told by constituents that the process is already too difficult to seek approval for the pruning or removal of problem trees, and constituents feel that they are at the losing end of this battle. It is too rigid and too difficult.

Furthermore, Mr Braddock’s proposed changes to section 3 under (1)(b) are also at odds with what Canberrans expect. There is already a caveat in the current legislation so that public tree pruning is permitted for vehicles, machinery or equipment to be able to access a construction site. Mr Braddock’s amendment wants to completely omit this from the legislation. If Mr Braddock’s amendment were to pass, it would have a potential impact on any and all proposed future construction, including a potential economic impact and an impact on the ability for the project to even go ahead.

The Greens should be putting Canberrans first, but these proposed amendments indicate that they are against local business, against construction, against growth and downright against Canberra succeeding as our nation’s capital. I understand that there is a review of the legislation underway, so let’s not tinker around the edges by making the current process harder or more complicated. This is why the Canberra Liberals cannot and will not support the Greens’ amendments to the Urban Forest Act. Let’s think this through and get it right. Let’s deliver something that will make life easier for the people who live in Canberra.

**MS CHEYNE** (Ginninderra—Manager of Government Business, Attorney-General, Minister for Human Rights, Minister for City and Government Services and Minister for the Night-Time Economy) (11.05): Our Urban Forest Act is ambitious, and proudly so. Ensuring our tree canopy is sufficient now and into the future is a responsibility for every one of us for reasons that we have canvassed in this place for decades. The legislation introduced significant changes. In recognition of this, it included a review being required two years after it commenced. The legislative framework was designed to allow flexibility to make some changes as information was fed back to us from the industry and the community, and that is why the criteria for the removal of trees is made through a subordinate instrument.

As members know and as Mr Milligan just repeated, we have brought forward the review of the act, and that work is well underway. I amended the instrument for the

criteria for removal at the beginning of March. Both of these steps have been in response to the clear feedback we have heard and are in recognition that the act should not be inconsistent with, nor prohibiting the delivery of, other government objectives. The changes to the criteria are not dramatic. They are reasonable and sensible changes which have broad support, including from environmental groups and the Canberra Liberals, which I am very grateful for. It is because they are reasonable. It is because we have listened to the feedback that we have heard.

A disallowable instrument is such for a reason, because these are issues that need to be afforded the scrutiny of the legislature more broadly. I welcome the level of scrutiny that has occurred. I genuinely appreciate the Greens providing us with early notice of their views and that they would be moving this amendment, together with the early notice of putting it on the notice paper in the preceding sitting weeks, so that everyone had some time with it.

Also, I would stress that Mr Braddock is right: we have not had the invoking of section 68 of the Legislation Act for some time, but it did occur in the ninth Assembly—not in the Stanhope era; it was a blip in the broader context of what occurred in the ninth Assembly. Mr Werner-Gibbings, it was Ms Lawder who put a motion on the notice paper, but then the motion was never debated; we just dispensed with it. That is why no-one remembers, except me.

To the particular points in Mr Braddock's motion, 1(a) and 2(a) of the motion would remove "the tree is in decline and its life expectancy is short" as a criteria in and of itself for a regulated tree on private land or a tree on public land. We do not support this removal, for reasons which I think are pretty obvious and Mr Milligan canvassed exceptionally well.

Going to 1(b) and 2(b) of Mr Braddock's motion, they would amend a form of words that seems minor, but the consequence is that it would amend a criterion that a regulated tree on private land or a tree on public land that is dead or dying needs to have "low amenity and ecological value"—both—to be removed, instead of "low amenity or ecological value"—either. This is more restrictive criteria and introduces complexity. It is not a change that we can support.

Going to 2(c) of Mr Braddock's motion, this would delete the following as a reason for removing a public tree: "removal of a tree that is an inappropriate species for a location, considered against the strategic objectives of the Urban Forest Strategy". We do not support the removal of this criterion. We think that it is very important to have this as an option to support a tree being removed. An example that comes up with, I reckon, all of us, as much as it does with me, is complaints about plane trees. Everyone knows how I feel about plane trees. They are beautiful and they have a great canopy, but they are also wreckers. They are trees that have major root systems that are constantly looking for water, so they lift up pavers, wreck footpaths and are arguably inappropriate species for some locations. This criterion would allow them to be removed, if that is what were determined. The Greens proposal would mean we would be stuck with them, even if they were destroying a footpath, creating safety issues and you or I were tripping over them.

Another example that is very recent is that—and I do not know how this came about,

and it was obviously incredibly regrettable—a significant number of trees were planted in a protected grassland. It was totally inappropriate and not an ideal outcome in any way.

**Mr Braddock:** Excuse me: a point of order, Mr Assistant Speaker. I believe the minister might be referring to a previous version and not the version of the motion that actually appears on the notice paper. The clause about the inappropriate species was removed from the actual motion.

**Mr Assistant Speaker (Mr Werner-Gibbings):** Are you happy to continue?

**MS CHEYNE:** He may well be right.

**Mr Assistant Speaker:** Thank you, Mr Braddock.

**MS CHEYNE:** Regardless, let's talk about it anyway. It was an idea that was put. If what is on the notice paper has changed, that is fine. Regardless, it is important to not proceed with removing that as a criterion. Hopefully, it has been removed by the Greens for this very reason. But trees were planted in a grassland. It was absolutely inappropriate, but, without this disallowable instrument, those trees would not have been able to be removed. Destroying the habitat is not a great outcome and not something that we support. It is not something I think anyone in this place would support. That is a very real example of what we are talking about. For everyone's benefit, the trees have been removed.

Going to 2(d) of the motion, it would delete the damaging activity to a public tree in terms of: "the pruning is required for vehicles, machinery or equipment to access to a construction site, or other leased or unleased land to undertake construction works, if all other practical alternatives have been considered and determined to be ineffective and the decision maker is satisfied that the access is required at this location". Again, we do not support removing this as a criterion either. This is a very reasonable reason to damage a tree. We agree with the Greens. We do not want wholesale destruction of areas by a developer or anyone, but proposing this is just not operating in reality. The simple fact is that legislation that is too restrictive is at serious risk of being ignored, and it will result in exactly what we do not want to happen. Further, there is a really clear safeguard: the decision-maker still needs to be satisfied that this access is required. The clause does provide for that better facilitation. It is still facilitation that needs the decision-maker to be satisfied it needs to occur. I think that is an important safeguard.

Item (3) of Mr Braddock's motion on the notice paper substantially changes the clause by introducing a different threshold for the decision-maker, which may be broader. For example, minimal impact of groundworks would be much more difficult to determine, and that creates complexity for decision-makers. Complexity means more time and more costs for everyone. Think about it this way: you can imagine that damaging one tree root would satisfy the criteria of the impact being minimal, but one tree root might be critical to the stability or the life of the tree, so "acceptable" impact in this case is much more appropriate. So we do not support the replacing of "acceptable" with "minimal" throughout the disallowable instrument.

I hope that fully explains the government's reasoning. We have been very thoughtful



about the ways we have gone about amending the criteria in response to the community's feedback. It is quite consistent with the petition that Mr Parton brought forward. I trust he will be speaking on this today as well. I hope that explains that we are still being consistent with the objectives in the Urban Forest Act. It is proudly ambitious and it is nation-leading, but it also needs to operate in the reality of our circumstances as a city—a city that needs housing and a city that needs to provide for proper amenity. The disallowable instrument, in its current form, does that and it does not need further tinkering.

**MR PARTON** (Brindabella) (11.16): Here we are in the Legislative Assembly on a Thursday and we are debating a private member's motion to amend a disallowable instrument in the Urban Forest Act. You would think that this is the single most inconsequential moment of our sitting week, but it is not. It really is not. It is an extremely pivotal moment that is rolling out here today. In the days during which Labor and the Greens governed in a power-sharing agreement, this little stoush would likely have occurred in secret at the cabinet table, and, depending on who held which portfolio and the horse trading that occurred, there would have been some compromise. That compromise between Labor and the Greens in this space is what has led to the act being impractical and unworkable, because it is, and that is why I am bringing forward the petition that has been mentioned in the debate. It is why I am bringing that petition to the Assembly later in the year. I explained in the associated material to that petition that, in the time that I have been here, the issue that I have written the most ministerial representations about is dangerous trees. The number of people who try to navigate their way through what is in place at the moment and say, 'This is ridiculous,' is remarkable.

The disallowable instrument will bring some common sense back to this space. It does not surprise me one iota that the Greens want to meddle with it. Obviously, we are yet to get to the vote, and I hope things will hold up the way they should hold up. I do not know. What we are seeing today is the two most sensible parties in this place, the only two adult parties, combining to bring about a sensible outcome. I look forward to that outcome.

**MR EMERSON** (Kurrajong) (11.18): Other members have made clear the need for this instrument, so I will not add my voice to their contributions—not least, of course, to that of Mr Parton. I thank Mr Braddock for bringing forward this motion today and for the Greens' work in advocating for environmental conservation and green urban canopies. This is, of course, a matter that I am very sympathetic to. I too treasure our leafy suburbs and access to green spaces, but I believe the government's unamended instrument, as drafted, strikes the right balance between ensuring weekend joy and the leafy urban canopy that our city is renowned for, without imposing impractical bureaucratic hurdles to protect the safety and liveability of our community. Perhaps if I were part of a party, I could join the group that Mr Parton spoke about.

I am comfortable with the protections provided in the instrument, so I will not support Mr Braddock's amendments. The disallowable instrument ensures that trees can only be removed in quite limited and explicit circumstances. It prescribes that groundwork can only be carried out if it will have an acceptable impact on the tree, and then further sets out clear factors that must be considered in making that determination—preventing activities that might cause damage to, or the destruction of, a tree. My view is that the

proposed amendments to change the threshold to require a “minimal” impact rather than an “acceptable” impact will not change the requirement to ultimately assess whether the actual impact on the tree is justified in the circumstances, which is a reasonable and practical approach, in my opinion.

When it comes to conservation, if we really want to be ambitious about our urban canopy, our greatest opportunities are in the newer suburbs, where canopy coverage is woefully low. I think the instrument, as it stands, provides sufficient protection for our established leafy suburbs. I would argue that our greatest opportunities when it comes to habitat preservation and restoration are in the protection of our key environmental assets like the Ainslie Volcanics and other vast, although sometimes shrinking, bushland areas. I certainly think this is an area where we can be far more ambitious and innovative. I will continue to advocate for the prioritisation of ecological conservation, particularly when we are debating in this place matters like urban growth and sprawl versus density.

I am also wary of the amendment’s proposal to remove the ability for pruning to occur to enable vehicles, machinery or equipment to access a construction site. Ms Cheyne touched on this as well. I do not think it is practical in the context of Canberra’s urgent need for new housing and building approvals to remove this clause from the instrument. The ability to progress building works should not be hampered by the difficulty of accessing a site, noting that pruning will only be allowed where all other practical alternatives have been considered. I am not comfortable in supporting the amendment as I believe Mr Braddock was indicating that tradies can be careless and might not be motivated to ensure that “all other practical alternatives have been considered and determined to be ineffective”. My view is that preparing legislation on the basis that it might not be followed is not a precedent that we should support.

In closing, while I am sympathetic to the intent of the proposed amendments and strongly support closer consideration being given to preserving and restoring habitat for our threatened local species, as I have already indicated on several occasions during my short time here, I am not convinced that the proposed changes before us today strike the right balance.

**MR BRADDOCK** (Yerrabi) (11.22): In closing, I thank all members for their contributions today. Uniquely, I think there is one area that Mr Milligan and I can actually agree on: determinations need to be clear and concise. I say that because I had to restrain myself from making further edits to the instrument in order to achieve just that. I made it very clear during my speech—but I noticed that some members could not withhold themselves from going straight there—that nothing about the changes that I propose go to the safety and property protection provisions that are in the instrument. The example that Mr Milligan provided would not be affected one iota by the amendments that I was pushing through today.

The minister referred to the example of damaging one root. That was actually a non-sequitur, because, if the damage would actually kill the tree, it would not be considered acceptable under the instrument as it currently stands. I agree with Mr Emerson’s comment about the importance of focusing on canopy cover for the newly established suburbs. As the representative for Yerrabi, I have a considerable number of those and it is something I have consistently advocated for in my time here in the Assembly.

In closing, I can read the way the numbers are going. I will say, however, that I am proud to fight for the protection of our urban forest and ensuring that we have habitat for the animals that share our urban forest with us. I commend my motion to the Assembly.

Question put:

That the motion be agreed to.

The Assembly voted—

Ayes 4

Andrew Braddock n  
Jo Clay  
Laura Nuttall  
Shane Rattenbury

Noes 20

Andrew Barr	Elizabeth Lee
Chiaka Barry	James Milligan
Yvette Berry	Suzanne Orr
Peter Cain	Mark Parton
Fiona Carrick	Marisa Paterson
Leanne Castley	Michael Pettersson
Tara Cheyne	Chris Steel
Ed Cocks	Rachel Stephen-Smith
Thomas Emerson	Caitlin Tough
Jeremy Hanson	Taimus Werner-Gibbings

Question resolved in the negative.

## Better Regulation Amendment Bill 2025

Debate resumed from 5 March 2025 on motion by **Ms Cheyne**:

That this bill be agreed to in principle.

**MR COCKS** (Murrumbidgee) (11.29): I rise today to speak on the Better Regulation Amendment Bill 2025 as the shadow member with responsibility for regulation. The Canberra Liberals will be supporting it, but I think it bears noting that this is very clearly not—in the genuine spirit of it—a deregulation bill. This bill definitely does not reduce the regulatory burden on businesses, on the community or on the sorts of people you would normally think of as needing to be relieved of a regulatory burden. What it does instead is make life easier for the government.

The provisions in this bill all make sense—I am all for taking the burden off overworked public servants when we can—and many of the provisions within this bill are essentially dead provisions. Removing them will make no difference; they are just minor and technical. But it really bears paying attention to the idea that better regulation cannot just be about making life easier for the government or just be about getting rid of the old dead stuff no-one is affected by anyway. It has to take the hard step to actually weigh up what the important things are that still need regulation; what needs a government to take a step; what genuinely needs some sort of intervention; and what is just a pointless barrier to people trying to do good things. I just wanted to make those points quickly—as much as I have been cautioned against saying I will only speak for

a short time in this place.

The other thing that the minister and I have discussed extensively is around the committee that this bill would remove. I understand we have an amendment on its way in the detail stage; so I will touch on this more in that stage. But I think it is very important that we recognise the principle that consultation with people who are impacted by regulations must be central to the way a government does business. I look forward to some more discussions in the detail stage, but I am happy to confirm the Canberra Liberals are very happy to get rid of regulations that do not make sense.

**MS CLAY** (Ginninderra) (11.32): The Greens are happy to support this bill. This makes a number of straightforward amendments, and we think this is a useful piece of regulatory reform.

**MS CHEYNE** (Ginninderra—Manager of Government Business, Attorney-General, Minister for Human Rights, Minister for City and Government Services and Minister for the Night-Time Economy) (11.33), in reply: I am delighted to close debate, given the vigour that has been shown so far. This has been such a trying Thursday. In all seriousness, I greatly appreciate the chamber's support for this, and I assume Mr Emerson's and Ms Carrick's support, given they are not here.

This bill is a bill that, in spite of Mr Cocks' remarks—and I certainly knew that he would say that and so I am not surprised by any means and regardless I welcome his support—demonstrates the government's commitment to continuous improvement. We are reviewing the statute book for outdated, unnecessary and outmoded provisions, and I genuinely want to work with Mr Cocks, Ms Clay and others on what else we can do and where else we have things that do not make sense that are inhibiting the business community, in particular, from being able to do things that are otherwise pretty sensible and may be having unintended consequences. I am very genuine in that being my approach. So, whatever might come forward from Mr Cocks or from me or from anyone else, please know that I will always be willing to consider it.

To ensure that we have the trust of the public and ACT businesses in our regulatory framework, these proposed amendments continue the work that was undertaken in the previous Assembly which delivered regulatory reform across a range of sectors with the aim of boosting economic growth, improving efficiency and reducing costs and time for businesses. It has been an extensive body of work, and I recognise that we have a number of people in the chamber who have been involved in this for a considerable period of time. Perhaps the most extensive body of work in an already extensive body of work was the introduction of several major reforms to support our night-time economy. Those reforms have also set us up to expand that package, which was an election commitment and which I look forward to providing some more timely updates on in coming weeks.

Maintaining modern and effective statutes also improves compliance and enforcement—something that we were just speaking about in the previous motion. Outdated or insufficient regulations can be confusing and difficult to follow, leading to unintentional—or intentional—noncompliance. By clarifying the ACT's regulatory framework, we are making it easier for everyone to understand their obligations. Doing so not only improves compliance rates but also reduces the administrative burden on

our regulatory agencies, allowing them to focus on more critical enforcement activities. This bill is the first of several reform packages that we have planned over the term of this Assembly to improve our regulatory framework.

Among the proposed amendments are several changes designed to update and improve payment methods to reflect continuing change in consumer behaviour. The Reserve Bank's sixth Consumer Payments Survey, published in 2023, stated that in percentage terms the share of payments made by cheques has steadily declined, constituting just 0.1 per cent of payments in 2022. In November 2024, the Australian government published its Cheques Transition Plan. The key component is modernising payments infrastructure by winding down the cheque system before 2030. Reviewing and amending our statute book will proactively transition the ACT to this future state.

The bill amends the Associations Incorporation Act to remove the requirement for rules other than model rules to specifically address how cheques are drawn and used by this association. This amendment will align the act with the model rules, which received that comprehensive revision back in 2023, to better serve Canberra's 3,000 associations. The bill makes amendments to section 142 of the Dictionary of the Domestic Animals Act 2000 and section 24 of the Domestic Animals Regulation 2001 to remove references to cheques and to update language in relation to payments. It also brings section 142 in line with the Criminal Code that will make the elements of the offence clearer.

The bill further amends the Electoral Act by removing the references to specific payment methods in relation to a candidate's nomination deposit. This will allow candidates to pay by any means that the Electoral Commission accepts. Data from Elections ACT shows that 149 candidates registered for our election in 2024. Technology-neutral language will aid all future candidates that nominate. The commission has confirmed that no bankers cheques were received during the 2024 election and—I am still surprised by this—one was received in 2020. This qualitative evidence strongly indicates that the reference is now outdated.

This bill also removes references to statutory declarations, a method of ensuring compliance that has become increasingly outdated. It amends the Architects Act to remove a provision which allows the Architects Board to require a complainant to give further information or to verify all or part of a complaint via a statutory declaration. A more streamlined dispute resolution process will assist the board and complainants. The Architects Board retains the obligation to investigate complaints and the Criminal Code still applies to false and misleading statements.

This bill makes a number of amendments to further clarify provisions and improve the accessibility of the statute book. Amendments to the Agents Act 2003 in relation to electronic records will strengthen provisions in relation to how they are kept. This aligns with similar provisions in New South Wales and Queensland legislation and will assist those holding an active real estate licence in the territory, a number which is close to 1,400 licences.

The bill will also make an amendment to the Cemeteries and Crematoria Act to remove "or disinterment" from the definition of licensee receipt, as the disinterment of cremated remains does not create an ongoing maintenance obligation. So it is not consistent with

the purpose of the Perpetual Care Trust.

Perhaps the most exciting part—at least for me and Mr Cocks—has been the amendments to the Fair Trading (Motor Vehicle Repair Industry) Act 2010. It is about removing references to what is now, effectively, an obsolete industry advisory committee. As I indicated when the bill was presented in March, our agencies will continue to engage with industry in a way that covers the sector more broadly to include repair and sale of motor vehicles. However, the current legislative provisions for this advisory committee are too restrictive. They are no longer fit purpose, particularly in that its membership is prescriptive and also it is limited to the repair industry only. Data on our public registers indicates that there are 236 vehicle repairers, 95 motor vehicle dealers and eight motor vehicle wholesalers licensed in the ACT. That is a big industry, and we recognise that comprehensive stakeholder engagement that is more integrated will lead to better outcomes for industry. Removing this committee from this legislation was not about stopping consultation but was actually about improving it.

So I will be asking the Commission for Fair Trading to establish a new forum to ensure effective engagement with the motor vehicle dealers, repairers and consumers. I intend this forum will meet at least twice a year and will forge a valuable relationship between government and industry. I am sorry, Mr Cocks; I know you are talking about this in the details stage but I thought I would just do it all here. So you will be on your own. I also intend for this new forum to be the primary channel for information exchanged between government and industry. It will provide a platform to collaborate on current and emerging issues and take a systems view on opportunities and challenges in this sector. This might involve discussion and resolution of challenges or advice to me as minister on key issues or policy or legislative reform.

A new committee with a broader remit will consider matters such as the licensing, registration and training of people in the motor vehicle industry; matters affecting the interests of consumers; unfair commercial practices that affect people who carry on a business as a motor vehicle repairer; environmental issues in relation to disposal of the motor vehicle industries waste; emerging issues and technologies; conditions of the license; and any other function that is required by the minister.

Following a very helpful, engaging and, indeed, extensive conversation with Mr Cocks, I recognise the concern in the industry that removing this committee from the legislation before the next mechanism for consultation is directed to be established and then established results in a level of uncertainty and the industry does want confidence the consultation will continue. So, as a safeguard, I will move an amendment today, which I hope I am given leave to bring forth. I apologise that it was circulated this morning and I apologise also to the public service at large who worked into the night and was up at 6 am to get this through—which I believe is the right way forward. I also really want to recognise that this has come at a cost. Thank you everyone here and thank you to the Parliamentary Council's Office. I promised you I would stop doing this—but at least it was simple. The amendment that I will seek leave to move in the detailed stage provides for the current advisory committee to remain in place until that forum is established. Once in place, as the responsible minister, I will then commence part 9 of this bill, with the effect that the advisory committee that is provided for in the legislation will cease.

The bill further amends the Security Industry Act to include a provision to ensure that, once a licensee voluntarily surrenders their licence, the licence is cancelled on the day stated by the Commissioner for Fair Trading. While it provides for a licensee to return their licence back to the commissioner upon variation, suspension or cancellation, it does not enable the commissioner to end the licence if voluntarily returned; it remains in effect until expiry. The act provides for five classes of licences: master licence, employee licence, trainer licence, temporary licence and temporary visitor licence. As of this week, there are a total of 5,747 security licences in the ACT. This amendment is supported by the commissioner and Access Canberra as a whole, and it will improve licence integrity and further eliminate the potential for fraudulent activity.

Finally, there are several amendments to the Waste Management and Resource Recovery Act and its associated regulation to make the language around access to registers for licences and registrations clearer. It will also include new provisions to prescribe the information requirements for an application for registration. These amendments reflect that information held by regulators in public registers is a valuable public resource and greater transparency is important. The accountability of public agencies and access to information ultimately underlies public participation in government.

Updating and modernising our regulatory framework is a whole-of-government effort with input for this bill coordinated across Access Canberra, EPSDD, JACS, Transport Canberra and City Services, the Chief Minister, Treasury and Economic Development Directorate and the Parliamentary Council's Office. Again, thank you.

This bill demonstrates our strong commitment across the ACT public service. It is about delivering better regulation for ACT businesses and residents, and I look forward to more of them. I thank our excellent team for all of their work in beginning what will be a series of these reforms done in a measured, managed way for PCO as well. I present a revised explanatory statement.

Bill agreed to in principle.

### **Detail stage**

**MS CHEYNE** (Ginninderra—Manager of Government Business, Attorney-General, Minister for Human Rights, Minister for City and Government Services and Minister for the Night-Time Economy) (11.47): I seek leave to move amendments to this bill that were not circulated in accordance with the standing order 178A and not considered by the Scrutiny Committee together.

Leave granted.

**MS CHEYNE**: I move amendments Nos 1 and 2 circulated in my name together [*see schedule 1 at page 1497*] and table a supplementary explanatory statement to the government amendments.

**MR COCKS** (Murrumbidgee) (11.47): One of these amendments is in relation to the committee that we have already discussed briefly today. I think it is worth understanding a little bit of the history of the committee we are talking about. The

Motor Vehicle Repair Advisory Committee comes into an interesting position in the legislation, because you will note that there is an “(a)” after the provision there. It was not originally in the legislation when the legislation was first brought to this place to be debated.

The reason that we ended up with an advisory committee for this industry was fundamentally that the industry did not feel that it was being consulted with adequately at a time when there were significant reforms going forward on how that industry would be regulated. They did not feel that they were being heard. It was only with the addition of this advisory committee that the Canberra Liberals were able to come on board and support that particular piece of legislation at that time.

The motor vehicle repair industry today is also at a pretty critical juncture. Things are changing rapidly when it comes to motor vehicle repair. I do not know if you have noticed, but we are moving rapidly towards a world where combustion engines are not going to be the dominant form of propulsion for people’s cars. The set of skills that motor vehicle repairers are going to need is different. The type of training that they need to go through is going to be different. The type of facilities they need will be different. So it is absolutely critical that the government really consult with this industry very well.

That is why I was really concerned when we saw this bill that we are debating today. It looked like, once again, that, for some reason—and I am still not sure why—this legislated committee that had not met since, I think, it was 2018 was suddenly being declared as unnecessary. It looked to me—and it looked to people from the industry—as if the government had decided that, once again, they were going back to the bad old days where they were not going to listen to what the industry had to say.

I have to commend the minister. The minister has engaged well on this matter. We have engaged extensively and productively over some time. The minister’s office took away the background that I provided to them and dug into the issue, and we were able to navigate this, as Mr Parton points out, as adults. I think that is really important, because the decisions that we make in this place do have an impact on people’s livelihoods and on people’s jobs. It also has an impact on the safety of the vehicles that people driving.

This is one of those areas where you have to do regulation, and you have to do it well, and you have to do it informed by the experts. I have to say that I am incredibly grateful that the minister has given a commitment to ensure that we have adequate consultation mechanisms in place before this part of the legislation goes away. There is some degree of trust in this, because, as written, it does not absolutely guarantee that that happens. But, given the minister’s commitment, I am pleased to say that the Canberra Liberals will be supporting these amendments.

Before I finish—once again speaking for longer than I planned to—let me also add my gratitude to the public servants involved in putting together this piece of legislation and, in particular, this amendment. I know that it came very, very late in the piece, but is an important amendment that means we can all be on the same page.

Amendments agreed to.



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

Bill, as amended, agreed to.

**Sitting suspended from 11.53 am to 2 pm.**

### **Questions without notice**

#### **Cabinet documents—management**

**MS CASTLEY:** My question is to the Chief Minister. The *ACT Cabinet Handbook* states that access to cabinet documents is limited on a need-to-know basis and sets out the process for breaches of cabinet confidentiality. This can include investigation by the Federal Police. On Tuesday, you admitted that mishandling of these documents had occurred and was a concern. Chief Minister, for how long has this problem existed and what steps have been taken to fix the problem?

**MR BARR:** I thank the Leader of the Opposition for the question. Upon some further investigation, it appears that cabinet documents, draft cabinet documents, were on a computer, part of the ACT government network. There were not, to the best of my knowledge, paper copies of things. This related to an electronic search and draft documents being found on drives within an enclosed network, only accessible within a directorate. I think that the nature of Ms Castley's question and the actual incidents are not the same; nevertheless what happens to draft cabinet material, in an electronic sense, is a relevant matter, and there has been both an update to the *Cabinet Handbook* recently and a reminder to directorates and officials who prepare cabinet submissions around the appropriate treatment of draft documents on their computers.

**MS CASTLEY:** Chief Minister, are you confident that access to cabinet documents has been limited to those with a genuine need to know, given an executive said they were horrified to find documents all over the place?

**MR BARR:** Yes, and you have not quoted the rest of that sentence, which did refer to it being draft documents in an electronic form. I have not been provided with advice to suggest that there has been a breach, in relation to any documents being available to people who would not ordinarily have been involved in their preparation or working in the cabinet areas of particular directorates, but I will await some final advice on that matter. If there is a problem, beyond what was identified in the comment in that email, the Leader of the Opposition and the Assembly can rest assured that I do take the confidentiality of cabinet material very seriously, as you would all have noticed over an extended period. Please be assured that I take the matters very seriously.

**MR COCKS:** Chief Minister, how many breaches of cabinet confidentiality have been notified since the 2020 election, how many sanctions have been imposed, and how many breaches have been referred for investigation by the Federal Police?

**MR BARR:** I am fairly confident that the answer to the latter question around police referral would be nil, but I will double-check that. I will need to take the rest of the question on notice.

#### **Cabinet records—management**

**MS CASTLEY:** My question is to the Chief Minister. Chief Minister, you recently withheld production of a six-page document described as “2020 Election Caretaker Conventions FAQs”, saying it would “disclose the deliberations of cabinet”. Chief Minister, is it normal practice for a FAQ document provided to the ACT public service to disclose cabinet deliberations?

**MR BARR:** I am not sure that it would be normal, but I would need to check the specific document before being able to make a comment on that—this afternoon.

**MS CASTLEY:** Chief Minister, this document was created by a senior CMTEDD official the day before the 2024 election, more than a month after cabinet was dissolved and the government entered caretaker mode. Is it normal practice for cabinet records to be created after cabinet has ceased to exist?

**MR BARR:** Cabinet does not cease to exist. It does not regularly meet in the caretaker period. There would be exceptions to that, and the COVID pandemic is one such example. There is the tenor of the question. I do not accept the premise, but I will check in relation to that particular document to ascertain any further information that may help the Leader of the Opposition in relation to the claim for privilege.

**MR CAIN:** Chief Minister, who sought six pages of advice about the 2020 caretaker conventions during the 2024 caretaker period, and to what end?

**MR BARR:** I would need to take that on notice.

### **Canberra Health Services—staff**

**MS CASTLEY:** My question is to the Minister for Health. When asked about the former CHS Chief Operating Officer on Tuesday in question time, you said it was your understanding that he had been undertaking clinical work as well as that of COO. How many Canberra Health Services staff working in positions identified as administrative are also undertaking clinical work as well?

**MS STEPHEN-SMITH:** I was actually talking to a nurse just the other day who said that she keeps her hand in with occasionally doing clinical work, but her role is broadly as an executive. I will take the question on notice. But I will say to Ms Castley that a lot of clinical staff working in executive positions do maintain their registration and their hands-on experience as part of their role.

**MS CASTLEY:** Minister, can you explain exactly what those checks and balances are that the department undertakes to ensure all medical staff comply with necessary medical registrations? Have any concerns been raised about the joint positions?

**MS STEPHEN-SMITH:** I would not describe them as joint positions. Ms Castley can use that language if she wants to; that is not how they are considered. More broadly, and in response to Ms Castley’s question, there is a clear credentialing process for anybody undertaking clinical work across our health service. That credentialing process is part of the accreditation requirements for hospital accreditation. As Ms Castley would be aware, Canberra Health Services—other than North Canberra Hospital and Clare

Holland House, which underwent accreditation last year, I think it was—the rest of the Canberra Health Services has just recently undergone an accreditation survey, and there were no “not-mets” in relation to that. As I have said, credentialing for clinical staff is part of that accreditation process.

**MR MILLIGAN:** Minister, what are the estimated savings made by employing administrative staff who also provide clinical services, and is this a deliberate strategy to attempt to make budget savings?

**MS CASTLEY:** No, this has nothing to do with savings at all. That is completely a misguided consideration and quite confusing.

### **Canberra Health Services—staff**

**MS CASTLEY:** My question is to the Minister for Health. Given the arguments we hear in this place about the importance of the financial initiative of the Crown, why is it that you recently tasked orthopaedic surgeons with finding budget savings in the health portfolio? Why are you outsourcing this essential ministerial responsibility to clinicians?

**MS STEPHEN-SMITH:** Given her motion on the paper this afternoon, Ms Castley clearly does require some education on the separation of powers between ministers, the public service and, indeed, the Legislative Assembly.

It is a minister’s job to take savings measures through a budget process, to endorse those savings measures and to find them. It also the job of chief executives and directors-general to manage their budgets. That also includes identifying efficiencies and opportunities for doing things with a higher level of productivity or in a more efficient and cost-effective way.

The productive conversations that the CEO of Canberra Health Services, Dave Pepper, has been engaging in with our orthopaedic surgeons have been about: “Okay. There were some things that we put on the table that you were not in support of, but we all have to work together to deliver a more efficient and cost-effective public hospital system. What ideas have you got that will help us to do that?” I am really pleased that those orthopaedic surgeons have come to the table—as have other surgical craft groups—with some ideas about how we can deliver the same high-quality services to Canberrans more efficiently.

**MS CASTLEY:** Minister, is it the best use of specialist surgeons’ time and expertise to have them working on administrative matters rather than working to bring down the incredible waiting times for elective surgery?

**MS STEPHEN-SMITH:** I do not think that Ms Castley is presenting this in any way accurately. There have been a few meetings. Clinical staff do work on administrative matters. Indeed, the clinical directors of various areas of the hospital have administrative responsibilities to be the clinical director of that area. That means some of their time—indeed, for some of them, a lot of their time, because that is largely their key role—spend time undertaking administrative tasks. This is not in any way an unusual thing. Also, clinicians engage in a whole range of governance measures across

boards and committees and other things across the hospital on a regular basis.

For the hospital to work, we need to engage our frontline clinicians in policy development, the development of procedures and decision-making—that is actually part of the job of being a senior clinician. One of the reasons that we have talked about employing more staff specialists is that those positions specifically identify time and roles as part of that governance of our public hospital system.

**MR HANSON:** Minister, wasn't the point of the operations centre to exercise bureaucratic control over surgeons to save money? Has the centre failed to achieve this outcome?

**MS STEPHEN-SMITH:** No and no. The point of the integrated Operations Centre was not, in fact, to save money; it was to improve performance. What we have seen is a significant improvement in our emergency department performance across both of our hospitals, but particularly in Canberra Hospital, where we have seen the average waiting time fall from over 40 minutes to 25 minutes over the period that the integrated Operations Centre has been up and running. The centre has been supporting flow through the hospital, so that we address the bed block and so that more people can be admitted from the emergency department when they need to be admitted, making the whole emergency department work better and supporting those ED clinicians and the other clinicians.

They are now focused on planned care and ensuring that people can be scheduled further in advance for their elective surgery, providing consumers with more certainty about when they are going to get their elective surgery. They are planning for the use of theatres, so that there are fewer instances of people having their elective surgery cancelled at the last minute because the emergency and elective surgery lists are interacting in a way that requires a deferral of planned care.

All of those things are the reason that we set up the integrated Operations Centre, and it is actually having the impact that it was intended to have—in that improved performance.

### **Planning and development—Canberra Services Club**

**MR RATTENBURY:** My question is to the Minister for Planning.

Minister, in 2019, your predecessor as the Minister for Planning rejected a proposal by the Canberra Services Club to remove concessional leases on their original site adjacent to Manuka Oval and their second site in Barton. The club appealed this decision in the Supreme Court and re-submitted the development application in February 2024. Given it is now more than 14 months down the track, can you provide an update to the Assembly on the Canberra Services Club site in Griffith, next to Manuka Oval, and the status of the development application?

**MR SPEAKER:** Chief Minister, are you going to take this one?

**MR BARR:** Yes. The Minister for Planning recused himself from this decision-making due any perception of conflict of interest. So I made a determination on this site that it

was in the public interest for a development application to be assessed by the Planning Authority. I made that decision late last week.

**MR RATTENBURY:** Has the Canberra Services Club met the requirements in the development application process with regard to community consultation?

**MR BARR:** The decision I have taken is to allow the Planning Authority to consider a development application. That question, I think, goes beyond the remit of the decision that I have taken. Perhaps between the Minister for Planning and I, we will take that part of the question on notice.

**MS CLAY:** Chief Minister, why is it taking so long for this process to unfold?

**MR BARR:** There is a requirement under the act for a minister to make a determination in relation to whether it is or is not in the public interest for a development application to be assessed. That in itself requires a degree of consultation. The material that was presented to me showed very extensive consultation with a wide range of referral agencies in relation to this particular proposal.

On balance, they recommended to the decision-maker that it was in the public interest for a development application to be considered. This also relates, particularly, to questions of lease deconcessionalisation before there would then be a process around the development application for the built form of any project that would proceed following that. Having assessed an extensive portfolio of material, I determined that it was in the public interest for the Planning Authority to consider the matter. That is the role that the minister plays. From here, it is really the remit of the Planning Authority, who of course have statutory independence.

### **Transport Canberra—passenger information displays**

**MR BRADDOCK:** My question is for the Minister for Transport. Minister, the passenger information displays at bus interchanges and major bus stops are now defunct under the MyWay+ system. The signs at bus stops also need to be updated to reflect the new details. According to the response to question taken on notice No. 3 of the MyWay+ inquiry, this issue is not within scope of MyWay+. For how long will Canberrans go without real time information to passengers at major bus stops?

**MR STEEL:** I thank the member for his question. I will take that on notice as to the timeframe for that information being provided.

**MR BRADDOCK:** Why was it not considered, budgeted and installed prior to MyWay+ going live?

**MR STEEL:** Again, I will take that question on notice.

**MISS NUTTALL:** How are senior Canberrans without a phone able to know when their bus is coming?

**MR STEEL:** I thank the member for her question. Well obviously, the timetable information would be available, and they can of course seek out the hardcopy versions

of timetables, or have those printed out, to be able to determine when buses might be arriving.

### **Murrumbidgee electorate—indoor sports facilities**

**MS CARRICK:** My question is to the Minister for Sport and Recreation. The Dodgers basketball club has over 600 registered players, with around 70 teams competing in the Basketball ACT winter competitions. They are currently spread across seven different training venues, which raises numerous challenges. Many of these are school courts, which are often unavailable. Some are in poor condition. Many of them are poorly served by public transport. This is just one example of the sporting clubs across the Murrumbidgee electorate that are facing significant infrastructure challenges. There used to be an indoor sports stadium at the Woden town centre, but it was demolished to make way for residential towers. Minister, when will the government restore indoor sports facilities to the Woden town centre?

**MS BERRY:** I thank Ms Carrick for her question on behalf of the Canberra Dodgers basketball club, which I have also met with a couple of times. Ms Carrick might have some connection to the club beyond this place, which is great, because having connections with our sports communities is important in understanding our communities' needs and where we can meet them appropriately.

The courts that she is talking about at Woden, which were removed for development, were owned by the Canberra Southern Cross Club, and they made a decision to redevelop that site. I have played at those courts, I am sad to say; that is how old I am. I do understand the need for sport and basketball courts across the region, including in the Woden area.

When I met with the Dodgers club, I talked to them about the upgrades to the Garran Primary School, which will include a double-size gymnasium which can be used for sports and training. I know that that does not answer the question about a full facility for Woden. It is something that the government is investing in, particularly within a new high school in the area, and in looking at whether or not it could contain more than two courts, so that there could be competition as well. That is sometime in the future, so it is not a short-term plan or answer. However, those are the things that we are considering, and we have an open mind regarding any other opportunities at Woden to increase basketball and indoor sports facilities.

**MS CARRICK:** Minister, what is the government's policy to ensure that there is an equitable distribution of public indoor sporting facilities across Canberra?

**MS BERRY:** We work with our community sports to make sure that we are meeting their needs. Some of the election commitments that the ACT Labor Party took to the election included upgrading and expanding the Belconnen basketball stadium, as well as new courts in the Gungahlin suburb of Casey. That is where the growth is occurring with regard to basketball membership and players. However, that does not mean players will not travel to other parts of the town to play sport. It is not a long distance to go.

Making sure that we are covering as much area as we can is something that the government takes seriously. I would say that what has happened over more recent years,

particularly since I have had the education and sport portfolios, is that we have been able to integrate sports facilities and have them available outside school hours in our schools. We are ensuring that our high schools are built with a double gymnasium and our primary schools are built with a single gymnasium. We are working with a range of sports to make sure that we meet all of their needs and so that they can use them for training spaces. We are ensuring that they have appropriate flooring and sprung backboards et cetera, in the case of basketball, so that they can be used for competition sport if required.

There is a lot of work involved in making sure that we work with all our sports, and we have to treat all our sports equally and give everybody the same chance to have facilities to play in. That is work that we do as a matter of course, in talking with our community sports and other sports. We have done some significant work on their aspirations for facilities in the ACT, with a number of goals being set by a range of different sports. We will work with them on what is achievable in the short term and medium term, and into the longer term as well.

**MR COCKS:** Minister, when will the government start addressing the serious gaps in community sports and recreation infrastructure across the Murrumbidgee electorate?

**MS BERRY:** I think I addressed that in answer to the first question. I talked about how we are providing facilities through our schools, and our new schools.

*Mr Cocks interjecting—*

**MS BERRY:** Obviously, these are growing areas of the city that will need to have more and more sports facilities. In the areas of Molonglo and Woden, I have already referred to the twin gymnasium at Garran Primary School. There is the Evelyn Scott School, where we worked very closely with the roller derby group, to make sure that that facility met their needs. It needed to be built a little bit wider and have different facilities so that they could use that facility and call it home. Those are the things that we are working on in newer areas. When we build schools, they have facilities that can be used by the existing community, as those communities grow, and as more sports facilities are brought online.

### **Bushfires—Strategic Bushfire Management Plan**

**MR WERNER-GIBBINGS:** My question is to the Minister for Police, Fire and Emergency Services. Minister, what is the importance of the Strategic Bushfire Management Plan?

**DR PATERSON:** I thank the member very much for the question. The Strategic Bushfire Management Plan is a crucial plan to protect the ACT's community, environment and infrastructure from bushfires. After the devastating 2003 Canberra bushfires, we recognised the need for a coordinated and evidence based approach to managing bushfire risk. The Strategic Bushfire Management Plan provides that framework. Bushfires have far-reaching impacts, through not just the destruction of property and lives but also people's mental health, our local ecosystems and long-term community resilience. The trauma of evacuations, smoke exposure, loss of homes and the fear of future fires is deeply felt by many Canberrans.

The Strategic Bushfire Management Plan is updated every five years and guides how government agencies, emergency services, land managers and the community collaborate to minimise these risks. Version 5 of the plan will address the growing challenges posed by climate change, including more frequent and intense fire seasons. It also strengthens our partnership with the community to ensure that bushfire management is practical, inclusive and informed by local knowledge.

**MR WERNER-GIBBINGS:** Minister, how can the community provide input into the Plan?

**DR PATERSON:** We are now calling on the community, stakeholders and local organisations to share their thoughts, concerns and ideas through the ACT government's YourSay website. This consultation is an opportunity for people to reflect on their experiences, whether they have been through a bushfire, helped prepare their homes, volunteered with local brigades or just want to better understand how bushfire risks are managed. Every piece of feedback is very valuable. In addition to the online consultation, a series of in-person consultation sessions have been held and will continue to be hosted by experts from the ACT Rural Fire Service and ACT Parks and Conservation Service. These sessions allow the community to engage directly with professionals leading bushfire management efforts in Canberra. This week, in-person consultation sessions have been run at the Lanyon Vikings club and Denman Village Community Centre. Additional sessions are scheduled for tonight at the visitor centre in Throsby, and next Wednesday in Ginninderry. Feedback is open until 11 June.

**MS TOUGH:** Minister, how will the feedback be utilised in building the latest version of the Strategic Bushfire Management Plan?

**DR PATERSON:** The feedback from the community will be critical in shaping the next version of the Strategic Bushfire Management Plan. While the ACT government and our Emergency Services Agency bring strong technical expertise to the table, real resilience comes from collaboration with those who live and work in bushfire-prone areas. Residents provide invaluable insights that help us understand fire behaviour, vulnerabilities and the specific needs of the communities. The feedback will help us to refine the structure and clarity of the plan. Existing actions under key areas can be refined. Additional actions and outcomes could be included, as well as assessments of how well the plan prepares us for bushfires over the next five years.

### **Old Bus Depot Markets**

**MR EMERSON:** My question is for the Minister for Business, Arts and Creative Industries. For 30 years the markets at the old bus depot have been a flourishing hub for small and micro-businesses with over 200 businesses, families and local and regional residents relying on them for income. In January of this year it was announced that the historical old bus depot was out to tender. Understandably this has created a large amount of uncertainty. Vendors have spoken directly to my office about their disappointment in the government's handling of the tender thus far. They are not aware of any consultation between the government and these business owners. Minister, when will stallholders, mostly local small businesses, be advised of the last time they can trade at the old bus depot markets?



**MR PETTERSSON:** I would like to thank Mr Emerson for his question. As Mr Emerson would be aware, the ACT government is undertaking a process following the expiry of the current licence. That process is required. It was not possible to further extend that licence. It required us to go out and seek further open expression of interest for that licence. I am not in a position to indicate a specific date when that decision will be made. There have been public timelines that have already been circulated which would indicate that it is imminent. I am not in a position to indicate a specific date. To the line of questioning that Mr Emerson has put forward as to when a final day of trading might occur for current attendees of the market, that would be entirely based on who is successful.

**MR EMERSON:** Minister, will the government commit to urgently consulting with stallholders about their concerns around the tender process?

**MR PETTERSSON:** I would like to thank the member for the question. No, at this point in time I am not sure that that would be conducive. Throughout this process, I have received representations from stallholders that do attend the market. They are very passionate and they hold many views about how the market is conducted and about how that facility is best utilised by the Canberra community. I encourage stallholders, if they would like to have their views heard, to continue to reach out. I always appreciate hearing from all members of the community.

**MS CARRICK:** Minister, is there an alternate site being considered to continue the markets, if not at the current site?

**MR PETTERSSON:** I would like to thank Ms Carrick for the question. I am not going to prejudge the outcome of this process. I appreciate that Canberrans have a soft spot for markets. As part of the licence renewal process, it was spelled out that the government does look quite fondly on the markets and views that as a favourable outcome for that facility. There are a range of markets that exist here in the ACT. I know that there is quite an affinity for the current licence holder and their market offering. However, they are not the only market provider here in the ACT. But rest assured, the government is keen to see that there continues to be markets here in the ACT.

### **Taxation—reassessments**

**MR COCKS:** My question is to the Minister for Finance. Minister, during a briefing with your office and the ACT revenue office on 30 April, I was told that all constituents who had received retrospective stamp duty bills due to the government's interpretation of marital status had already been contacted by your directorate. Minister, when was the last of these constituents contacted regarding a stamp duty reassessment?

**MS STEPHEN-SMITH:** Thank you. I will take that question on notice.

**MR COCKS:** Minister, if all affected constituents had, indeed, been contacted at that time, why am I still hearing from people who have not heard a word from the Revenue Office? Does this mean those people will not have their bills waived, as you promised?

**MS STEPHEN-SMITH:** Firstly, I did not make any promises about any individual

matters. I have been very consistent in advising Mr Cocks that I do not have any capacity to make decisions on individual matters. My role here is to pass on advice from the revenue commissioner about the decisions that have been made. I certainly have not made any promises to anybody in relation to that.

If Mr Cocks has individual matters that he believes fall into this category, I am very happy to have that conversation—as he knows. We have followed up consistently on these individual matters to ensure that the revenue commissioner is aware of them and that people are getting responses. We have worked with the revenue commissioner on the way that they are engaging with people who have lodged objections to their reassessment. But it may be that in some individual cases there are multiple issues that have been assessed by the revenue commissioner, and that may be why someone who may fall into one category may also fall into a different category, and, therefore, may continue to be assessed. A) I cannot talk about individual matters. B) without that level of information, there is really nothing that I can say to help Mr Cocks on individual matters.

**MS CASTLEY:** Minister, will you now commit to ensuring that every outstanding constituent receives a response by the end of today?

**MS STEPHEN-SMITH:** Again, I think Mr Cocks's original question was about whether people had received responses from the revenue commissioner. So, no, I cannot guarantee that everyone will receive a response by the end of today, because there may be some complexities in individual matters that are still being considered, and there are processes that the revenue commissioner has to go through to meet his legal obligations under the act.

### **ACT Public Service—ACTPS Taskforce**

**MR COCKS:** My question is to the Minister for the Public Service. Appendix 1 of the ACTPS Taskforce report reveals that the taskforce was created to consider how to implement changes. Minister, why did the taskforce consult on changes that had already been decided, rather than speaking to the ACTPS about what changes needed to be made?

**MR SPEAKER:** Mr Barr, this is for you?

**MR BARR:** Yes, this is a machinery of government matter that sits within my broader responsibilities for the structure of government. I did foreshadow before the election a number of changes to the public service. We commissioned some further detailed work to consult not on whether there would be change but the detail of that. That, obviously, sits firmly within the purview of the executive government and the Chief Minister to determine the structure of the public service. But the engagement that has been undertaken over many months now has been to inform a level of detail that sits below the headline question of how many directorates there will be and the titles of those directorates.

**MR COCKS:** Chief Minister, what expert or independent advice—and, indeed, which experts—were consulted and what advice was used to decide the new restructure of the ACTPS, prior to commissioning the task force?

**MR BARR:** It is the purview of the Chief Minister to determine the administrative structure of the public service. Under the act I have that capacity. The expert advice I sought was from Caroline Edwards PSM, a former secretary or acting secretary within the commonwealth. She undertook that work leading that task force. But I was clear prior to the election that we were looking to merge a number of directorates, for the reasons I outlined then which remain the same now.

**MS BARRY:** Chief Minister, why did the government decide on this approach rather than commissioning a comprehensive, independent review similar to governing the city states?

**MR BARR:** Because I determined that that was not necessary, because I was only proposing to change certain areas of public administration that I identified prior to the election. I did not seek to have a wholesale change of the entire ACT Public Sector, which was the scope of that work by Dr Alan Hawke that was commissioned by then Chief Minister Stanhope. Much of what was contained within the Dr Hawke report from nearly 15 years ago now remains in place as the structure for ACT government.

But there were some areas that, through subsequent changes or through new priorities in this parliamentary term, required change in order to be able to deliver the services and election commitments that we intend for government over this term. That is obviously the prerogative of the Chief Minister. The process that I have undertaken is to set a clear direction and then seek expert advice and extensive consultation on the implementation of that direction that I outlined prior to the election.

### **Roads—Jamison—safety**

**MS CLAY:** My question is for the Minister for City Services, and it is about 40 kilometre per hour zones.

Minister, I sponsored a petition last term calling for reduced speed limits and raised pedestrian crossings around Jamison to make our streets more accessible and safer. We did get another crossing and some works out there, which is great, but we did not get slower streets.

I have asked some questions on notice about when we use 40 kilometre per hour zones. You have said, 40 kilometre per hour zones, school zones, are usually placed on roads next to school frontages and roads with significant pedestrian, cyclist, vehicle and public transport activity. You then listed several arterial roads in Belconnen that have 40 kilometre per hour zones to make it safer for pedestrians, like Florey Drive, Aikman Drive, Eastern Valley Way and Joynton Smith Drive.

If we make some arterial roads 40 kilometres per hour, we do it for safety, for people walking and cycling, particularly near schools and high pedestrian zones, why does not Canberra High have a school zone on the 80 kilometre per hour Bindubi Street?

**MS CHEYNE:** I will take the specific question on notice. But generally how I would answer that, Mr Speaker, is that there are a whole range of factors that are taken into account when deciding what is an appropriate speed limit for a road, including how

long the block is, whether it is designed specifically to move large volumes of traffic.

I would note in particular with Canberra High that the entrance to the school takes you through into a driveway that does result in traffic slowing down, and that Bindubi Street has emergency services directly across it, and it is otherwise is a major thoroughfare for this city. I expect that is why—at least that frontage, or that part of the side of the school—is not appropriate to be a 40 kilometre per hour zone. I would also note that there is a signalised pedestrian crossing there and it is used often. I know because I drive through that road regularly.

**MS CLAY:** Minister, have you consulted with Canberra High students, teachers, families, and Jamison business owners and patrons about slower streets and the traffic treatment in this area?

**MS CHEYNE:** No, I have not, because I do believe that in the hierarchy of roads and the treatments that are available, particularly for Canberra High having a signalised pedestrian crossing, having, I think, it is Bowman Street, from which the school can be approached, and numerous ways of walking to that school, that it is appropriate in the circumstances. If I have information otherwise that suggests a review might be needed, then I am happy to look at that, but no, I have not consulted with anyone because as far as I am aware there is no change on the table.

**MR BRADDOCK:** Minister, why does the ACT government not consider 30 kilometre per hour limits in appropriate school zones to provide safer streets for children walking and riding to school?

**MS CHEYNE:** I will refer Mr Braddock to the response to that question on notice. Schools do have 40 kilometre per hour zones. They may not have them around all of the school perimeter, but they certainly do where the frontage of the school is and that is appropriate.

### **Children and young people—Youth Advisory Council**

**MISS NUTTALL:** My question is to the Minister for Children, Youth and Families. Minister, I understand that the Youth Assembly is coming up on 27 May, and registrations close on the 19th. You know as much as I do how important it is that the Assembly not just hears but listens to young people, and that their voice has historically been left out of government decisions. During annual reports hearings, I asked you what obligations the government has to action the reports, and you reflected that it was the responsibility of the Youth Advisory Council to hold government to account on actioning the recommendations of the Youth Assembly. Minister, what support have you provided to the Youth Advisory Council to make sure they are supported to hold the whole of government to account on these recommendations?

**MR PETTERSSON:** I thank Miss Nuttall for the question. The Youth Assembly provide an important opportunity for young people in our city to have their voice heard. They compile a report which the government responds to. The YAC has an important role in their continued work throughout the year to raise issues of importance with the government, such as the Youth Assembly report and the government's response. The YAC is supported by a secretariat which is provided through the Community Services

Directorate. I always enjoy my engagement with the YAC.

**MISS NUTTALL:** Minister, is the level of support, resourcing and time provided to the Youth Advisory Council to hold the whole of government to account on the recommendations of the Youth Assembly sufficient?

**MR PETTERSSON:** I thank Miss Nuttall for the supplementary. I have had no representations to that effect. The YAC has a comprehensive work program which they, in consultation with me, agree to, so I do not hold those concerns.

**MR BRADDOCK:** Minister, what will you do this time as minister to make sure the government takes these recommendations, and the voice of young people interested in our democracy, seriously?

**MR PETTERSSON:** We always take them seriously.

### **Access Canberra—Fix My Street**

**MR MILLIGAN:** My question is to the Minister for City and Government Services. Minister, during question time this week, you stated that there was a backlog of Fix My Street requests, heading towards 40,000 jobs at the time. Minister, how far back do these Fix My Street backlog requests date?

**MS CHEYNE:** We were talking about a backlog at the time. By “at the time”, I mean back in January 2024. There is not what I would consider a backlog now, and I regularly get updates about how jobs are moving through the system. I believe that, in January 2024, there may have been a handful of jobs from 2021. I believe it was late 2021. The vast majority were from the previous two years.

**MR MILLIGAN:** What is the explanation for these Fix My Street requests being backlogged so far?

**MS CHEYNE:** How much time do we have?

**Mr Milligan:** Two minutes!

**MS CHEYNE:** Ask a stupid question!

It is for a variety of reasons. There are some inefficiencies in the system. I would say one of the main issues is that, at the time, the front end of the system—where you input your complaint or your request—was talking to the back end of some areas within City Services and not talking to other areas, so some manual fixes had to be applied to get a job to the right area. Identifying the correct area may not have been as simple as people might think. Sometimes the location of the job that people were selecting was the ocean or the front of their house, when they were actually talking about something else, so jobs were not able to be found. There are numerous reasons as to why there was a significant backlog at that time. A major reason was that we have had storm event after storm event after storm event following a severe drought. An enormous amount of jobs come from every storm event, and they have taken, in some cases, six to 10 months to properly address. Those areas have been a priority. I trust the teams in how they triage

their jobs.

**MR HANSON:** Minister, you said the Fix My Street backlog is now at a manageable and consistent level. Minister, what does the ACT government define as a manageable number of requests?

**MS CHEYNE:** There is no definition, but there is my view from seeing the data. Generally, they sit between 8,000 to 10,000 jobs, with about 1,000 jobs coming in and 1,000 jobs being completed each week.

### **Nature and conservation—threatened species**

**MS TOUGH:** My question is to the Minister for Climate Change, Environment, Energy and Water. Minister, today you announced increased funding to protect our critically endangered Canberra Grassland Earless Dragon. Can you expand on how the ACT is supporting our threatened species?

**MS ORR:** I thank the member for their question. The \$4.5 million in funding to support the prevention of the extinction of the Canberra Grassland Earless Dragon demonstrates the ACT government's commitment to protecting our beloved species from extinction. The ACT government works very hard to protect our threatened species and in my role I have had the privilege of meeting the dedicated staff that manage our threatened species program.

The team deliver scientifically backed care and innovation to protect endangered species. For example, ACT Parks and Conservation Service recently developed fish hotels to repair the 2020 bushfire damage to the habitats of the Upper Cotter River Blackfish population. Constructing this hotel took a huge effort with rocks brought into these remote sites by helicopter and a lot of the construction took place by hand in the cold sub-alpine water.

Another example is the Jedbinbilla Safe Haven which provides a 120-hectare predator-proof sanctuary for the Southern Brush-tailed Rock-wallabies at the Tidbinbilla Nature Reserve which I think a few of us have had the pleasure of visiting, including Mr Werner-Gibbins in the last couple of weeks. The first eight wallabies have settled in beautifully, quickly forming breeding pairs and having joeys. They will be joined by six new wallabies to increase the population's genetic diversity and improve its resistance to disease and climate change.

**MS TOUGH:** Minister, can you update the Assembly on recent species discovered in the ACT?

**MS ORR:** I am delighted to report the incredibly cute but carnivorous—so do not ever touch it—yellow-footed antechinus has been discovered in the ACT for the first time in 50 years. Antechinus are cousins of the Tasmanian devil. They are very cute and small and look similar to a shrew. The ACT Office of Nature Conservation staff found these animals in the Kowen Escarpment and Rob Roy nature reserves, and I recommend that you check out the ACT Parks and Conservation Facebook page to see a photo of them.

**MR WERNER-GIBBINGS:** Minister, what other initiatives is the ACT government undertaking to conserve our natural environment and protect its endangered wildlife?

**MS ORR:** Thank you to the member for his question. One of the things that we are looking at quite closely, and there is quite a bit of work going on, is the effects of climate change, especially extreme weather events such as droughts, floods and bushfires, and how these impact our native species and our wildlife. So when we actually think about this, it is not only monitoring the impacts on individual species and ecosystems, but also looking at how we can continue to reduce our emissions and mitigate the impacts of a changing climate. So things like the actions under the Integrated Energy Plan, work to electrify all of our social and community housing and all the other work we do through jurisdictions to improve and decarbonise our city is actually going towards protecting our natural species and our environment. It is certainly something that we will be considering, that I will be considering, in how we best put this forward in all the work that we have coming up around how we best preserve our city and our environment.

### **City and government services—streetlighting**

**MR MILLIGAN:** My question is to the Minister for City and Government Services. Pedestrian and cyclist safety should be a priority for the ACT government, especially with the push for more sustainable travel. Adequate lighting on community paths is crucial, particularly as winter brings less sunlight. This includes ensuring safety for women, children and the elderly. A constituent has reported consistently regular streetlight outages since March 29 on Brisbane Avenue. Minister, why have these repairs not been prioritised, especially since the area mentioned is a 60-kilometre zone, where a recent serious motorcycle collision occurred on 29 April?

**MS CHEYNE:** I thank Mr Milligan for the question. I am just pulling up the data. I will have to check. If it is multiple streetlights in a row, it almost certainly is going to be a cable fault. These are driving me crazy, actually!

Mr Speaker, you would know that Canberra grew at an extraordinary rate around 50 years ago, so a whole lot of our assets are old and are ageing at the same time. We do not have particularly good records of where cables are underground, which is what we inherited when self-government became reality for our jurisdiction.

So, where there are multiple lights out, it is always complicated. There has to be underboring. There have to be approvals from the person who holds the land. It may take several goes at the boring work to understand where the fault might be and to address it, and there may be multiple faults that emerge soon after. I do not know the specifics in the example, but I am happy to find out.

**MR MILLIGAN:** What is the delay in repairing the streetlights in Kaleen on Staaten Crescent, which have been out since November last year?

**MS CHEYNE:** I think I know this one. Yes. I have a lot of information. The first indication that there was a widespread streetlight cable issue in this area occurred in early 2024, but it was repaired in March 2024 with two spans of 100 metres each of underground cabling. Then, on 4 April last year, a new fault occurred in a separate

location. It was repaired on the same day. Lighting remained operational after this. Then, in November 2024, a new fault caused the streetlights to operate intermittently in the same area. Between November 2024 and March 2025, the lights were working intermittently. Numerous attempts were made to restore the lights by resetting circuit breakers and reconnecting cabling. Investigative excavation work was carried out in an attempt to locate and repair all underground faults. On 24 March, the cable fault was repaired by a replacement of approximately 50 metres of underground cabling, and all lights were briefly restored. Then, on 2 April, a new fault manifested, and the lights have been out since.

There is a plan to address this. We think there are at least three spans of streetlight cable requiring replacement. We expect that this can be undertaken next week, and that it will take three to four days to complete. Once the underboring is complete, a new cable will be installed and reconnected. That is expected to take one day. So, at this stage, the completion date to restore the lighting is 20 May.

**MS CASTLEY:** Minister, what is the government doing to transition from old technology to new technology?

**MS CHEYNE:** This information is publicly available. We are transitioning our streetlight network through the contract that we have. It began in 2018. The initial effort was on our major roads and our arterial roads. Progressively, suburbs are being updated to LED lighting. So there is plenty going on.

**Mr Barr:** It has been quite a journey through territory government this afternoon and this week, Mr Speaker! I ask that all further questions be placed on the notice paper.

### **Supplementary answer to question without notice Cabinet records—management**

**MR BARR:** Earlier, Ms Castley asked me a question about a claim of privilege on a caretaker convention FAQ. I am advised this is one of the documents that was mis-scheduled in the index that we changed by motion on Tuesday morning. The claim was not actually made on that document, but the index showed that it was. The index has been corrected. I am advised that the document may be provided. If there is not a claim of privilege on that document, it can be provided without the need to go through the arbitration process.

This may apply to a couple of the other examples that have arisen during question time—that the index was incorrectly pointing to different documents. That has, I understand, now largely been addressed, but we will continue to work our way through all of those to ensure that the documents that have had a claim of privilege are the correctly indexed documents. I understand, from an email from the Clerk, that that process is now underway and has been referred to the independent arbiter.

### **Papers**

**Mr Speaker** presented the following paper:

Guidance note—Work Health and Safety, pursuant to standing order 16(1)(ii)(a),



undated.

**Ms Cheyne**, pursuant to standing order 211, presented the following paper:

Heavy Vehicle National Law as applied by the Heavy Vehicle National Law Act (Qld) and by the law of States and Territories—Heavy Vehicle (Mass, Dimension and Loading) National Amendment Regulation 2024 (2024 No 470), together with an explanatory statement.

**MR SPEAKER:** It is always a pleasure to have people in the gallery to watch our debates. I want to make note of the fact that we do have some guests. I want everyone to be on their best behaviour, and that applies to us and them. Let us move forward with private members' business.

## **Aged care—Burrangiri Aged Care Respite Centre**

**MS CASTLEY**(Yerrabi—Leader of the Opposition) (3.00): I move:

That this Assembly:

- (1) notes that ACT Labor have cut funding for the Burrangiri Aged Care Respite Centre, a highly regarded service provided by the Salvation Army, which will cause the Centre to close;
- (2) further notes that the Assembly has already agreed to a motion which sought the continuation of the Burrangiri service, to which the Minister for Health responded with “this changes nothing”; and
- (3) directs the Minister for Health to:
  - (a) cause the Burrangiri Aged Care Respite Centre to continue its operations to 30 June 2026 (or later) with no break in service;
  - (b) provide the Clerk with a statement demonstrating the extension of the arrangements as soon as is practicable, for circulation to all Members;
  - (c) provide the Assembly with an assessment of the adequacy of respite care services in the ACT, the potential impact of the closure of Burrangiri, and the Government's plan to ensure service adequacy, by the last sitting day of 2025; and
  - (d) make a statement to the Assembly on 8 May 2025 outlining how the Minister intends to comply with this order.

I will begin by noting that there has been lots of discussion and movement on this motion in the last day or so, and I want to thank the members, their staff and offices who have been involved. It has been quite a week.

I will not subject the Assembly to a history lesson on the Burrangiri saga, but I do want to note that we are running out of time to save the respite service. In practical terms, we must act in this sitting fortnight, or it will be too late. I fully expect the minister to rise in a few minutes and throw all sorts of claims our way. She will try to explain why she needs to use some of the time we have remaining and why we should do what she wants us to do.

Mr Speaker, do not be deceived or misled by the minister's spin. She will talk to you

about the lack of time to comply with this order. She will not talk to you about the fact that the Assembly call was on 5 March, and that it has taken two months for the minister to do nothing. She will talk to you about the facility's rating. She will not talk to you about the number of clients who are happy with the quality of the facility, and she will not talk to you about the rating of any alternative services.

She will talk to you about the procurement rules and the lawfulness of this motion. She will not talk to you about the fact that she is the minister responsible for the procurement rules and the one who is empowered to change them, if necessary. She will talk to you about the facilities which will be able to provide respite care beds in the months to come. She will not talk about the fact that these aged-care facilities are inappropriate and undignified care providers for younger people. She will talk to you about process, bureaucracy and rules. She will not talk to you about the fact that she is a minister in a government which is empowered to make decisions on behalf of the community and can make change happen, if she decides it is necessary.

In other words, she is trying to bluff members. She wants to scare them into submission, and I would advise people not to let her get away with it. Call her bluff. Draw a line in the sand and insist that she does the right thing—the thing that the community wants and expects her to do—and support this motion. It is a simple one. It directs the minister to cause Burrangiri to continue operating for a further 12 months. We know that that is not enough. The Salvation Army are clear that they need two years to make this work.

For the minister to comply, she cannot just commit to a year of funding; it has to be two, and I would rather direct the minister to fund Burrangiri for two years. But there are tricky issues around the financial initiative of the Crown which we need to navigate, or we risk being ruled out of order. Out of an abundance of caution, this motion only calls for funding for one year, even though further funding is needed. The minister cannot come back to us next week and say she offered the Salvation Army one year of funding but they turned her down because it was not enough. That would be the ultimate bad-faith negotiation.

I have made this clear in private conversations with the minister and now in the chamber. In my view, the minister, by only offering funding for one year, would be wilfully disregarding a lawful order of the Assembly, so she should expect a referral to the privileges committee for contempt. I have already spoken to other members about this. If the Minister for Health wants to discover what a contempt finding means for her as a future minister, or for her aspirations to be Chief Minister, she can find out.

Her failure to support Burrangiri is not just a defiance of an Assembly order; it is a defiance of the community—the people who elected us to represent them in this place, the people who chose us to make decisions about how the territory is run and how public resources are used. A majority of members representing a majority of the community are telling you that they want this service to continue. You cannot ignore their wishes. That is not how democracy works, and it is not how the ACT government should operate. Someone who wilfully disregards the community is not fit to be a member, let alone a minister.

My message to the Minister for Health and all of her caucus colleagues is to do the right thing. You know that it is the right thing to do. It is a rare decision in public life that is

this easy. The only thing standing in the way is a stubborn determination to deny admitting that it was a mistake or that a better decision was possible. Do not make ordinary Canberrans, the people who use and rely on respite care, pay the price for your pride. Support this motion. Fund this service and get it done.

**MS STEPHEN-SMITH** (Kurrajong—Minister for Health, Minister for Mental Health, Minister for Finance and Minister for the Public Service) (3.06): I thank Ms Castley for moving this motion so that we can discuss this matter again. I want to note, before we get into the substance of it, that Ms Castley has, as she has in her amendment to the later motion today, put quotation marks around something she claims I said, which I never said.

I want to draw Ms Castley's attention to the code of conduct for all members of the Legislative Assembly for the ACT, which requires members at all times to act with integrity, honesty and diligence. I would encourage Ms Castley, if she is going to put quotation marks around members' statements, to ensure that she is quoting members accurately and can point to a source for that specific quotation, because I have never said what she claims I have said in paragraph (2) of her motion—never.

I move the following amendment that has been circulated in my name:

Omit all text after paragraph (1), substitute:

- “(2) further notes that, on 5 March 2025, the Assembly called on the Government to “extend the contract with the Salvation Army and delay the closure of the Burrangiri Respite Centre until equivalent alternative respite care capacity is available”; and
- (3) calls on the ACT Government to:
  - (a) work closely with the re-elected Commonwealth Government to deliver equivalent respite capacity as soon as practicable, aiming for there to be no or minimal break in service from 1 July 2025;
  - (b) report back on the progress of negotiations with the re-elected Commonwealth Government by 14 May 2025; and
  - (c) provide the Assembly with a further update in September 2025 on the availability and adequacy of respite care services in the ACT and any additional opportunities to harness Commonwealth Government investment in aged care and carers supports.”.

I welcome those who are in the chamber and the gallery to hear this debate today. Ms Castley said I would not talk about the motion that was brought on 5 March. She obviously had not read my amendment, despite circulating it to her earlier, because paragraph (2) of my amendment explicitly quotes the motion that was brought on 5 March that called on the government to “extend the contract with the Salvation Army and delay the closure of the Burrangiri Respite Centre until equivalent alternative respite care capacity is available”.

Ms Castley claimed that I have not acted on this motion, but that is untrue. I have been working to ensure that alternative respite capacity will be available in the ACT. My

amendment, for those who do not have a copy of it, for their information, calls on the ACT government to—and I quote:

- (a) work closely with the re-elected Commonwealth Government to deliver equivalent respite capacity as soon as practicable, aiming for there to be no or minimal break in service from 1 July 2025;
- (b) report back on the progress of negotiations with the re-elected Commonwealth Government by 14 May 2025—

that is, next Wednesday—

- (c) provide the Assembly with a further update in September 2025 on the availability and adequacy of respite care services in the ACT and any additional opportunities to harness Commonwealth Government investment in aged care and carers supports.”.

I have changed the language in my amendment from the version that I circulated earlier, where I had used Ms Castley’s word “direct”. I did that because I thought that would give it the best chance of getting agreement in this place—that we could get an agreed reasonable outcome where we could wait until the end of the commonwealth caretaker period, when I would be able to provide some clearer advice to the Assembly. I have been very clear with members in this place that the commonwealth is still in caretaker, and I will talk in a moment about the conversations I have had. Knowing that my amendment was not going to be supported, I changed that language back to “calls on” to make the point that the Assembly does not have the power to direct the executive and that, certainly, should this motion pass, which I expect it to do, failing to do exactly what the Assembly has asked the executive to do would not constitute a contempt of the Assembly.

That is very clear in the *Companion to the standing orders*. I refer Ms Castley to paragraph 6.40, which starts on page 209, in relation to this matter—the advice about whether an executive did not comply with a motion of the Assembly. The advice at that time specifically said:

... as the Assembly’s contempt powers were limited to matters that would amount to an improper interference with the Assembly, its members or committees, the executive’s action in ignoring or rejecting such a resolution would not imply such interference and could not therefore be regarded as a contempt.

Having said that, I take the Assembly’s motions seriously, and people would be aware that we endeavour, wherever we can, to comply with the will of the Assembly. But in this particular case, the Assembly is literally asking me to break the law; it is literally asking me to do something that would break the law. That is something where I have to draw the line, and I will explain that further.

I want to acknowledge the depth of feeling and the distress and frustration that this issue has caused, and I am genuinely sorry for that. I recognise the advocacy of the Save Burrangiri Action Group, and Ms Carrick in particular, as a member of this place. I can assure those who have written to me that I have greatly appreciated them sharing their experiences, and that has had an impact not only on me but on federal members as well.

Again, I will get to that in a moment.

I remind the Assembly that, on 5 March, the Assembly called for an extension of the contract for Burrangiri until equivalent alternative respite capacity was available. While I stated clearly at the time that extending the contract with the Salvation Army was not an option that I was considering, I also said that the ACT Health Directorate continued to engage with aged-care providers to understand what opportunities were available. Of course, I made the point that aged care, including respite services for older people—and that is what Burrangiri is funded to provide—is a commonwealth responsibility.

Over the last few weeks, I have been talking with my commonwealth colleagues, and particularly Senator the Hon Katy Gallagher, to understand how we could work together to deliver the alternative respite capacity as soon as practical. I was pleased that Senator Gallagher and the member for Bean, David Smith, were able to secure a commitment of \$10 million for aged-care respite beds if the Labor government was re-elected for either a new facility or to extend an existing facility.

Following the election, on Monday, 5 May, I wrote to the commonwealth minister for health seeking to expedite delivery of its election commitment to ensure additional residential respite beds are available as soon as possible. I have sought Minister Butler's consideration of the opportunity to use a proportion of the committed funding to address the potential short-term gap in respite availability.

As I have previously stated in this place, new aged-care facilities will be opening in the ACT over the next six to 12 months, with the first one due to open in June, in response to the reforms delivered by the Albanese Labor government—significant reforms and investment in aged care, which is its responsibility. As I have also said, the ACT Health Directorate has engaged closely with the aged-care sector over recent months and has undertaken policy work to develop options for securing respite beds in existing and/or new facilities.

The brief that outlines those options is now publicly available. All of the information is on record to understand the decision-making process here. While, at the time, I determined not to pursue the recommended option for the reasons that I have outlined in my previous statements in relation to the ACT Health Directorate taking on this commonwealth responsibility and potentially duplicating something that Canberra Health Services was already doing, in terms of its engagement with the market, having listened to the community feedback and having my federal colleagues recognise that they can help, in an area that is squarely in their sphere of responsibility, I have asked the Health Directorate to be in a position to finalise a request for proposal.

This could be ready to go at short notice, to be released either by the ACT government or to inform an approach to market by the commonwealth Department of Health and Aged Care. I am confident that, in the context of the significant expansion of residential aged care in the ACT, the market will respond positively to a request for proposal that would deliver security of funding.

This is not pie in the sky. We already purchase 14 or 15 beds as part of our transition to care program that is jointly funded by the commonwealth. As I said on 5 March:

The Commonwealth and ACT government jointly fund the Transitional Therapy and Care Program, a short-term rehabilitation program for up to 12 weeks to assist eligible people 65 years and over, or 50 years and over for Aboriginal and Torres Strait Islander people, after being in hospital. The ACT is currently funded for up to 78 transitional care places: 14 residential places and 64 community places.

Those 14 residential places are purchased from an aged-care provider, and they provide a fantastic service. Other specific respite services are available, and I recognise that they are limited in number, but there has been a lot of commentary about dedicated respite, and the reality, as we have talked about before, is that that is not generally how respite is provided in the aged-care sector and for older people.

It is my intention to work very quickly with the commonwealth, as I have said. I will be happy to report back to the Assembly next week. I note that Mr Rattenbury has also circulated an amendment to Ms Castley's motion, and I will be happy to support that, assuming that my amendment does not get up—and I assume that it will not.

Members are right to say that I cannot say exactly what this solution will cost. I am confident that we will get support for it from the commonwealth for it. I can say, consistent with what I have previously advised the Assembly, consistent with the advice that the directorate explicitly gave me in December last year, that the contract with the Salvation Army should not be extended, the ACT Health Directorate has clearly advised again today that the current funding agreement with the Salvation Army for Burrangiri is dated 7 July 2016.

The initial expiry date of the funding agreement was 30 June 2019. The funding agreement was varied by a letter of variation dated 30 June 2022, which, amongst other variations, extended the initial term of the funding agreement to 30 June 2024. Subsequently, the letter of variation executed on 1 May 2024 further amended the funding agreement and, among other variations, extended the term of the funding agreement to 30 June 2025. There is no provision in the current variation to further extend the agreement.

Due to changes to the Procurement Regulation, section 14, that came into place in July last year, all variations to existing contracts, including extensions, are required to go to the Government Procurement Board for review and approval. There are some exceptions that do not apply in this situation. Any proposal to the Government Procurement Board would require a value for money assessment and appropriate time for preparation of papers et cetera.

An approach to the Government Procurement Board must consider value for money. Given the length of this agreement, a value for money assessment has not been completed since at least 2016. Previous advice has noted the condition of the facility and how this restricts service delivery for people with more complex needs. A value for money assessment will need to consider not just the dollar value of the service, but whether an extension using the current building and service model means the best available outcome that maximises the overall benefit for the territory.

A value for money assessment will also need to consider whether other providers could deliver the services provided by the Salvation Army. We are aware of other providers who are interested in delivering these services should the opportunity arise. As such, an

alternative approach may be to undertake a new procurement process for services through an open or limited approach to market. This does not address risks such as funding, service quality and conflict with commonwealth responsibilities. Furthermore—and I am being very open about this—there is not a reasonable prospect of achieving this prior to 30 June, but my view is that there is a reasonable prospect of achieving it within a very short time period.

That brings me to Ms Castley's comments about a two-year contract. The other piece of advice that I had, that I was relying on, was that the Salvation Army was not interested in a short contract extension, and Ms Castley has confirmed that today. So she is asking us to breach the procurement rules, to enter into a two-year contract with a specific provider in a facility that I am clearly being advised is not fit for purpose, for the purpose it is being asked to be put to, while there is an alternative approach that is available and that I am pursuing with my commonwealth colleagues. I want to commend Senator Gallagher for her close engagement in this process.

**MS CARRICK**(Murrumbidgee) (3.21): I rise today to support this motion and speak on an issue of deep importance to our community—the future of Burrangiri and the broader state of respite care in the ACT. There are more than 50,000 unpaid carers in the ACT—individuals who provide essential support to family members and loved ones. These carers are the quiet backbone of our community. They deserve not only our gratitude but real, practical support; yet we are facing a critical shortage of respite care beds in Canberra. Wait times are long and options are limited.

Burrangiri has long played a vital role in filling this gap. This closure would mean the loss of 15 respite beds—beds we cannot afford to lose. This would place even greater pressure on the already stretched Carers ACT cottages and residential aged-care facilities.

The minister has committed to funding 15 beds in residential aged care, but we do not know when these beds will be available or what they will cost. How can we assess value for money without this information? The decision to close Burrangiri was made before this policy work was completed.

We are told that the building needs refurbishment to meet the needs of people with complex care requirements, but Burrangiri is already full. Clearly, it is meeting a critical need. Why must it be everything to everyone when it is already serving its purpose effectively? It is also worth noting that the commonwealth funds Carers ACT cottages in Deakin and Isaacs which lack ensuites and 24-7 nursing care, yet they continue to operate.

We are at a pivotal moment. The ACT government has committed to building a purpose-built carers respite centre with Carers ACT. The federal government has pledged \$10 million for new aged-care respite infrastructure in the ACT. These are welcome commitments, but they must be delivered swiftly. We need to identify a site, begin design and planning, and launch a development application. This work must start now.

In the meantime, we must keep Burrangiri open. Extending its contract, ideally for two years, would preserve 5,000 bed nights for the community. It would also allow time to

explore alternative funding models, such as federal accreditation for Burrangiri, to reduce costs to the ACT government.

The minister has cited procurement rules as a barrier, but exemptions exist for unexpected circumstances, which this Assembly motion refers to. While market testing is good practice, the process has been left too late for the next financial year. Extending the current contract is the only responsible option. Importantly, Burrangiri is already funded through indexed allocations in the Health Directorate budget. No new budget funding is required.

Burrangiri provides flexible, accessible respite care without requiring a commonwealth assessment. It supports emergency and transitional respite, and care for younger people or those living alone. The Salvation Army currently delivers over 4,600 overnight bed days and more than 3,300 day respite services annually. These services are vital.

In conclusion, we must act now. We must secure the future of Burrangiri and ensure that respite care in the ACT meets the needs of our carers and their loved ones. They deserve nothing less. I thank Ms Castley for bringing forward this important motion.

**MR RATTENBURY** (Kurrajong) (3.24): I rise in support of the motion moved by Ms Castley. I also acknowledge the significant advocacy by Ms Carrick on this matter. The ACT Greens will be supporting the motion today. And why is that? It is most simple: because Burrangiri respite centre offers essential care for members of the community, and for which there is no clear and immediate substitute. It offers flexible provision for both those on day visits and people who need short-term overnight care in a home-like setting.

We support the minister's efforts to secure funding from the commonwealth government for respite care. This continuing engagement is essential if we are to secure the best deal we can for Canberrans. Of course, where commonwealth money is available to support our healthcare system, given the significant pressures on it, we should pursue those options. But the ACT Greens cannot support the prospect of an alternative provision in the future when there is need now.

I note the minister's concerns about procurement rules preventing the extension to the current provider. In the time available to us since these questions have come up—and of course, as a former Attorney-General, I do miss the opportunity to consult the Solicitor-General on these matters—I have looked at documents like the ACT government procurement framework threshold, which I have with me, and there are clear exemptions. As Ms Carrick alluded to, it is possible for directorates to seek exemptions, or to act with exemptions, under, for example, sections 10 and 10A of these guidelines, both because of an unforeseen event outside the territory's control and/or because the need for a procurement has arisen unexpectedly and it is not routine. These are outlined in this document.

We know that keeping Burrangiri open is not the minister's preferred position, so from that perspective it is perhaps unforeseen and not routine. This is a minority government, and the Assembly can take a position contrary to the minister's preference, and that is what I believe is the right course of action today.



When it comes to procurement, the government is remarkably flexible and able to get things done when it wants to. I have seen that in my time in government. We saw it during the pandemic. We saw it in the fact that we were able to get the commonwealth government, presumably through the back channels of the Labor Party, to commit to \$10 million for respite care in the ACT quite quickly in the last few weeks, in an election campaign. It highlights that things can move quickly when you want them to, and that is the privilege of being in this place. We are the leaders of this city. We have opportunities to move things. That is why we are here, at times.

One of the things that I pick up in the community—and I spoke about this in the debate about the communications tower a few weeks ago—is that the community gets frustrated by the passivity, and the sense of having to stick to plans that are already on the table when we know that the government can take a different direction if it wants to.

Longer term, as I touched on, we support the identification of greater federal funding streams and upgraded facilities of the sort which can ensure access to a broader range of patients. Wider doors, ensuite wash facilities and equipment to assist bariatric patients, of course, are ideal. But with over 90 per cent occupancy, it is clear that there are a great many patients who can and do access Burrangiri in its current state. For both them and their carers, the Burrangiri centre's closure would have immediate consequences, both physical and mental.

Personally, I have found it quite vexing the way Burrangiri have been described in a deficit description for much of this debate. It is fair for the minister to make observations about the things that Burrangiri cannot do, and that has been a strong narrative through this discussion. But I am focused on what Burrangiri can do. For me, that is a really important part of this conversation that I feel has been lost in the many deficit models that have been used to describe the service as it currently stands.

I have spoken already this week about pressures across the ACT health system. The ACT Greens cannot, in good conscience, support the removal of this service when all evidence shows that this will result in greater numbers of people potentially turning up with acute needs in hospital. We have been asked to support an additional \$332 million appropriation for the health service as a result of unplanned, unscheduled additional care. This Assembly has now passed that because we recognise the pressures on the health system.

It feels all but certain that patients with nowhere else to go, especially those who have not undertaken an official aged-care assessment, end up elsewhere in the system and potentially in a state of crisis. Indeed, the Salvation Army reports that 40 per cent of Burrangiri patients have either reduced their hospital length of stay or avoided hospital altogether. In a hospital system that is already in crisis, we should be taking as many of those avoided stays as we can. Not only does it take pressure off the system, but it is a poor social and clinical outcome for those that end up in those circumstances.

In the most recent annual report hearings, we heard that there are a significant number of aged-care patients who are waiting in hospital for days and days—sometimes up to a month—to be able to access an appropriate facility for their care requirements. Surely, given that we know we have this backlog, whilst Burrangiri may not be suitable for all

patients, it will continue to assist many.

Carers ACT, of course, have facilities, but they do have limited capacity in their cottages, and they will not be suitable for all patients, either, I am quite certain. It is certainly not equivalent to the 4½ thousand annual bed nights, not to mention the many day patients who use the current service.

Finally, given the conversation, I return to the government's own asset management plan. I remind the Assembly that the asset management plan identified that Burrangiri is compliant with all statutory obligations, there are no assets that do not meet building code and there are no assets categorised as very poor, with potential structural or operational problems or not operational. At worst, assets had "30 per cent to 20 per cent of asset useful life remaining". Given the lack of alternatives currently being offered by the government, the facility, by that measure, remains safe for use.

The minister continues to insist that we need a different model. I have listened very carefully; we have had detailed conversations, and I do appreciate that. This is a complex issue, and one on which there are a range of questions and drivers facing us. I regret to say this: even if you agree with that need for a different model, I do feel that there has been a clumsy execution of the process thus far.

The minister is asking us to accept an alternative plan. Again, I accept in good faith that she is working hard to bring that about. But that alternative plan currently has an uncertain timeline, unclear costs and no clarity, or at least certainty, about the availability of those alternative measures.

We have a choice in the Assembly today, and this is what it comes down to for me and my colleagues, as members of this place: vote in support of this motion, and keep this much loved and much needed facility open for a little longer, even if we are looking to an alternative model, or close it and take a step into the abyss, without a clear alternative plan. That is why we will be supporting Ms Castley's motion today.

**MS BARRY** (Ginninderra) (3.33): I had a beautifully written speech that I was going to present but I thought it was important to make a point about why we are having this debate and to bring the debate back to why. I have listened to all of the speeches and all of the technicalities. I know that most people in the gallery understand the conversation and all of processes and all of the bureaucracy, but the one question that remains for the people in the gallery, the community members, the families, is what do we do now? What do we do whilst the process is going on and whilst you are building the new facility and doing all of the things you need to do to transfer people from Burrangiri to this new facility? What do we do in the meantime?

Respite is generally what it is, respite. Most people who need respite will go back to their homes. The conversation we are having today is about giving a carer a weekend to rest her back, to go grab a massage if she wants to, some respite from caring for a loved one. Caring for a loved one is already a task in itself. That is what the conversation is about. I know that there are people who would roll their eyes at me and say, what does this new-timer know about running a government? What does this new-timer know about processes? Maybe nothing. What I do know is that the conversation must be about the people behind the decision we make. What do we do now?

I understand that it is difficult for the minister. I do not take for granted your job and that you have to make tough decisions. But again, this is about people. It is the wish of the Assembly that this facility remains open while we work out the details of a new facility. That is the wish of the Assembly. I urge you, please step out of the bureaucracy for a second, just a second, and consider the people behind the decisions we make in this place.

Question put:

That **Ms Stephen-Smith's** amendment be agreed to.

The Assembly voted—

Ayes 9

Yvette Berry  
Tara Cheyne  
Suzanne Orr  
Marisa Paterson  
Michael Pettersson  
Chris Steel  
Rachel Stephen-Smith  
Caitlin Tough  
Taimus Werner-Gibbings

Noes 14

Chiaka Barry  
Andrew Braddock  
Peter Cain  
Fiona Carrick  
Leanne Castley  
Jo Clay  
Ed Cocks  
Thomas Emerson  
Jeremy Hanson  
Elizabeth Lee  
James Milligan  
Laura Nuttall  
Mark Parton  
Shane Rattenbury

Question resolved in the negative.

**MR RATTENBURY** (Kurrajong) (3.40), by leave: I move:

Omit paragraph (3)(d), substitute:

“(d) make a statement to the Assembly on the morning of 14 May 2025 outlining how the Minister intends to respond to the order.”.

Thank you, colleagues, for the leave. Just procedurally, I needed to do this after we had dealt with Ms Stephen-Smith's amendment. I will not speak for very long, but my amendment does amend Ms Castley's original motion. Members will have noticed that Ms Castley's motion calls for the minister to give an update today, just because of the way the timing has worked out with the sitting week and that is obviously not the intent. The minister has indicated to me she is trying to work with her federal colleagues. So, whilst there was some discussion about the dates, we have gone for the middle of next week to give the minister both more time to reflect on today's debate and to potentially have discussions with her federal colleagues, and to provide the Assembly with an opportunity to consider her remarks while there is still some of next week's sitting week left. So I offer that as the way forward for us all to potentially come back to this discussion next week.

**MS CASTLEY** (Yerrabi—Leader of the Opposition) (3.41): Just in closing, really briefly, I would like to thank everybody for being involved today. Thank you to those people who have come to listen to the debate. I want to touch briefly on a couple of comments the minister made. She talked a lot about value for money and both

Mr Rattenbury and Ms Barry touched on it.

I do have to say, here in this place, we cannot forget what happens to the people at the end of the decisions that we make in this place. What is going to happen if people are unable to have respite care? They end up in hospital, which is costly. So I am worried. The fact the minister knew that this was coming, and there was no interim solution, and—I believe Mr Rattenbury was the one who pointed it out—we have no costs going forward and no plan. But the government were happy that there would have been a gap for an unknown amount of time, as far as I can tell. Again, I feel that if we had not made a fuss about it, and often in this place—I reflect over the last term as well—until we make a fuss and the community gets on board and the government get dragged kicking and screaming to a decision they did not want to make—that is what it takes, that community engagement. So thank you for that. It helps us to help you.

The minister will say that this is a federal government issue and I feel that is quite a cold response. “It is not my problem. It is a federal issue.” But the minister was able to make it work when she wanted to take a hospital. She was able to get more dollars for the DHR. She can make it work. If it is rushing through amendments to bills—I think we have had at least three this year—she gets it done. So I am perplexed as to why we got to this point to make the changes that we have today to give Canberrans ongoing access to respite care. It may be a federal issue, but there are real Canberrans at the end of the decisions that we make. So thank you to everybody today for your time, for considering this motion and for the support. Thank you.

**Mr Rattenbury’s** amendment agreed to.

Original question, as amended, resolved in the affirmative.

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

**MR RATTENBURY** (Kurrajong) (3.44): I move:

That this Assembly:

(1) notes that:

- (a) system reform is required to provide greater integration, continuity of care and equity of health services in Canberra;
- (b) the Digital Health Record (DHR) identified several drivers for its implementation, including “The Digital Health Record will create a single system for the patient clinical record, making access to information efficient and user friendly”;
- (c) some general practitioners (GPs) are currently participating in a trial of DHR Link, which would allow for health records to be shared with participating GPs; and
- (d) the 2024 ACT Auditor-General’s Performance Audit Report review into Invoicing and Payments for Digital Health Record Hosting Services found that there has been higher than expected expenditure for DHR contracted services. It additionally notes that some transactions had neither a work order and/or a purchase order;

(2) further notes that:

- (a) Deep End Canberra, with support from the Australian Medical Association and the Capital Health Network, surveyed primary care practitioners and held two workshops in 2023 to produce a report on how mental health services in Canberra would be improved. Their recommendations included:
    - (i) highlighting the importance of accessible information, both for the patient and for healthcare providers to provide greater efficiency, equity and transparency in care, noting the Government must “Provide primary care teams and community services access to DHR”;
    - (ii) many community service organisations lack any access to the DHR system. As a result “Patients have to start over at each transfer”, resulting in no clinical handover, disjointed care and patients having to continually self-advocate; and
    - (iii) members of Deep End Canberra are a range of healthcare providers that work with vulnerable and at-risk youth, refugees and asylum seekers, people with a disability, people experiencing domestic violence, homelessness and drug dependency, LGBTQIA+ populations, and people in the criminal justice system. They note that these issues highlighted specifically, and most acutely impact, individuals experiencing economic inequality, and add additional barriers to the provision of healthcare;
  - (b) healthcare practitioners from Canberra Health Services and Calvary Public Hospital, Bruce report spending significant administrative time attempting to access patient records. The lack of connectivity within the system results in healthcare providers having to spend time accessing required information from GPs or other allied health providers that could be provided through the DHR system; and
  - (c) news reports have highlighted stories where patients have had referrals lapse or a lack of transparency of wait times whilst waiting for services; and
- (3) calls on the ACT Government to:
- (a) report back on the trialled DHR Link and the inclusion of GPs in the DHR system to the Assembly by 24 June 2025; and
  - (b) implement changes to the DHR system to ensure greater efficiency, equity and transparency in care, by:
    - (i) ensuring patient records from all healthcare providers are integrated into the system, inclusive of GP and allied healthcare providers; and
    - (ii) integrating referrals into the DHR system, providing greater patient awareness.

I rise today to speak about the motion circulated in my name. I am pleased to be able to bring this motion forward to highlight further progress needed for the Digital Health Record, or the DHR system. I would like to thank the members in the chamber for engaging with our office on this topic and for working with us to progress this issue today. On the face of it, a motion discussing an IT system might not appear to be the most riveting topic that has been discussed in the Assembly this week. However, we can use the DHR system to provide important interconnectivity between healthcare providers.

What this means in practice is that tomorrow I might go to my general practitioner for an appointment. Between this appointment and the next appointment, I also visit Canberra Hospital. Whilst in the Canberra Hospital, medical practitioners can access my information. However, after I am discharged and visit my GP to follow up, my GP does not have any of this medical information. Whilst the implementation of DHR has been a welcome step forward in the Canberra health system, as my example outlined, I believe there is more that we can do. DHR could be used to further improve this interoperability with more healthcare providers. Perhaps you might think of DHR as the mitochondria of the health system. More than this, they have the potential to facilitate greater efficiency, equity and transparency in all our medical care.

Studies show that electronic records can improve the quality and efficiency of health care, as well as reduce costs and bring economic advantages, and increase health care quality. My main motivation for introducing this motion today is learning that the current DHR system does not provide full integration of a patient's medical records from their general practitioner, ACT Health Services and other allied medical professionals.

This term, the Greens have been speaking about the importance of improving the health system from a range of different perspectives, but always with the aim to ensure that the healthcare system is equitable and accessible to everyone. I was pleased to highlight the work of Deep End Canberra in this motion. Deep End Canberra started in 2016 and represents a group of health practitioners that provide support to one another as colleagues, as a broad spectrum group of GPs, nurse practitioners, psychiatrists and other allied health care workers.

They are also founded with the aim to work together to advocate for the needs of their patients most impacted by economic inequities. In particular, members of Deep End highlight their work with a broad spectrum of Canberrans impacted by economic inequities. These include refugees and asylum seekers, people with disabilities and chronic illnesses, people experiencing domestic violence, vulnerable and at-risk youth, and LGBTIQ+ Canberrans. They also support those impacted by homelessness, drug dependency or are in the criminal justice system.

We know that those impacted by economic inequality face additional challenges: to accessing medical care; face issues of affordability; and, at times, of navigating the complexities of the medical system. We also know that those impacted by economic inequities are more likely to have chronic health conditions and have multiple health providers, requiring even greater interconnectivity within the health system.

I am so glad that a group of people with lived and technical experience with utilising the current health system have been able to thoughtfully articulate gaps and issues in the DHR system. Their experiences point to not only issues from a health provider's perspective, but they note the lack of interoperability of systems can result in providers having to spend significant amounts of time engaging in administrative follow-up of their patients' information. This is essential to ensuring there is a clear clinical handover that prevents disjointed care. It is essential that we equip our DHR system to allow for practitioners to work most efficiently and provide the best care they can with all information accessible.

I also want to note, from a patient's perspective, greater interoperability also prevents you having to spend time doing administrative work for your own care as well. It also may mean that patients do not have to be continually self-advocating for their own care. Particularly within the context of a cost-of-living crisis and some of the highest fees to see your GP in the country, continuity of your care is essential. We know that we have people putting off seeing their GP in our community or choosing between paying rent and seeing the GP. The last thing we need right now is for someone to get to their appointment and realise that their GP does not have access to all of the information that they need for their care to be delivered most effectively.

I appreciate the background from the minister's office on this; from 2022, some GPs are assisting in a trial of DHR Link. This trial was used to assess the ability for interoperability between medical systems and to allow for health records to be shared with participating GPs. I look forward to hearing the findings of this report, and hope that it will provide learnings, improvements and recommendations to allow for further progress on the use of DHR. I would also like to thank Minister Stephen-Smith's office for working with us on the amendments that she will move today. The ACT Greens are supportive of these amendments and believe that they provide a strong and welcome collaborative path forward to progressing this work. We hope that the further actions outlined will assist with achieving greater efficiency, equity and transparency for Canberrans to improve interoperability of DHR.

I do also note that Ms Castley will be moving an amendment. I have indicated to Ms Castley that we will not be supporting that amendment today. I do not say that to necessarily comment on the content of her amendment per se and dismiss the issues she is seeking to raise, but rather, I think it is a little different to what I am trying to achieve in this motion today. So if we come back to discussing these points in the future, I am very open to discussing them further, but I think in terms of today's amendment, it does not quite fit.

Mr Emerson has also proposed an amendment, which he will speak to. I am not quite sure what he is going to get at, but I will listen carefully to his remarks and we will proceed from there. I thank members for the discussion on these items today.

**MS CARRICK** (Murrumbidgee) (3.51): I rise to support this motion today to ensure healthcare professionals have appropriate access to Canberra's Digital Health Record—an initiative that is not only modernising our healthcare system but also addressing one of its most persistent challenges: fragmentation. For too long, our health services have operated in silos. This fragmentation leads to duplication, delays and sometimes dangerous gaps in care. The Digital Health Record replaces these disconnected systems with a real-time platform that follows the patient across hospitals and walk-in centres. It is not just a record; it is a unifier. The DHR has the potential to deliver tangible benefits, but these benefits are only as strong as the system's reach, and right now that reach is limited.

If we are serious about reducing fragmentation, we must ensure that all health professionals, public and private, clinical and allied, have appropriate access to the DHR system. The DHR empowers clinicians, supports patients and strengthens our entire health infrastructure, but, to unlock its full potential, we must break down the

remaining barriers to access.

**MS CASTLEY** (Yerrabi—Leader of the Opposition) (3.52): There is no doubt that the residents of the ACT deserve and expect high-quality health care. For far too long, the ACT Labor government have used excuse after excuse as to why waiting times remain some of the worst in the nation. Since November 2022, the Digital Health Record has been in place, maintaining the health records of users of the ACT health system. The Canberra Liberals recognise the importance of having joined, up-to-date data records across the health system, but we simply ask: at what cost?

The cost to deliver and maintain the DHR system until 2027 will be close to \$400 million, and that is \$160 million more than was budgeted for. Plus, the health minister got another \$80 million in extra funding to support the system over the next three years. While the community speculates on who will be the next Chief Minister after the current one departs, it seems that the only two rivals, the health minister and the Treasurer, are in a race of their own to see who can waste the most amount of money on IT projects.

**MR HANSON:** Don't discount Ms Cheyne.

**MS CASTLEY:** Yes; there are options. I will refer to where I opened this speech. Canberrans deserve high-quality health care, but they should not have to pay for the government's bungles and blowouts time and time again. We believe we should explore and trial greater integration of patient health data to improve services, but we do not believe that Labor are truly capable of it. Just look at MyWay+ and the HR debacle.

We support the government reporting back to the Legislative Assembly on the trials to incorporate information from GP and other allied healthcare providers, and we want Canberrans to feel safe that their data is protected and used in a way that benefits them and makes their healthcare journey as easy and seamless as possible.

I move the amendment circulated in my name:

Add after paragraph (3)(ii):

“(4) additionally notes that:

- (a) the development and implementation of DHR has an expected cost of \$378 million, which is \$160 million more than the original cost of \$218 million, and that an additional \$80 million will be required to support DHR over the next three years;
- (b) despite the enormous initial cost and the unexpected additional costs, requests by orthopaedic surgeons to include details of patient care, trauma sustained, and necessary operations, were not included and the surgeons were repeatedly told these functions were “not possible”; and
- (c) surgeons had a professional obligation to track this information and did so outside the DHR system because of its lack of functionality, only for the Minister to subsequently accuse them of keeping “secret lists”; and

(5) additionally calls on the Minister to:

- (a) take the appropriate steps to ensure DHR incorporates all data kept by orthopaedic surgeons required to maintain a proper standard of patient



care;

- (b) work closely with ACT orthopaedic surgeons to ensure the process minimises administrative workloads, is as seamless as possible and does not jeopardise patient care;
- (c) contact all other medical professional groups in the ACT who undertake elective surgery to confirm there are no other outstanding data or information issues that present a risk to patient care;
- (d) report back to the Legislative Assembly before the end of 2025 to confirm whether this work has been initiated, and again when the work is complete, including the costs involved; and
- (e) make an apology in the Assembly to orthopaedic surgeons for incorrectly claiming they kept “secret lists”.

We have introduced these amendments because we know that the DHR system is not perfect, despite spending \$400 million on it, and we also know that orthopaedic surgeons who were part of the development of DHR had their requests for surgery data to be included in the system refused. The refusal to incorporate the data was said to be “not possible”. This is absolute madness. I find it absolutely incredible that a system costing taxpayers \$400 million cannot incorporate information such as: patient details, trauma sustained, the operation that is needed, required equipment that the orthopaedic surgeons have devised, keeping track of multiple trauma cases waiting, and admittance to either TCH or another site.

What is even worse is the attitude of the health minister. When asked why the information cannot be incorporated, she sought to demonise orthopaedic surgeons by claiming they kept secret lists. There is nothing secret about the information, apart from the usual requirements around medical and professional records. This seems to be modus operandi of the health minister: if there is anything you do not agree with, denigrate it. The orthopaedic surgeons want this information incorporated to make things work better and more efficiently for medical professionals and, in particular, patients. If the hard-working ACT taxpayers knew that the health minister refused to include important information that would assist orthopaedic surgeons doing their jobs, they would be pretty angry. This is more evidence of a Labor health minister who is out of touch and not interested in solving problems to deliver a better health system.

I commend my amendments to the Assembly.

**MS STEPHEN-SMITH** (Kurrajong—Minister for Health, Minister for Mental Health, Minister for Finance and Minister for the Public Service) (3.57): I thank Mr Rattenbury for bringing this motion to the Legislative Assembly. As he flagged, I have an amendment that I will move later. It clarifies some of the work that we are happy to do. I will go to Ms Castley’s amendment first and then I will go to the substance of my amendment.

Ms Castley’s amendment, as Mr Rattenbury has indicated, is quite tangential to the original point of Mr Rattenbury’s motion. Ms Castley has put quote marks around something that she claims I said but I never said. This persistence in literally misrepresenting what is purported to be a quote that is not a quote is not really in keeping with the code of conduct and the integrity of this place. I understand Ms Castley’s amendment will not have the support of the Assembly anyway. I can

assure Ms Castley that the Digital Health Record has the ability to capture the same fields that are listed in the Google documents to which she has been referring, and the Digital Solutions Division has advised me that it is happy to work with the orthopaedics team to identify whether changes are needed or whether reports can be set up and education can be provided regarding the use of the patient list functionality.

I again want to acknowledge, as I did in question time today, the positive engagement between Canberra Health Services and the surgeons in the orthopaedics department. I understand that there have been some conversations about the issues that Ms Castley raised in the chamber previously on the development of the Digital Health Record, what occurred in relation to the way the orthopaedic surgeons managed those lists and why they were doing it outside of the Digital Health Record. There have been some really productive conversations around that and work is underway.

What I said at the time was that everybody should have transparency in both directions. That was the only point that I have made in relation to this. Planning work through the theatre complex is challenging from the surgeon's side and from the operations centre's side if everybody is not working from the same information. That is the only point I have ever made about this. I really want to emphasise that the kind of verballing that Ms Castley goes on with is unhelpful to the debate.

I will go back to the actual motion. I thank Mr Rattenbury and his office for engaging on this issue in a really constructive way. The motion recognises that we need to harness the opportunity of the Epic Digital Health Record in the most effective and efficient way possible for clinicians and patients. We have made the DHR available, as Mr Rattenbury has indicated, to a number of GPs through the DHR Link pilot since 2022. We have learnt a number of lessons through the trial and pilot about further inclusion of GPs in the DHR system. I welcome the opportunity to report back to the Assembly in September about how this has informed potential changes to the DHR system and considerations both within the jurisdiction of the ACT and in the context of further reforms that are underway by the commonwealth with regard to their digital health system, My Health Record. Exploring the interoperability between the two systems is important. It is very important to explain in this place that it is My Health Record, the national health record sharing system, that should be the point of truth.

GPs receive more timely information from Canberra Health Services as a result of the implementation of the Digital Health Record through much quicker discharge summaries, and consumers also receive those discharge summaries through MyDHR on their mobile devices, which they can then share with whomever they want. Even if the hospital does not have a record of a patient's GP or they cannot see their GP and go to a different GP or a different practice, that information is on their device. They can share that; they can share their test results. I have had the experience myself of being able to share a record of my admission to Canberra Hospital with a specialist on my device, and that was extremely helpful. Having pathology results coming through straight away to consumers was the subject of the first pieces of feedback we got from consumers.

The DHR has been evolving and continues to evolve. It is a success story, despite Ms Castley's rhetoric. The ACT government has delivered a nation-leading digital transformation in our public health system with the implementation of the Digital

Health Record in November 2022 across all ACT public health services, including our major hospitals, our community health centres, justice health, walk-in centres and the QEII hospital as well, which is run by Tresillian.

It is important to note that it is not a system designed to encompass the entire health system, as in the whole jurisdiction of the ACT. It is a system about capturing health records in our public health services. It needs to integrate with other systems, but it is not intended to capture the data and information from GPs and allied health professionals and hold it within the DHR as the central and single patient record for the entire patient journey across the ACT's public and private systems.

Nevertheless, it has been a gamechanger for clinicians and patients. It provides real-time access to up-to-date patient information—medications, allergies and diagnostic results—and supports safer and faster clinical decisions. It reduces things like the need to take extra blood, because those tests can be added on in the DHR. The blood sample, for example, can go straight back into the system in pathology in one smooth action. The Digital Health Record has revolutionised the ACT Health Directorate's access to data as well due to the in-depth access to patient data the DHR provides. It has eliminated several data quality issues experienced by the directorate before the implementation of the DHR. Recognising that there have been some challenges with data over the period, the potential of this and now the actuality of it is significant.

Access to the Digital Health Record has been further enhanced for clinicians with the implementation of Haiku for Android and iOS smartphones and Canto for iOS iPad apps. It provides clinicians with on-the-go secure access to the DHR via their personal phones and devices. The improved access that the apps provide to the DHR has increased the level of efficiency and convenience for clinicians onsite and offsite, particularly for those working on-call.

More than 252,000 Canberrans are now registered users of MyDHR, empowering patients to actively engage with their own health care. The Digital Health Record itself has replaced around 40 legacy systems, streamlining care delivery and improving efficiency, including improving the efficiency of the emergency department and addressing patient flow issues. Since go-live, the DHR has prevented more than 82,000 potential allergic reactions with medication alerts; enabled more than 1½ million test results to be released directly to patients within one day; enhanced communication among staff, with almost six million secure messages exchanged through the system; and reduced unnecessary blood draws, as I was talking about, saving over 200,000 additional patient collections.

The ACT is the first jurisdiction to provide GPs with direct access to their patient's full public health medical record through the DHR Link GP access pilot, going beyond what is available in My Health Record. Eight GP practices are currently participating. However, in undertaking the pilot, a number of issues remain that require careful policy consideration before further expansion of the scheme can take place. These include the current requirement for written patient consent, which remains a necessary safeguard under existing privacy law.

While practical challenges have been identified, ACT Health is actively improving consent processes and exploring reform to further support integrated care. Consent

management remains complex and impacts on uptake, even for those whose GPs have access to GP Link. Further integration of the DHR with GP practice software is important. At the moment, it is limited and creates some workflow inefficiencies as well for GPs, who we know are always under time pressure. The Health Directorate is actively collaborating with the Australian Digital Health Agency and the Department of Health and Aged Care to strengthen national data sharing and the clinical usefulness of the commonwealth's My Health Record. My Health Record itself is undergoing further reforms to increase participation by providers and default sharing of pathology and diagnostic imaging.

In terms of next steps, the proposed amendment that I will move later signals that the Health Directorate will take away the feedback and undertake further consideration of improvements, and I will report back with an update in September. We acknowledge the important work of the Deepend Group and the AMA ACT branch in highlighting areas for improvement, particularly in the ACT mental health system. Their recommendations for the Digital Health Record included: better connectivity across services from primary care to justice health; improved accessibility for providers, carers and consumers; timely and transparent information-sharing with appropriate privacy frameworks; and support for shared care planning and seamless care transitions, which is something that I am particularly passionate about. It is a reason our new health centres, including the one where we have just sod-turned in South Gungahlin, will include virtual care facilities.

We recognise that the DHR is central to enabling a more integrated and patient-centred health system. Since 2024, ACT Health and Canberra Health Services have been working collaboratively with the Deepend Group, embedding their input into broader mental health reform initiatives and more broadly. While the DHR was not specifically discussed at those meetings, the principles raised by Deepend are consistent with our ongoing work to enhance the system's connectivity, accessibility and, particularly, patient focus. The Health Directorate will continue working with Deepend GPs and other stakeholders to ensure the Digital Health Record evolves to support a coordinated and inclusive mental health and physical health system. With broader feedback, we will continue to update it. I look forward to providing the Assembly with further information and updates in September.

**MR WERNER-GIBBINGS** (Brindabella) (4.08): I rise to make a short contribution to this debate as a regular and grateful user of the ACT's Digital Health Record and a once-upon-a-time contractor at the Australian Digital Health Agency. I thank Mr Rattenbury for bringing the DHR and its operation to the attention of the Assembly. I have no doubt that efficiencies can be found and implemented in the system, and I look forward to reading the minister's report on the same.

I will pay particular mind to the results of the trial of GPs sharing health records through DHR Link. This is because, in 2019, the ADHA, with its responsibility for standing up the Australian government's My Health Record system and expanding its use, was finding it extremely difficult to persuade GPs to upload records to the system, let alone share them with other GPs—a fact that became very clear to me when our family moved from Sydney back to Canberra and could not get our complete health records to follow us from our Sydney GP to our Canberra GP. We only got a summary, because health records belong to the doctor, not the patient. Patients have certain rights to access the

records, but do not own them. That happened again a few years later, when we moved to a new GP health centre in Tuggeranong. It might be difficult for the ACT government to ensure all healthcare providers upload their records to the DHR, as sought in this motion.

I note that, earlier this year, the Australian government passed legislation requiring some healthcare providers to upload certain information to the My Health Record, but this was not inclusive of GPs. Be that as it may, I urge all healthcare providers in the ACT to commit to integrating their records into the DHR, because it will make a big difference to territorians.

The DHR has made a big difference to me. I have had type 1 diabetes since 1999, so, for 26 years, every six months I have had blood taken and tested prior to my check-up with the endocrinologist. For 24 of those years, whether I was seeing GPs and specialists in Canberra, Sydney or England, I have had no idea what my results indicated, and that is if I got access to them. My blood would be taken and tested. The results would be sent to the endocrinologist and they would skim through them with me during my 15-minute consult, and then they would be sent by letter to my GP, where I would see them or hear about them on an ad hoc basis if I had or needed an appointment, but the results would no longer be current or up to date. Occasionally, if I remembered to ask for the results after my endocrinologist appointment, I would get a printout. While it had current results and the previous three results logged, they were logged with many medical abbreviations for an expert's review, and it was too much for an art student to understand or identify trends with any confidence. I would send them to my brother and ask if I was okay.

But, since about 2023, entirely thanks to the ACT government's Digital Health Record, it has been so much easier. I have a blood test at the hospital—and I give a shout-out to the wonderful staff at ACT Pathology—and I get an email before the day is out telling me that my results, on 30 or 40 data points, have been uploaded and are accessible on the Digital Health Record. I can review them on my phone there and then. The information is clearly presented. If my number is in the green zone, I have been an excellent patient. If it is in the yellow zone, is worth a frown from the endo. If it is in the red zone, it is problematic and I will get a stern talking-to. Not only that; it is also extremely easy to flick back, see the trends and compare results from test event to test event, back to 2022—results that are logged in a consistent and easily digestible manner. With more space on the screen, there are no abbreviations, and further information, context and explanation is available to click through if I want it.

What it means as a patient is that I go to my appointment with the endocrinologist pre-armed with the information I need and can ask informed questions: "Is that result a problem? Is this a trend that I should be worried about and could be mitigated?" I can make better judgements about her advice and how that advice fits in with my lifestyle. When she is giving me her advice, she knows that I have read and understood the evidence she is using to make her recommendations.

There are many reasons as to why my diabetic health has improved as I have got older, but the ability to access my blood test results in real time, understand them and refer back to them when I need to is a key part of why I am reasonably healthy today—notwithstanding the question time low blood sugar alarm—and that is all thanks to the

ACT government's work on the DHR.

**MS TOUGH** (Brindabella) (4.15): I am going to speak very briefly. I want to echo some points raised by my colleague Mr Werner-Gibbings about GP records and what happens to people when a GP practice might close or move. I have had some constituents recently contacting me after their GP practice closed at very short notice. They needed to get a script filled for a controlled substance and they discovered they could not get those records. It has been a couple of weeks since they have been able to get those records. They kept saying to me, "What if we could link it all together and I could just call someone else and get it?"

The DHR Link trial and inclusion of GPs in the DHR system is definitely worth exploring to see what can happen in this space. It would help people like my colleague, who has a chronic health condition and needs lots of medical appointments, tests and specialists; people with complex health needs who have to see a variety of doctors and specialists; as well as other groups, so that they can have continuity of care when anything happens. I am looking forward to seeing what comes from a potential trial and thank Mr Rattenbury and the minister for their work on this.

**Ms Castley's** amendment negated.

**MS STEPHEN-SMITH:** I seek guidance. Mr Emerson also has an amendment. I do not think the two amendments clash with one another.

**MR DEPUTY SPEAKER:** The advice I am receiving is that it is more appropriate that Mr Emerson moves his amendment first.

**MR EMERSON** (Kurrajong) (4.17): I rise to support Mr Rattenbury's motion calling for improved efficiency and equity of care related to the evolving Digital Health Record system and look forward to the updates that we will receive in September. I am also moving an amendment that seeks to reflect the experiences of some of the healthcare practitioners who have contacted me about the rollout of the Digital Health Record.

I thought it important that I take this opportunity to acknowledge that issues with the DHR are ongoing in multiple areas. While I am hopeful that the DHR system will eventually offer an improved medical recordkeeping function across the ACT healthcare system, I have heard many frustrations with the way it has been rolled out so far. We often hear of the need to commit to patient-centred care, which I absolutely support in full. One of the surest ways to achieve that is to engage closely with healthcare workers at all levels and in all stages of reform, because they too experience a greater satisfaction in their work when delivering patient-centred care.

Too often, though, it appears that the needs, preferences and experiences of the people driving our healthcare system seem to be overlooked, which is of course to their detriment, but it is also to the detriment of their patients. One of our local hardworking midwives shared her experiences with me in the following statement:

Prior to DHR going live in November 2022, CHS staff attended two full days of workshops to learn how to use the system. Maternity services had a build within the Epic framework for DHR called Stork. There were delays in finalising the

Stork build so that during our training sessions we were being shown how to use functions that we were told weren't what we would end up using, as there were constant changes being made prior to and continuing well past November 2022.

The live date was a Saturday, when the hospital is typically shorter staffed with minimal administrative support. A doctor who had worked through a DHR rollout overseas spoke of how her hospital had ensured there were sufficient supernumerary staff in each clinical area so there was plenty of opportunity to start using the DHR without compromising patient care.

A midwife who had extra expertise with DHR spoke of how, on the go-live date, she attended an emergency caesarean for a woman who had not been admitted on the DHR because staff were overwhelmed by the emergency and did not have anyone to support them with the new system under the circumstances. They rightly prioritised care for the woman and her baby over ensuring all the correct DHR processes were met, but felt overwhelmed by managing a new system in the face of an emergency with inadequate backup to help them.

The home visiting midwife team did not have any DHR build at all for their work area on the go-live date and had to resort to using paper for the first few weeks. There were many midwives who chose to take early retirement rather than take on the extra burden of learning how to use the system. Sadly, this meant we lost significant clinical expertise at a time when we needed it most, post COVID and post the 2020 bushfires. Almost two and a half years later the home visiting midwife service is only just, in the last few months, receiving attention for the functions they require within DHR to help manage their daily workload. This is despite repeated requests to address the deficits since before DHR went live.

There are a few different pathology collection services in the ACT. ACT Pathology results are directly entered into the DHR. However, not all women go through ACT Pathology. When they attend other collection services, like Capital Pathology or Laverty Pathology, their results are often not fed directly into DHR until weeks later, if at all, and often it falls on NCH staff to follow these up. This potentially compromises patient care if we miss crucial results that require action. We often have similar issues with pregnancy ultrasound results requiring frequent follow-up by midwives, creating additional workload spent on the phone, chasing results and not engaged in direct patient care.

Our preference for managing pathology and ultrasound results is that all services have ability to tick a box indicating the results are uploaded directly into DHR. This may seem like a small issue but, when you are working in a busy anti-natal clinic, and must do this multiple times a day, it really reduces our time in direct patient care, particularly when we know there is an easy fix.

The entire DHR system is not intuitive and requires significant familiarisation, confidence and competence in computer skills, and it is not readily useable for newcomers to the organisations. Additionally, it has been a barrier to competent midwives moving easily between the different clinical areas, as they report not feeling confident using the different DHR platforms across maternity. At one point, the digital support team were so overwhelmed with requests to address issues with the DHR that they deleted them all and we were instructed to send new requests through our area managers.

That is the end of her statement.

The experiences of this midwife, on my understanding, are not unique. She and many others have openly acknowledged that the DHR has made some aspects of patient care more seamless and easier to hand over. I appreciate that this is a complex project to roll out across the ACT healthcare system that also intersects with work being done federally. But it cannot be denied that the rollout has been clunky and has been burdensome on practitioners who already face significant workplace pressures. It has been very costly and seems in many areas not have resulted in greater equity or efficiency of care, at least not yet.

I would like to acknowledge Ms Castley's concerns on this matter and have sympathy for the intent of her amendment. I particularly appreciate her advocacy on behalf of Canberra's orthopaedic surgeons, some of whom have also made representations to me and my office, and her efforts to bring greater transparency to this system. I think we can all agree that this is much needed. But for me some of the, let's call it, inflammatory messaging in the motion is not something that I prefer to support, and I do not place all that much value—though, of course, there is political value—in calling for an apology from the minister on this matter. I do acknowledge that the minister is in a very challenging portfolio. While the rollout of DHR has been pretty far from perfect, to say the least, I do believe that with some improvements and greater transparency this can become an effective tool to improve patient care in the ACT.

My brief amendment goes to some of the valid issues that Ms Castley has raised, without, I hope, taking us too far away from the original intent of Mr Rattenbury's motion—although I note it may have done that, but I thought this was an opportunity to voice some direct concerns of people who are frustrated within the system. I also believe the minister's amendments are reasonable, while allowing a practical timeline for the government to provide an update to the Assembly.

I support Mr Rattenbury's motion, and I thank him for bringing it. I share concerns with the issues raised in Ms Castley's amendment, though was not supportive of it as circulated, and I have no issues with the ministers' amendments. I move:

After paragraph (2)(c), insert:

“(d) healthcare professionals have expressed frustrations regarding the way the DHR has been rolled out and continue to hold concerns about the administrative efficiency and effectiveness of the system;”.

**MS STEPHEN-SMITH** (Kurrajong—Minister for Health, Minister for Mental Health, Minister for Finance and Minister for the Public Service) (4.24): I rise to speak briefly on Mr Emerson's amendment, which Labor members will be supporting.

I do, however, want to clarify some matters in relation to some of Mr Emerson's remarks, particularly to say that Saturday was chosen for go-live in consultation with staff. That was the staff's preference. There was a significant consultation, and that was chosen as the quietest day when there was not going to be elective surgery underway and there were significant numbers of supernumerary staff. The place was massively staffed up to manage the go-live day. I just want to put that on record. There were significant numbers of supernumerary staff on board, both during go-live and for weeks after the go-live period to ensure that staff always had someone at their elbow to support



them with DHR.

In addition, the very clear instructions to staff was: “Patient care comes first. We know that it will take time for people to get used to the system, and patient care is the No 1 thing. If you do not have time to enter information into the system straightaway, focus on the patient care, write it down on paper and enter it afterwards.” That was the clear instruction to staff. I recognise it was stressful. I absolutely recognise it was stressful, having been at the College of Midwives celebration on Tuesday. I get that feedback from midwives regularly. It was particularly challenging for midwives, in part because their systems are really complex, the way that they work is quite different to other clinicians, and because they were moving from paper records, and this was the first time they had actually, by and large, moved to an electronic medical record system.

But I think it is also important to say that, for the maternity team at Calvary Public Hospital, the DHR showed its worth within a month of go-live, within weeks of go-live, in the wake of the Calvary theatre fire, where the staff could take the women and babies out of that area, as they had to evacuate from the maternity area; they could take their iPads with them; they could see when people were supposed to have their meds; and they could communicate with Canberra Hospital. During all of that period, post the theatre fires—when people were removing backwards and forwards between the two hospitals because they could not birth at Calvary but they needed to come to Calvary for post-natal recovery, to clear the space in Canberra Hospital—DHR made an enormous difference in being able to access that information and not having to take folders of paper with each person. It, absolutely, has its pros and cons—I am not downplaying in any way the challenging experiences that people have had—but I think that needs to be balanced with some of the positives as well.

I would also note that many of the issues that are raised around chasing results, checking multiple records and switching between systems were also the norm before it became the Digital Health Record. Staff have always spent a lot of time doing that. The Digital Health Record was never going to address all of those issues, particularly around connections between the public and the private system—private pathology, for example. We will continue working on that. This motion is really about that integration. We really do want to continue to improve that. But that is also, again, what My Health Record is really, importantly, for.

**Mr Emerson’s** amendment agreed to.

**MS STEPHEN-SMITH** (Kurrajong—Minister for Health, Minister for Mental Health, Minister for Finance and Minister for the Public Service) (4.28) by leave: I move:

Omit all text after paragraph (2)(c), substitute:

“(3) calls on the ACT Government to provide the Assembly an update by 4 September 2025 on:

- (a) the trialled DHR Link and further inclusion of GPs in the DHR system;
- (b) potential changes that can be implemented to the DHR system to ensure greater efficiency, equity and transparency in care, including:
  - (i) explore options for:
    - (A) increased interoperability with My Health Record to

- improve integration across the health system, noting reform work currently underway by the Australian Digital Health Agency and Department of Health and Aged Care; and
- (B) opportunities for greater interoperability between DHR, My Health Record and Health Link, with the Commonwealth and other states and territories;
- (ii) improved integration of referrals in the DHR system, including providing patients with greater visibility of the progress of referrals, acceptance status of referrals, and triage category; and
- (iii) explore potential amendments to the *Health Records (Privacy and Access) Act 1977*, to reduce the high barriers to sharing patient information with GPs via DHR Link, whilst ensuring patient privacy.”

**Ms Stephen-Smith’s** amendment agreed to.

Original question, as amended, resolved in the affirmative.

## Papers

### Motion to take note of papers

Motion (by **Deputy Speaker**), pursuant to standing order 211A, agreed to:

That the papers presented under standing order 211 during presentation of papers in the routine of business today be noted.

## Statements by members

### Early childhood education—Genius Childcare centres

**MS TOUGH** (Brindabella) (4.29): I rise briefly to further discuss Genius Childcare. This morning we heard from Minister Berry about planned reforms to the NQF in the early childhood education sector, and I really welcome that. But we are also hearing today that no buyer has yet been found for the remaining Genius centres, including three in my electorate—in Conder, Gowrie and Bonython. There have been hundreds of inquiries—and it is good to hear that administrators are still processing these inquiries—but, given how long it has taken and that the administrators hoped to have it sorted last week, it is a bit concerning what is going on. So it would be really good to have an answer soon.

Some of the potential buyers, we have heard, have been caught up in the business practices of Genius Childcare—Darren Misquitta and others known to Misquitta. There are companies that were lined up to be buyers that now do not look like they will be buyers because of the business practices and losses that have been related to Genius

. Steps, which is one of the companies that had been lined up as a potential buyer and have been receiving financial subsidies, I understand, from reporting in the ABC today, still, as of the last month, had not received their critical provider approval from ACECQA—the national regulator—to be authorised to even run childcare centres. So it is not really looking like they will be a potential buyer. It is a bit concerning for all those remaining centres, including the three in Brindabella, that no-one has been found

to operate these centres going forward.

I am really thinking of all the families, the staff, the educators and the children, who are still in limbo today. It has been nearly two months, I think now, since it went into administration. That is a long time to not know what is going on. I really want to acknowledge the stress that is causing and send my thoughts to those families today.

### **Ginninderra electorate—election day events**

**MR CAIN** (Ginninderra) (4.31): It was wonderful to see people from different political persuasions coming together to vote in our democracy last Saturday. Across our city, Canberrans enjoyed volunteer-run coffee carts, cake stalls and sausage sizzles for that essential “democracy sausage”. I was stationed at the wonderful Evatt Primary School for most of the day, finishing at Miles Franklin Primary School at the end of the day, which had all these wonderful community spirit events and set-ups. There were similar scenes across my electorate of Ginninderra and, indeed, across the ACT and Australia.

Being there at Evatt Primary School and at Miles Franklin School, surrounded by people from all walks of life, reminded me of the strength of our democracy. It really was a collegiate experience in representative democracy. It was truly inspiring to see Australians from different backgrounds, cultures and experiences and, of course, political persuasions, come together united by a shared idea to build a better future for our country, obviously with different points of view on different issues. This experience reaffirmed how important respect is: respect for each other, for the democratic process and for the principles that underpin our way of life. We are fortunate where we had such significant change in the balance of power done peacefully.

### **Woden—building works**

**MR COCKS** (Murrumbidgee) (4.33): I would like to speak for a brief moment on the experience of businesses and the community around Woden, in particular in the vicinity of the works going on around the new CIT building. For quite an extended period of time, people in this area have been enduring a decent amount of inconvenience due to these works and recently the impact has definitely escalated. Businesses in the area, as there are particular works going on with the cutting of pavers and the shifting of fences, have been directly impacted and unable to even keep their full complement of staff on at times.

I appreciate that the work needs to be done. I really look forward to when we have a new building there and people are able to access that part of Woden. It has great potential. It may not all be as I would have designed it, but we really hope that there is going to be something productive come out of it. However, the direct impact right now is that people are fenced out of a really important area for the community, and there no longer seems to be a reason for it. The project managers, I believe, have been in contact with some residents saying that the fences should be gone, but they are still there.

*Discussion concluded.*

### **Adjournment**

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

That the Assembly do now adjourn.

### **Australian National University**

**MISS NUTTALL** (Brindabella) (4.35): Education is something that should be accessible to all people, not just for those who can afford it; education should not be put you into debt for life; staff should receive support and job security in order to provide the best possible experience for students that they are responsible for; and millionaires should not have the power to put young people into lifelong debt. These are the messages that you would have heard at the “No Cuts at ANU” rally last week, and these are all messages that the Greens fully support.

The ANU student and staff body has overwhelmingly made it clear that the proposed cuts to jobs are just not acceptable. The NTEU and the student body have done overwhelming due diligence to ensure that they have captured the voice of the community in this. I know that, of the over 800 union members and ANU staff who voted in no confidence against the chancellor and the vice-chancellor of the ANU, over 95 per cent of them voted no. These are the numbers that show how many people are angry at the way Vice-Chancellor Bell and the ANU administrators have been managing the university. Cuts have undermined a sense of job security, which is essential to allow university staff to do their jobs well.

The ANU community is angry, and we have been disappointed to see a bit of a void re federal representatives standing up for them. As a federally governed institution, I am, of course, aware that we in the Assembly do not have the power to intervene. But I can use my position here to echo the calls of No Cuts at ANU. The chancellor and vice-chancellor have disregarded the desires of the community they are meant to represent.

The vice-chancellor has failed to respond to the vote conducted by the NTEU showing an overwhelming number of members having no confidence in university leadership. As a proud alumni of the ANU, this wilful refusal to listen to the community is not the ANU that I remember, nor the ANU that I was proud to graduate from less than two years ago. A thriving uni backs its people; it does not back folks who devalue higher education by commodifying it to the nth degree.

Certainly, it is the ANU community that I remember: gutsy, determined and committed to stand up for each other. I thank No Cuts at ANU for welcoming a contingent from the Greens to be present at this rally for their staunch and dedicated work and I, again, join their calls for real change at ANU.

### **ACT Auditor-General—performance audit report on the Growing and Renewing Public Housing Program**

**MR CAIN**(Ginninderra) (4.37): I rise today to reflect on the recently released ACT Auditor-General’s performance audit report on the management of the Growing and Renewing Public Housing Program. This report, the Auditor-General’s first 2025 calendar year report, found significant issues with the \$867 million eight-year program. As the shadow minister for housing services, this report filled me with dread and

disappointment at how the ACT Labor government treats public housing in the ACT.

The Growing and Renewing Public Housing Program, which I will from here on refer to as “the program”, is a complex, high-cost and long-running administrative exercise. This program is intended to replace 1,000 older not-fit-for-purpose public housing homes across the ACT with new fit-for-purpose homes for public housing. It is also intended to add an additional 400 new homes to the ACT housing stock. The program has been delivered by the government, identifying public housing properties to sell or redevelop in order to raise revenue for new public housing stock. In principle, this program is a significant and necessary exercise to modernise the public housing stock in the ACT and ensure homes are fit for purpose. Unfortunately, as evidenced by the Auditor-General’s report, the program is suffering from a classic Labor failure of public administration.

In this most recent report, the Auditor-General considered probity management, making decisions about public housing homes, selling and buying public housing homes and procuring building services. The Auditor-General found that there are significant probity issues for the program. The audit report noted that ACT Housing did not undertake a probity risk assessment, develop a probity plan report or engage an independent probity adviser or auditor. The audit also found that Housing ACT’s management and administration of the Asset Assessment Panel to make decisions about selling and redeveloping public housing homes had not been fully effective. The Auditor-General also noted that many decisions made by the Asset Assessment Panel have not been effectively recorded, including what assessment criteria was applied, the rationale for decisions or the identity of panel members responsible for decisions.

Likewise, the audit found that the sale and purchase of public housing homes under the program had not been fully effective. I quote from the report:

Policy and procedural guidance for the sale and purchase of public housing homes has been inconsistent and poorly communicated.

Fortunately for the minister, the audit did find that Housing ACT’s processes for the procurement of construction services to build new public housing homes has been effective—a surprising glimmer of hope in the procurement issues that permeate this ACT government. Nonetheless, this audit has shone a light on the management, or rather mismanagement, of this important program. Neither is this audit the first time that the program has been reviewed by the Auditor-General. An audit report published in May 2024 assessed the governance and administration arrangements, framework and approach for making decisions about public housing stock and the framework and approach for selling existing homes and buying and building new homes within the program. Aspects of the program were found lacking even then.

What these audits infer to me is that the Minister for Homes and New Suburbs is not running a tight ship. Housing ACT is given the gargantuan task but provided negligible resourcing and support by ACT Labor. There has been chronic underfunding of public housing the ACT term after term after term. It should be no wonder that the ACT public housing waiting lists are shockingly long.

The state of public housing in the ACT is, in my opinion, the most egregious failure of

public administration, courtesy, unfortunately, of the ACT government. Canberrans must sit up and take notice of this insightful audit report and ACT Labor's appalling track record, and I do thank the Auditor-General and his team for this important work. The Audit Office is a bastion of transparency and accountability in the ACT in the face of an unaccountable ACT Labor government that thrives on ambiguity and unreliability, most of all affecting our public housing tenants.

### **Federal election—Bean electorate**

**MS CARRICK** (Murrumbidgee) (4.42): I rise today to reflect on the recent electoral outcome in the electorate of Bean, an outcome that speaks volumes. It was notably absent from the Chief Minister's remarks when he spoke about the election. Specifically, I refer to the significant swing in the two-party preferred vote of over 12 per cent away from Labor to Jessie Price, the Independent. This shift was not incidental. It was the result of a strong, community-led campaign by Jessie Price, who ran on a platform of positive engagement and practical outcomes. Her campaign galvanised the community and built real momentum—momentum that cannot be ignored.

I agree with the Chief Minister on this point: a growing city like Canberra requires responsive and forward-thinking governance at all levels. But growth must be inclusive, and it must reflect the voices of those who feel left behind. The people of Bean have sent a clear message. They are frustrated by being taken for granted by ACT Labor. People are disillusioned by the lack of focus on the Bean electorate, and by the lack of investment in social and economic infrastructure—infrastructure that will bring vitality to the south and foster a stronger sense of community belonging.

While upgrades to shops and footpaths are appreciated, they are not sufficient to meet the scale of need. This is where community independents play a vital role. We are not bound by party politics; we are grounded in our communities. We listen, we act, and we want to work constructively with government to deliver better outcomes for our electorates. If this government continues to overlook the concerns of communities in the south, the movement towards independents will only grow. With that growth will come the demand for greater accountability—accountability that is long overdue.

Jessie Price is currently up by 195 votes. There are a lot of people watching the changes as the booths are counted. I am hoping that Jessie Price is elected and that I can work with her to build a Canberra where every community thrives, including our communities in Bean.

### **Australian National University—Bruce Hall**

**MS BARRY** (Ginninderra) (4.44): I would like to share my reflections following an invitation that I received to attend and speak at a recent high table dinner at Bruce Hall, the oldest undergraduate residential college at the Australian National University. This high table dinner, held on 29 April, was part of a longstanding tradition at Bruce Hall that brings together students, academics, alumni and public figures for an event comprising thoughtful conversation over a shared meal. The purpose is simple. It is not just ceremonial; it is an intellectual and cultural ceremony, and an invitation to engage in meaningful dialogue around ideas that shape our society.

I had the privilege of addressing the residents on the topic of diversity in the workplace, with a particular focus on my lived experience navigating the professional space. It was a timely and important conversation, and one that resonated with many students in attendance, especially those entering workplaces that may not yet fully reflect or accommodate the breadth of our community's diversity.

In my remarks, I shared reflections on the challenges I have faced, moments where my voice was overlooked, where I was made to feel like I did not belong, and where I had to work twice as hard to be seen and heard—before I came here, by the way. I also spoke about the strength that comes from such experience—the resilience, the clarity of purpose and the commitment to making the path easier for those who come after me.

The students asked thoughtful questions, not just about how to survive in inequitable systems, but how to change them. They wanted to know how to speak up without fear, how to stand their ground when their values are tested, and how to support others who may be experiencing exclusion or discrimination.

What struck me most was not just the intelligence of these young people but their empathy—a desire not only to succeed in their careers, but to do so with integrity and awareness of the broader social and cultural landscape. These are the future leaders of our city, our nation and our region, and it is our duty as legislators to ensure that we build a community and workforce that support them, value them and reflect them.

The event was a reminder that equity and inclusion must begin long before someone walks into the workplace. It begins in our homes, our schools and our universities. It reflects what we teach our children and what we expose our children to, in the conversations we have with our peers, and in the conversations we are willing to have in the policy chambers.

I commend Bruce Hall for creating a space where these conversations are not only possible but encouraged. I thank the students for their engagement, their honesty and their vision for a more inclusive future. I look forward to continuing my commitment to young people in our community and contributing to the debate that helps them to thrive now and into the future.

### **Trees—Canberra Tree Week**

**MR BRADDOCK** (Yerrabi) (4.48): I want to celebrate the fact that this week is Canberra Tree Week. I have spoken many times in this chamber about the great benefits that trees provide to the Canberra community. It is not just a tree-hugging, hippie thing. Trees provide so much value. They cool our suburbs and shade our homes. They provide so much visual appeal to our neighbourhoods; they provide food and habitat for our local wildlife. There is even one tree just 40 metres from my front door that has a rope swing next to a pond. Our city is full of beautiful, unique and exceptional trees and forests that provide so many positive benefits for our community.

Canberra Tree Week commenced in 2014 as an annual event celebrating all things trees. Tree Week provides an opportunity for the community to learn more about the value of trees. It also provides an opportunity for the community to participate in a range of activities to connect with the local community and environmental groups. I encourage

everyone in our community to get out there and plant a tree.

I also say to the ACT government, as the largest tree manager in the territory, and responsible for 834,000 public trees in the streets and urban spaces across the ACT, that each one of those trees needs to be looked after, watered and trimmed where necessary to ensure that they thrive. If we are to achieve the 30 per cent target that the government has committed to, we cannot just have a glossy brochure saying the right things. There needs to be sufficient and dedicated resources commensurate with the task of achieving this target.

I also cannot help noticing the irony that, during Tree Week, the government and the Liberals earlier today voted against my motion that was designed to provide stronger protections for trees. Instead, the two major parties voted to make it easier to damage and remove our trees, even where those trees have ecological value and amenity. I, for one, am proud to support Canberra's trees.

### **Health—World Ovarian Cancer Day**

**MS TOUGH** (Brindabella) (4.50): I rise today to acknowledge World Ovarian Cancer Day, which is observed every year on 8 May to raise awareness and encourage early detection. In Australia, between four and five women are diagnosed with ovarian cancer every day, and one woman dies in Australia every eight hours from the disease; that is, three women in Australia are dying every single day.

Ovarian cancer has had a major impact on my own family. My grandmother battled ovarian cancer through my infancy. The disease was a significant contributor to her death when I was only 18 months old. Detection and treatment in this time—in the 30 years since she has died—have barely changed, and every death leaves an impact on families.

I am proud to have participated in Frocktober seven times now, as an adult raising money for the Ovarian Cancer Research Foundation. As part of each Frocktober, I wore a different dress every day for the month of October—31 different dresses—to raise money and awareness. I shared these photos on socials, along with a fact about ovarian cancer, its treatment, its symptoms and research, every single day during those times that I have participated in Frocktober. I am looking forward, hopefully, to participating in Frocktober again this year. Closer to October, I will share details with colleagues, for anyone that might want to jump on board.

An astonishing 70 per cent of Australian women who are diagnosed with ovarian cancer are diagnosed, unfortunately, at an advanced stage—stage 4 or stage 5. These women have a five-year survival rate of only 29 per cent. That means that fewer than one in three of the women diagnosed with advanced ovarian cancer will survive for the next five years—basically, a death sentence. For those diagnosed earlier, in stage 1, the five-year survival rate is 90 per cent. It is a huge difference. So few women are diagnosed at stage 1 that, on average, the five-year survival rate is 49 per cent, but the three-year recurrence rates can be as high as 70 per cent.

Currently, the reason for this lack of early diagnosis is that there is no early detection test for ovarian cancer. Researchers are working hard to find one. As a women's health



advocate, I know that this only happens with strong government support for women's health—for investment in women's health and investment in medical research. More must be done to support women to get an early diagnosis, remain in control of their medical journey and not face a death sentence.

The symptoms of ovarian cancer, unfortunately, can be very vague and are often dismissed or misattributed to something else. Symptoms can include abdominal pain, fatigue, bloating, and changes to urinary and bowel habits, which are all symptoms attributed to so many women's health problems, and symptoms that are dismissed by so many medical professionals. That is part of the reason why so many women do not get diagnosed until quite late.

When ovarian cancer is suspected and women do undergo exploratory surgery, what they think might be a minor medical procedure to diagnose cancer can often mean they wake to find they have had a total hysterectomy, because of the severity of their cancer. That is a huge surgery to recover from and quite a difference regarding what they might have been expecting.

Today, on this World Ovarian Cancer Day, I raise my voice in this chamber in solidarity with the women and their families living with ovarian cancer, those who have lost loved ones to ovarian cancer, and all those who today would have been diagnosed with ovarian cancer. I remember all those we have lost. I look forward to a future when there is an early detection test, improved treatment and, ultimately, a cure.

Question resolved in the affirmative.

**The Assembly adjourned at 4.52 pm until Tuesday, 13 May 2025 at 10 am**

## **Schedule of amendments**

### **Schedule 1**

#### **Better Regulation Legislation Amendment Bill 2025**

Amendments moved by the Attorney-General

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**1**

**Clause 2 (1)**

**Page 2, line 5—**

*omit*

parts 11 and 12

*substitute*

parts 9, 11 and 12

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**2**

**Clause 2 (2)**

**Page 2, line 9**

*omit*

Parts 11 and 12

*substitute*

Parts 9, 11 and 12

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