



LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL TERRITORY

2020–2021–2022–2023

MINUTES OF PROCEEDINGS

No 85

THURSDAY, 1 JUNE 2023

- 1 The Assembly met at 10 am, pursuant to adjournment. The Speaker (Ms Burch) took the Chair and made the following acknowledgement of country in the Ngunnawal language:

Dhawura nguna, dhawura Ngunnawal.

Yanggu ngalawiri, dhunimanyin Ngunnawalwari dhawurawari.

Nginggada Dindi dhawura Ngunnaawalbun yindjumaralidjinyin.

This is Ngunnawal Country.

Today we are gathering on Ngunnawal country.

We always pay respect to Elders, female and male, and Ngunnawal country.

The Speaker asked Members to stand in silence and pray or reflect on their responsibilities to the people of the Australian Capital Territory.

2 PROMOTION OF COMMITTEE WORK—STATEMENT BY SPEAKER

The Speaker made a statement concerning the way committee chairs publicise committee reports on social media, and made reference to an instance which was done in a way that inferred the report outcomes were largely led by the party to which the chair was a member of, rather than the committee. The Speaker informed the Assembly that more clarity on these matters is needed, and accordingly the Standing Committee on Administration and Procedure will consider this in the current review of standing orders. The Speaker will also write to all committee chairs on the matter and raise this at the next meeting of committee chairs.

3 LEAVE OF ABSENCE TO MEMBER

Ms Lawder moved—That leave of absence be granted to Mr Cocks for this sitting due to personal reasons.

Question—put and passed.

4 LEAVE OF ABSENCE TO MEMBER

Mr Gentleman (Manager of Government Business) moved—That leave of absence be granted to Mr Pettersson for this sitting due to personal reasons.

Question—put and passed.

5 SAFER FAMILIES ANNUAL STATEMENT—2023—MINISTERIAL STATEMENT AND PAPER—PAPER NOTED

Ms Berry (Minister for the Prevention of Domestic and Family Violence) made a ministerial statement concerning the seventh annual Safer Families Statement and presented the following papers:

Safer Families Annual Statement 2023—

Statement, dated June 2023.

Ministerial statement, 1 June 2023.

Ms Berry moved—That the Assembly take note of the ministerial statement.

Question—put and passed.

6 RECONCILIATION WEEK 2023—MINISTERIAL STATEMENT—PAPER NOTED

Ms Stephen-Smith (Minister for Aboriginal and Torres Strait Islander Affairs) made a ministerial statement concerning the Reconciliation Week 2023 and presented the following paper:

Reconciliation Week 2023—Ministerial statement, 1 June 2023.

Ms Stephen-Smith moved—That the Assembly take note of the paper.

Debate ensued.

Question—put and passed.

7 A.C.T. CORRECTIVE SERVICES UPDATE—MINISTERIAL STATEMENT—PAPER NOTED

Mr Gentleman (Minister for Corrections) made a ministerial statement providing an update on the progress of key initiatives that were completed or commenced in 2022 across ACT Corrective Services and presented the following paper:

ACT Corrective Services Update—Ministerial statement, 1 June 2023.

Mr Gentleman moved—That the Assembly take note of the paper.

Debate ensued.

Question—put and passed.

8 PLANNING BILL 2022

The order of the day having been read for the resumption of the debate on the question—That this Bill be agreed to in principle—

Debate resumed.

Debate interrupted in accordance with standing order 74 and the resumption of the debate made an order of the day for a later hour this day.

9 MINISTERIAL ARRANGEMENTS

Mr Barr (Chief Minister) informed the Assembly of the absence of Ms Berry (Deputy Chief Minister) and advised the Assembly that questions without notice normally directed to Ms Berry could be directed to Mr Barr.

10 QUESTIONS

Questions without notice being asked—

Member named and suspended: The Speaker named Mr Hanson for persistently and wilfully disregarding the authority of the Chair.

The Speaker, pursuant to standing order 203, proposed—That Mr Hanson be suspended from the service of the Assembly.

Question—put.

The Assembly voted—

AYES, 14		NOES, 6
Mr Barr	Ms Orr	Mr Cain
Mr Braddock	Dr Paterson	Ms Castley
Ms Burch	Mr Rattenbury	Mrs Kikkert
Ms Cheyne	Mr Steel	Ms Lawder
Ms Clay	Ms Stephen-Smith	Mr Milligan
Ms Davidson	Ms Vassarotti	Mr Parton
Mr Davis		
Mr Gentleman		

And so it was resolved in the affirmative.

Mr Hanson was therefore suspended at 2.36 pm for three sitting hours in accordance with standing order 204, and he accordingly withdrew from the Chamber.

Questions continued.

11 ACTIVE TRAVEL INFRASTRUCTURE

Ms Clay, pursuant to notice, moved—That this Assembly:

(1) notes:

- (a) in 2022, the ACT Government's draft Active Travel Plan proposed a cycling network map;
- (b) the active travel practitioner tool's map of community routes is an excellent starting point for government to deliver a more connected city;
- (c) the 2023-24 Pedal Power budget submission recommends that the Government build a connected, safe, and convenient cycle network, as proposed as priority two of the ACT Government's draft Active Travel Plan within the next five years;

- (d) the recent inquiry into cost of living pressures in the ACT revealed that transport costs are causing increasing cost of living pressures, particularly for those on low incomes;
- (e) Australian Bureau of Statistics data shows that transport has seen the greatest percentage increase in cost for residents of the ACT in February 2023, increasing by 24.2 percent;
- (f) average household transport costs, excluding public transport costs, were \$366.24 a week in Canberra in quarter 4 of 2022 according to the Australian Automobile Association;
- (g) households could save thousands of dollars annually if they had more opportunities to walk and ride for journeys instead of drive;
- (h) active travel has been acknowledged to provide significant cost benefits to government;
- (i) the ACT Government's *ACT Climate Change Strategy 2019-25* identifies prioritising walking and cycling and enhancing active travel infrastructure to improve safety and connectivity of the active travel network as an essential action to address climate change;
- (j) the *United Nations Environment Programme* recommends increased investment in walking and cycling infrastructure to save lives, reverse pollution and reduce carbon emissions;
- (k) the ACT Government has a target to maintain at least 90 percent of roads in good condition;
- (l) the ACT Government is currently developing a new strategic path maintenance program;
- (m) the average annual ACT budget allocation for the community path maintenance program over the six-year period from 2016-17 through to 2021-22 was \$5.1 million;
- (n) the average annual path maintenance investment between 2017-18 and 2022-23 was \$6.1 million;
- (o) the ACT Government's maintenance and operational costs for community path maintenance in 2021-22 was \$7.4 million;
- (p) separated bike infrastructure is demonstrated to increase bike ridership;
- (q) the Climate Council recommends that the Commonwealth Government assist the ACT, states and councils with the cost of constructing and maintaining active travel infrastructure; and
- (r) good active travel infrastructure is core business for government and helps everyone, a connected network of footpaths and shared paths that is well-maintained and easy to use will assist all Canberrans, including those who walk for recreation or health, walk to public transport, walk from their cars, walk to school or to the shops or use prams, wheelchairs and walkers;

- (2) calls on the ACT Government, within the next five years, to:
 - (a) build a connected, safe, and convenient cycle network, as proposed as priority two of the ACT Government's draft Active Travel Plan;
 - (b) set a new accountability indicator target for path maintenance;
 - (c) increase government investment in the construction, repair and maintenance of the ACT's path network to meet this new accountability indicator; and
 - (d) report back to the Assembly on progress on these measures by the last sitting day of the 10th Assembly in 2024; and
- (3) calls on all parties in the Assembly to:
 - (a) write to their Federal counterparts urging them to support greater Commonwealth investment in active travel infrastructure in the ACT; and
 - (b) table a copy of the letters sent and the responses received in the Assembly by the last sitting day in August 2023.

Debate ensued.

Papers: Mr Steel (Minister for Transport and City Services) presented the following papers:

Infrastructure and transport portfolio—Shared priorities—

Copy of letter to Federal Minister for Infrastructure, Transport, Regional Development and Local Government from the ACT Minister for Transport and City Services, dated 1 June 2022.

Copy of letter responding to the ACT Minister for Transport and City Services from Federal Minister for Infrastructure, Transport, Regional Development and Local Government, dated 28 July 2022.

Debate continued.

Paper: Ms Davidson (Minister for Disability) presented a copy of her speech.

Debate continued.

Question—put and passed.

12 CALVARY PUBLIC HOSPITAL ACQUISITION

Ms Castley, pursuant to notice, moved—That this Assembly:

- (1) notes that:
 - (a) the Canberra community and Calvary staff were blindsided when the ACT Greens-Labor Government announced it would be forcibly acquiring Calvary Hospital, its land and its assets, ripping up their 76-year lease and encouraging Calvary staff to work for Canberra Health Services (CHS);
 - (b) many staff have chosen to work at Calvary because of its culture which stands in contrast to CHS, which is known from staff surveys to have toxic workplace cultures and poor management practices;

- (c) the Chief Executive Officer of Calvary Healthcare, Martin Bowles, said the staff “have not been consulted at all about the potential ramifications of this decision. I’m not exaggerating saying these people are absolutely devastated.”;
 - (d) Labor MP, David Smith, has stated the takeover has been made “without sufficient consultation. If you’re going to have significant workplace change, you should go through a proper consultative process.”;
 - (e) Calvary staff and peak bodies have expressed their confusion at CHS transition plans and how CHS executives will integrate with Calvary’s organisational structures;
 - (f) the ACT Government has not answered questions about how many staff, contractors and suppliers have made themselves known to CHS;
 - (g) former Chief Minister, Minister for Health and current Senator for the ACT, Katy Gallagher, has previously stated “compulsory acquisition would be a disaster. That would cause a lot of conflict, it would put the system into disarray.”; and
 - (h) Calvary staff and the public are outraged at the Government’s decision to legislate the use of police force to enforce the takeover of Calvary Public Hospital if necessary; and
- (2) calls on the ACT Government to:
- (a) guarantee all clinical services will be maintained without interruption during its compulsory acquisition process;
 - (b) outline contingency plans to maintain adequate staffing and clinical services, should not all current staff transition to CHS, or if its compulsory acquisition is challenged or becomes drawn out;
 - (c) release any draft organisational structure for Calvary campus showing the proposed intersection between CHS and Calvary management;
 - (d) rule out the use of police force in any part of this transition; and
 - (e) ensure that palliative care at Clare Holland House and its interface with Calvary Public Hospital is not impacted, and that stability and continuity of end of life care is maintained.

Ms Stephen-Smith (Minister for Health) moved the following amendment: Omit everything after “That this Assembly”, substitute:

- “(1) notes that:
- (a) the safety of consumers, carers, visitors and health workers at Calvary Public Hospital Bruce (CPHB) is the highest priority;
 - (b) it is critical that CPHB staff and patients are supported and provided the information they need during the transition;
 - (c) a new and expanded public hospital on the northside is essential to meet the needs of Canberra’s growing population;
 - (d) Territory-wide health infrastructure planning is necessary to ensure that the ACT health system meets the community’s needs into the future;

- (e) it is important for the ACT’s public health system to be efficient and coordinated in order to deliver the best possible care for Canberrans; and
- (f) the ACT public health system must be transparent and accountable; and
- (2) calls on Calvary Health Care to:
 - (a) continue discussions with the ACT Government in relation to Calvary Public Hospital Bruce and Clare Holland House;
 - (b) allow Calvary Health Care ACT and Calvary Public Hospital Bruce to participate in operational transition activities in accordance with the *Health Infrastructure Enabling Act 2023*;
 - (c) ensure continuity of care for patients at CPHB and Clare Holland House; and
 - (d) support CPHB staff to seek any information they need from the ACT Government about their working conditions and entitlements.”.

Debate continued.

Question—That the amendment be agreed to—put.

The Assembly voted—

AYES, 12		NOES, 5
Mr Braddock	Dr Paterson	Mr Cain
Ms Burch	Mr Rattenbury	Ms Castley
Ms Clay	Mr Steel	Mrs Kikkert
Ms Davidson	Ms Stephen-Smith	Mr Milligan
Mr Davis	Ms Vassarotti	Mr Parton
Mr Gentleman		
Ms Orr		

And so it was resolved in the affirmative.

Question—That the motion, as amended, viz:

“That this Assembly:

- (1) notes that:
 - (a) the safety of consumers, carers, visitors and health workers at Calvary Public Hospital Bruce (CPHB) is the highest priority;
 - (b) it is critical that CPHB staff and patients are supported and provided the information they need during the transition;
 - (c) a new and expanded public hospital on the northside is essential to meet the needs of Canberra’s growing population;
 - (d) Territory-wide health infrastructure planning is necessary to ensure that the ACT health system meets the community’s needs into the future;
 - (e) it is important for the ACT’s public health system to be efficient and coordinated in order to deliver the best possible care for Canberrans; and
 - (f) the ACT public health system must be transparent and accountable; and

- (2) calls on Calvary Health Care to:
- (a) continue discussions with the ACT Government in relation to Calvary Public Hospital Bruce and Clare Holland House;
 - (b) allow Calvary Health Care ACT and Calvary Public Hospital Bruce to participate in operational transition activities in accordance with the *Health Infrastructure Enabling Act 2023*;
 - (c) ensure continuity of care for patients at CPHB and Clare Holland House; and
 - (d) support CPHB staff to seek any information they need from the ACT Government about their working conditions and entitlements.”—

be agreed to—put and passed.

13 PLANNING BILL 2022

The Assembly, according to order, resumed consideration at the agreement in principle stage (see [entry 8](#))—

Debate resumed.

Question—That this Bill be agreed to in principle—put and passed.

Detail Stage

Clause 1—

Debate adjourned (Mr Gentleman—Manager of Government Business) and the resumption of the debate made an order of the day for the next sitting.

14 ADJOURNMENT

Mr Gentleman (Manager of Government Business) moved—That the Assembly do now adjourn.

Debate ensued.

Question—put and passed.

And then the Assembly, at 6.05 pm, adjourned until Tuesday, 6 June 2023 at 10 am.

MEMBERS’ ATTENDANCE: All Members were present at some time during the sitting, except Mr Cocks*, Ms Lee* and Mr Pettersson*.

*on leave.

Tom Duncan
Clerk of the Legislative Assembly