



Legislative Assembly for the Australian Capital Territory

2020-2021-2022-2023

Notice Paper

No 80

Tuesday, 9 May 2023

The Assembly meets this day at 10 am

ASSEMBLY BUSINESS

Orders of the day

- 1 **EDUCATION AND COMMUNITY INCLUSION—STANDING COMMITTEE:**
Presentation of report on annual and financial reports for the financial year 2021-2022 and calendar year reports for 2021, pursuant to order of the Assembly of 2 December 2020, as amended.
- 2 **HEALTH AND COMMUNITY WELLBEING—STANDING COMMITTEE:** Presentation of report on annual and financial reports for the financial year 2021-2022 and calendar year reports for 2021, pursuant to order of the Assembly of 2 December 2020, as amended.

EXECUTIVE BUSINESS

Orders of the day

- 1 **SEXUAL ASSAULT REFORM LEGISLATION AMENDMENT BILL 2022:**
(Attorney-General): Agreement in principle—Resumption of debate (*from 11 October 2022—Mr Cain*).

- 2 **FREEDOM OF INFORMATION AMENDMENT BILL 2022:** (*Special Minister of State*): Agreement in principle—Resumption of debate (*from 21 September 2022—Mr Cain*).
- 3 **COAG LEGISLATION AMENDMENT BILL 2021:** (*Chief Minister*): Agreement in principle—Resumption of debate (*from 4 August 2021—Ms Lee*).
- 4 **FINANCIAL MANAGEMENT AMENDMENT BILL 2021 (NO 2):** (*Minister for Industrial Relations and Workplace Safety*): Agreement in principle—Resumption of debate (*from 1 December 2021—Mr Cain*).
- 5 **CLIMATE CHANGE AND GREENHOUSE GAS REDUCTION (NATURAL GAS TRANSITION) AMENDMENT BILL 2022:** (*Minister for Water, Energy and Emissions Reduction*): Agreement in principle—Resumption of debate (*from 4 August 2022—Ms Lawder*).
- 6 **PLANNING BILL 2022:** (*Minister for Planning and Land Management*): Agreement in principle—Resumption of debate (*from 21 September 2022—Mr Cain*).
- 7 **TRANSPORT CANBERRA AND CITY SERVICES LEGISLATION AMENDMENT BILL 2022:** (*Minister for Transport and City Services*): Agreement in principle—Resumption of debate (*from 21 September 2022—Mr Cain*).
- 8 **WORK HEALTH AND SAFETY AMENDMENT BILL 2022:** (*Chief Minister*): Agreement in principle—Resumption of debate (*from 20 October 2022—Mr Cain*).
- 9 **ROAD SAFETY LEGISLATION AMENDMENT BILL 2022:** (*Minister for Transport and City Services*): Agreement in principle—Resumption of debate (*from 23 November 2022—Mr Parton*).
- 10 **CRIMES LEGISLATION AMENDMENT BILL 2022:** (*Attorney-General*): Agreement in principle—Resumption of debate (*from 23 November 2022—Mr Cain*).
- 11 **CORRECTIONS AND SENTENCING LEGISLATION AMENDMENT BILL 2022:** (*Minister for Corrections*): Agreement in principle—Resumption of debate (*from 30 November 2022—Mrs Kikkert*).
- 12 **GAMING MACHINE (CLUB REFUGE) AMENDMENT BILL 2022:** (*Minister for Gaming*): Agreement in principle—Resumption of debate (*from 1 December 2022—Mr Parton*).
- 13 **PLANNING AND ENVIRONMENT LEGISLATION AMENDMENT BILL 2023:** (*Minister for Planning and Land Management*): Agreement in principle—Resumption of debate (*from 8 February 2023—Mr Cain*).
- 14 **MOTOR ACCIDENT INJURIES AMENDMENT BILL 2023:** (*Special Minister of State*): Agreement in principle—Resumption of debate (*from 9 February 2023—Mr Cain*).
- 15 **VARIATION IN SEX CHARACTERISTICS (RESTRICTED MEDICAL TREATMENT) BILL 2023:** (*Chief Minister*): Agreement in principle—Resumption of debate (*from 22 March 2023—Ms Castley*).

- 16 **UNIT TITLES LEGISLATION AMENDMENT BILL 2023:** (*Minister for Planning and Land Management*): Agreement in principle—Resumption of debate (*from 22 March 2023—Ms Lawder*).
- 17 **WATER RESOURCES AMENDMENT BILL 2023:** (*Minister for Water, Energy and Emissions Reduction*): Agreement in principle—Resumption of debate (*from 29 March 2023—Ms Lawder*).
- *18 **HUMAN RIGHTS COMMISSION AMENDMENT BILL 2023:** (*Minister for Health*): Agreement in principle—Resumption of debate (*from 30 March 2023—Mr Parton*).
- 19 **PUBLIC TRANSPORT WORKFORCE AND TIMETABLES—GOVERNMENT RESPONSE TO RESOLUTION OF THE ASSEMBLY—PAPER—MOTION TO TAKE NOTE OF PAPER:** Resumption of debate (*from 7 February 2023—Mr Braddock*) on the motion of Mr Gentleman—That the Assembly take note of the paper.
- 20 **OFFICE OF WATER—UPDATE ON CATCHMENT PLANS AND YERRABI FLOATING WETLANDS—MINISTERIAL STATEMENT—MOTION TO TAKE NOTE OF PAPER:** Resumption of debate (*from 9 February 2023—Ms Lawder*) on the motion of Mr Rattenbury—That the Assembly take note of the paper.
- 21 **FINANCIAL MANAGEMENT ACT—HALF YEARLY STATEMENT OF PERFORMANCE—PERIOD ENDING 31 DECEMBER 2022—ACT HEALTH DIRECTORATE—PAPER—MOTION TO TAKE NOTE OF PAPER:** Resumption of debate (*from 9 February 2023—Ms Lawder*) on the motion of Mr Gentleman—That the Assembly take note of the paper.
- 22 **FINANCIAL MANAGEMENT ACT—HALF YEARLY STATEMENT OF PERFORMANCE—PERIOD ENDING 31 DECEMBER 2022—ACT LOCAL HOSPITAL NETWORK—PAPER—MOTION TO TAKE NOTE OF PAPER:** Resumption of debate (*from 9 February 2023—Ms Lawder*) on the motion of Mr Gentleman—That the Assembly take note of the paper.
- 23 **FINANCIAL MANAGEMENT ACT—HALF YEARLY STATEMENT OF PERFORMANCE—PERIOD ENDING 31 DECEMBER 2022—CANBERRA HEALTH SERVICES—PAPER—MOTION TO TAKE NOTE OF PAPER:** Resumption of debate (*from 9 February 2023—Ms Lawder*) on the motion of Mr Gentleman—That the Assembly take note of the paper.
- 24 **FINANCIAL MANAGEMENT ACT—CANBERRA HEALTH SERVICES 2022-2023 BUDGET STATEMENT C—CORRIGENDUM—PAPER—MOTION TO TAKE NOTE OF PAPER:** Resumption of debate (*from 9 February 2023—Ms Lawder*) on the motion of Mr Gentleman—That the Assembly take note of the paper.
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PRIVATE MEMBERS' BUSINESS

Notices

*1 **MR HANSON:** To move—That:

- (1) this Assembly notes that:
 - (a) ACT Health has been experiencing significant deterioration in performance in areas such as waiting times, bed numbers, governance, culture, staffing, infrastructure, and funding;
 - (b) former Chief Minister, Jon Stanhope, and treasury official, Khalid Ahmed, have identified a 150-hospital bed shortfall across ACT Health;
 - (c) less than 50 percent of Emergency Department patients are seen within clinically recommended wait times in the ACT, with only 36 percent of urgent patients being seen on time; the worse performing jurisdiction in the country;
 - (d) the Australian Medical Association (AMA) has stated elective surgery patients are waiting up to several years on hidden waiting lists to see specialists in hospital outpatient clinics;
 - (e) in response to its latest report card on ACT public hospitals, the President of the ACT AMA stated “Another annual reminder of the suboptimal public hospital performance is not only disappointing to consumers in the Australian Capital Territory, it defies the efforts of healthcare providers in the ACT public hospitals who work tirelessly and often against a healthcare system that is geared to generate these less-than-ideal results year-on-year.”;
 - (f) more than 6,000 patients are overdue for an endoscopy, waiting an average of 400 days across all triage categories despite the Government being warned in 2009 that the number of suites needed to double;
 - (g) five private cardiologists stated that “the parlous state of cardiology services at the Canberra Hospital is in large part the result of poor managerial decisions made by senior members of the ACT Health Directorate.”;
 - (h) a review into the intensive care unit found “there was a lack of response or support from management to staff concerns” and “a negative workplace environment.”;
 - (i) the Fetal Medicine Unit lost its training accreditation on 31 August 2022; staff have since reduced their hours or left the unit;
 - (j) a 2022 review into Dhulwa identified significant dysfunction, including substandard care and a toxic workplace;

- (k) it was revealed in 2023 that private patient medical records were being sent to a union, with David Peffer saying patients have been let down due to the “serious breach” in the privacy of patients, concluding “trust was on the line and we’ve let these patients down.”;
 - (l) the 2021 workplace culture survey revealed that 23 percent of nurses and medical officers experienced bullying in the workplace over the last 12 months, and one in eight nurses and one in four medical officers wanted to leave Canberra Health Services in two years;
 - (m) a survey by the Medical Board of Australia into junior doctor training in the ACT found that 29 percent experienced bullying, harassment and/or racism;
 - (n) Canberrans have the most expensive cost to visit a general practitioner in the country, yet the ACT Government is adding payroll taxes to their costs that will worsen the problem;
 - (o) *The Canberra Times* editorial in 2023 noted that “there are systemic failures across the ACT health system on a depressingly regular basis.”;
 - (p) between 2015-16 and 2018-19 the Labor-Greens Government cut real health expenditure per person by 3.6 percent;
 - (q) repeated questions and freedom of information requests on these and other health issues have been blocked, dismissed, or avoided by the Government;
 - (r) the AMA have backed the call for an inquiry, with the head of the ACT Division saying the Territory’s system was at a “crisis point” and an independent inquiry could provide solutions; and
 - (s) *The Canberra Times* have stated the Government should consider an independent inquiry and “the idea has merit”;
- (2) this Assembly calls on the Chief Minister to establish a Royal Commission under the *Royal Commissions Act 1991* to investigate the failures, current needs, and future requirements of the ACT health system;
- (3) the Royal Commission terms of reference include, but not be limited to, the consideration of:
- (a) staffing shortages;
 - (b) cultural problems;
 - (c) poor results across key performance indicators;
 - (d) waiting times;
 - (e) management and outcomes in the mental health system;
 - (f) governance issues;
 - (g) infrastructure requirements; and
 - (h) funding shortfalls and priorities; and

- (4) the Royal Commission be established by 1 July 2023 and report by the end of 2024. (*Notice given 8 May 2023. Notice will be removed from the Notice Paper unless called on within 4 sitting weeks – standing order 125A*).

*2 **MS ORR:** To move—That this Assembly:

- (1) notes that:
- (a) the ACT Government has an ambitious strategy to address climate change and is committed to net zero emissions by 2045;
 - (b) Canberra has become the eighth major city in the world, and the first outside of Europe, to transition to 100 percent renewable electricity in 2020;
 - (c) the ACT Government is committed to reducing the number of polluting vehicles on our streets and transitioning to zero emission vehicles, as per the plan outlined in the *ACT's Zero Emissions Vehicles Strategy 2022-30*;
 - (d) the ACT Government is leading the way with this transition by committing to achieving a zero emission public transport system by 2040, as per the *Zero-Emission Transition Plan for Transport Canberra*;
 - (e) over 20 percent of public transport trips are already powered by 100 percent renewable electricity, with the introduction of light rail and 12 new battery electric buses in the Transport Canberra bus fleet;
 - (f) the ACT Government is working towards achieving a zero emission public transport system by procuring an additional 90 battery electric buses, undertaking critical electrical infrastructure works to providing the depots with the energy required to charge up to 300 buses, and extending the light rail network to Woden;
 - (g) the ACT Government is committed to increasing walking and riding in Canberra and transforming our city through people-friendly planning policies. The new draft Active Travel Plan will make walking and riding safer, more accessible, convenient, and enjoyable, and the accompanying Design Guide will ensure our intersections and streets are designed to support all forms of transport; and
 - (h) the ACT Government has committed to growing Canberra's urban forest and achieving an ambitious target of 30 percent tree canopy cover or equivalent by 2045 by implementing the Urban Forest Strategy 2021-2045, planting 54,000 new trees by 2024, and passing the Urban Forest Bill 2022 to protect Canberra's trees;
- (2) further notes:
- (a) C40 Cities launched the Green and Healthy Streets Accelerator in 2017 where signatories pledged to procure only zero emission buses from 2025 and ensure a major area of their city is zero emission by 2030;

- (b) signatory cities of the C40 Green and Healthy Streets Accelerator are committed to transforming their cities into greener, healthier, and more prosperous places to live, with a focus on increasing the rates of walking and cycling and the use of public and shared transport that is accessible to all citizens; and
- (c) signatory cities of the C40 Green and Healthy Streets Accelerator make a commitment to report on their progress to achieve these outcomes every two years; and
- (3) calls on the ACT Government to sign the C40 Green and Healthy Streets declaration for the City of Canberra. (*Notice given 8 May 2023. Notice will be removed from the Notice Paper unless called on within 4 sitting weeks – standing order 125A*).

*3 **MS CASTLEY:** To move—That this Assembly:

- (1) notes:
 - (a) data from Cleanbill shows that:
 - (i) only 5.5 percent of general practitioner (GP) clinics in the ACT bulk bill, the lowest percentage in the nation;
 - (ii) average out of pocket cost for the 94.5 percent of clinics that do not bulk bill is \$49.11 for a standard 15-minute consultation, the highest in the country; and
 - (iii) the Federal electorates of Bean and Canberra have the second and third highest out of pocket costs in the country;
 - (b) in 2020-21, 4.7 percent of people in the ACT avoided seeing a GP due to cost, which was double the national average of 2.4 percent;
 - (c) according to the Productivity Commission's report on government services for primary and community health, ACT had the lowest number of GPs per capita of any jurisdiction between 2015 and 2019; and
 - (d) the Royal Australian College of General Practitioners' *Health of the Nation 2021* report shows that fewer graduates are choosing to specialise as a GP since 2015;
- (2) further notes:
 - (a) in an interview on 2 February, the ACT Health Minister stated:
 - (i) "The primary care system they really need to kick in significant resources to make primary care more of a viable and sustainable place for people to go."; and
 - (ii) "We have invested more than \$12 million over the last six years to try and grow bulk billing practices in the ACT.";
 - (b) in an article on 6 January, the Chief Minister stated that, "As far as I can see the best solutions will need to include more than just augmenting hospital services, they need to include holistic reform of primary health care, and boosting capacity.";

- (c) in an opinion piece on 2 April in the *Canberra Weekly*, Federal Member for Canberra, Alicia Payne stated:
 - (i) “Our bulk billing rate is lower than the national average of 42.7 percent, which means that every time Canberrans need to see their doctor, they’ll be out of pocket around \$50 for a 15-minute consultation or \$66 for longer consultations.”; and
 - (ii) “With the cost of living rising across all aspects of daily life, this means many Canberrans simply can’t access the primary care they need.”;
 - (d) these statements are inconsistent with the decision of the ACT Government, following a NSW Supreme Court decision, to extend ACT payroll tax to the incomes of doctors contracted to ACT medical practices;
 - (e) reports that ACT Revenue has been contacting general practices to advise them of their liability for increased payroll tax, including backpay;
 - (f) the President of the Royal Australian College of General Practitioners, Dr Nicole Higgins, has said this “sick tax” is, “expected to add around \$15 per consult” and “will put more pressure on hospitals, worsen the health system crisis, and undermine the Federal Government’s Medicare reforms.”;
 - (g) Garema Place Surgery Practice Principal, Dr Felicity Donaghy, has said, “We would have no way of absorbing these extra costs. Our only option would be to pass it on to patients. Profit margins in general practice sit at about 5 percent and payroll tax is 6.85 percent in the ACT.”; and
 - (h) comments by the ACT Health Minister, reported on ABC Radio Canberra on 18 April that, “this is not particularly an area that we see as an area of significant concern,” and in *The Canberra Times* of 19 April that, “asking states and territories to wear the cost by exempting a particular group of professionals from payroll tax is something we’re not considering at this point.”; and
- (3) calls on the ACT Government to exempt general practices from the new interpretation of payroll tax that applies to contractor/tenant GPs. (*Notice given 8 May 2023. Notice will be removed from the Notice Paper unless called on within 4 sitting weeks – standing order 125A*).

*4 **MR DAVIS:** To move—That this Assembly:

- (1) notes that:
 - (a) the ACT’s housing crisis negatively impacts the ACT’s rental market:
 - (i) Canberra is among the most expensive capital cities in Australia to rent;
 - (ii) there are high rates of rental stress amongst essential workers, including nurses, teachers and aged care workers; and

- (iii) there are no affordable rentals for people on income support payments such as Jobseeker, the Disability Support Pension or Youth Allowance;
- (b) for a tenant to challenge a breach of their rights under the Residential Tenancies Act, the dispute must be escalated to the ACT's Civil and Administrative Tribunal (ACAT); and
- (c) potential barriers for renters relying on ACAT to enforce their renters' rights or to resolve disputes include:
 - (i) lack of awareness or understanding of rental laws;
 - (ii) lack of understanding of the tribunal system;
 - (iii) financial barriers;
 - (iv) power imbalance, intimidation and reluctance to confront a landlord in an adversarial legal environment; and
 - (v) reduced capacity to engage with ACAT, such as difficulty taking time off work;
- (2) further notes that:
 - (a) the ACT's strong renters' rights are most effective if those rights can be applied in practice without barriers, including through:
 - (i) information, communications and engagement with renters, lessors and the real estate industry; and
 - (ii) monitoring, enforcement and easy resolution of disputes;
 - (b) efficient and effective enforcement of rental laws requires a multi-tiered system for dispute resolution between renters and landlords;
 - (c) a rental ombudsman or commissioner would ensure renters in the ACT experience the benefits of their nation-leading renters' rights under the Residential Tenancies Act;
 - (d) rental commissioners and statutory bodies around Australia and internationally provide the following functions:
 - (i) investigate breaches of rental laws;
 - (ii) maintain a register of landlords and renters who have breached their obligations under local rental laws;
 - (iii) issue infringement notices;
 - (iv) provide free, voluntary mediation or conciliation between renters and landlords;
 - (v) commence legal proceedings;
 - (vi) provide community education on the rights and responsibilities for landlords and renters;
 - (vii) undertake research and data gathering related to the private rental sector; and

- (viii) advise and advocate to government on behalf of renters, including for the improvement of renters' rights;
 - (e) research shows that resolving disputes outside of tribunal processes has broad benefits, such as:
 - (i) providing a less challenging and intimidating process;
 - (ii) alternative dispute resolution processes can be better for maintaining a productive relationship between parties by preventing the escalation of some types of disputes;
 - (iii) disputes can be resolved earlier;
 - (iv) improve the accessibility of dispute resolution for renters; and
 - (v) reduce demand on ACAT to enable the faster resolution of complex disputes and other categories of disputes; and
 - (f) with the establishment of a rental ombudsman or commissioner, ACAT would still play a necessary role in resolving complex disputes; and
- (3) calls on the ACT Government to:
 - (a) investigate the role that rental commissioners, ombudsmen or statutory bodies play in other Australian states in supporting the enforcement of renters' rights, breaches of rental laws and the resolution of disputes outside tribunal processes;
 - (b) consider options for developing a rental ombudsman or commissioner in the ACT, with powers and responsibilities such as:
 - (i) ability to investigate breaches of rental law;
 - (ii) free mediation or conciliation to resolve disputes;
 - (iii) issue infringement notices;
 - (iv) advise government to improve renters' rights;
 - (v) monitor rental markets and undertake research; and
 - (vi) provide information, communication and engagement to increase understanding of legal responsibilities for renters, landlords and real estate agencies; and
 - (c) report back to the Assembly by the final sitting day of 2023 on the progress of establishing a rental ombudsman or commissioner in the ACT. (*Notice given 8 May 2023. Notice will be removed from the Notice Paper unless called on within 4 sitting weeks – standing order 125A*).

*5 **MR PETTERSSON:** To move—That this Assembly:

- (1) notes:
 - (a) ACT Labor’s 2020 election commitment to set up an Australia-first licensing scheme for property developers that:
 - (i) requires developers to meet a “fit and proper person” test and apply to undertake higher-risk developments (such as apartment builds); and
 - (ii) includes a stringent and rigorously enforced penalty scheme, up to and including barring developers from working in the ACT;
 - (b) the Parliamentary and Governing Agreement of the 10th Legislative Assembly of the Australian Capital Territory, made between ACT Labor MLAs and ACT Greens MLAs, which states that the Government will, this term, set up an Australia-first licensing scheme for property developers which features:
 - (i) a “fit and proper person” test; and
 - (ii) a rigorously enforced penalty scheme;
 - (c) E-PET-22-029 and PET-037-22, by petitioner Mr Zachary Smith of the Construction, Forestry, Maritime, Mining and Energy Union ACT, and tabled in this Assembly on 22 November 2022, which called upon the ACT Government to move to implement a broad property developer licensing scheme that requires property developers to:
 - (i) have the financial and operational capacity to complete any proposed developments and address any building defects arising;
 - (ii) demonstrate a commitment to ongoing ethical behaviour;
 - (iii) not engage in phoenix activity or other unfair commercial practices;
 - (iv) not engage in misleading or deceptive conduct while marketing a development to the public;
 - (v) accept liability for industrial practices, environmental impacts, building quality and the health and safety of workers on sites that they control or have influence over;
 - (vi) publicly disclose the source of funding of any development; and
 - (vii) nominate a natural person as a nominee;
 - (d) the YourSay webpage on developer regulation indicates that the implementation of a regulatory framework for property developers will not take place until 2024;

- (2) further notes:
 - (a) within the building and construction industry (the industry), serious power imbalances exist between large commercial entities and small subcontractors;
 - (b) the industry capitalises on the fact it can operate with ambiguity through business structures which allow trade under both registered and unregistered business names;
 - (c) the *Building and Construction Industry (Security of Payment) Act 2009* (the Act) aims to facilitate the recovery of payments under construction contracts in the industry;
 - (d) although the intention of the Act is to encourage self-help towards adjudication, claimants report that the processes to obtain payment via an adjudication certificate are complex and difficult to navigate;
 - (e) claimants have also reported instances where respondents have deliberately used corporate insolvency as a mechanism to avoid paying workers' entitlements, tax remittances and creditors; and
 - (f) the recommendations of the Federal Government's 2018 Review of Security of Payment Laws; and
- (3) calls on the ACT Government to:
 - (a) by the end of 2023, set up an Australia-first licensing scheme for property developers that:
 - (i) requires developers to meet a "fit and proper person" test and apply to undertake higher-risk developments (such as apartment builds); and
 - (ii) includes a stringent and rigorously enforced penalty scheme, up to and including barring developers from working in the ACT;
 - (b) conduct a review of the *Building and Construction Industry (Security of Payment) Act 2009* (ACT) to determine the need for any urgent and simple amendments to strengthen security of payment protection, and report back to the Assembly in the first sitting week of October 2023; and
 - (c) advocate for the Federal Government to create a strong national security of payments regime that adopts the recommendations of the 2018 Review of Security of Payment Laws and ensure that ACT Government policy and legislation continues to implement the findings of that review. (*Notice given 8 May 2023. Notice will be removed from the Notice Paper unless called on within 4 sitting weeks – standing order 125A*).

*6 **MS CASTLEY:** To move—That this Assembly:

- (1) notes:
 - (a) on 19 September 2022, the ACT Government entered a contract with Melbourne company, Studio Binocular, for \$800,000 across two years, to rebrand Canberra Health Services (CHS);
 - (b) an internal draft Brand Project Program Plan 2022-24 shows additional expenditure of up to \$850,000 for dedicated staff, also supported by an extended in-house CHS Brand Team;
 - (c) this rebrand relies on fallacious assumptions that a lack of clear branding is impacting CHS becoming a leading specialist provider and that a rebrand will improve the perceived quality of its services;
 - (d) the contract with Studio Binocular, as well as providing an extension option, also provides that the Territory may at any time terminate the contract or reduce its scope;
 - (e) the contract with Studio Binocular states that, “the KPIs for this project will include: Timely delivery of various brand requirements” and provides a draft timeline of deliverables and delivery dates; and
 - (f) the March 2023 delivery date for “user personas” and “tone of voice” has already not been met;
- (2) further notes:
 - (a) official briefs to the Health and Mental Health Ministers of 26 October 2022 stated that, “there may be concerns from the public and stakeholders on their perception of the value of the brand project in delivering benefit to consumers.”;
 - (b) comments by ACT Australian Nursing and Midwifery Federation Secretary, Matthew Daniel, on 2CC on 27 February that, “I just do not understand what they're trying to achieve. But think of that \$800,000. It's a lot of money to spend on spin” and that “...when we have to fight tooth and nail to get safe staffing levels and they can throw \$800,000 around for spin, it leaves a pretty nasty taste in the mouth of our members.”;
 - (c) comments by Australian Medical Association ACT president, Dr Walter Abhayaratna, on 2CC News on 27 April that CHS should, “Try to avoid the easy, fix and quick solutions of trying to just do a rebrand. I think you're much better off, you'll get a lot more trust and building relationships by providing quality services.”; and
 - (d) comments by Johnathan Davis MLA, on 2CC on 27 April that, “I don't think I've been in government long enough to buy this amount of money for signage and rebranding” and that “this does not pass the pub test. It doesn't stack up for me.”; and
- (2) calls on the ACT Government to:
 - (a) terminate the CHS rebrand contract and program and redirect the money saved to frontline health services; and

- (b) stop spending vital health money on rebrand exercises. (*Notice given 8 May 2023. Notice will be removed from the Notice Paper unless called on within 4 sitting weeks – standing order 125A*).

Orders of the day

- 1 **ROAD TRANSPORT (SAFETY AND TRAFFIC MANAGEMENT) AMENDMENT BILL 2021 (NO 2):** (*Ms Clay*): Agreement in principle—Resumption of debate (*from 22 June 2021—Mr Steel*).
- 2 **CIVIL LAW (SALE OF RESIDENTIAL PROPERTY) AMENDMENT BILL 2021:** (*Mr Cain*): Agreement in principle—Resumption of debate (*from 9 November 2021—Mr Gentleman*).
- 3 **CORRECTIONS MANAGEMENT AMENDMENT BILL 2021:** (*Mrs Kikkert*): Agreement in principle—Resumption of debate (*from 25 November 2021—Mr Gentleman*).
- 4 **ELECTORAL AMENDMENT BILL 2021:** (*Mr Davis and Mr Braddock*): Agreement in principle—Resumption of debate (*from 2 December 2021—Mr Steel*).
- 5 **PERIOD PRODUCTS AND FACILITIES (ACCESS) BILL 2022:** (*Ms Orr*): Agreement in principle—Resumption of debate (*from 4 August 2022—Ms Lawder*).
- 6 **FREEDOM OF INFORMATION AMENDMENT BILL 2022 [NO 2]:** (*Ms Lee*): Agreement in principle—Resumption of debate (*from 21 September 2022—Mr Steel*).
- 7 **INTEGRITY COMMISSION AMENDMENT BILL 2022 (NO 2):** (*Ms Lee; presented by Mr Cain*): Agreement in principle—Resumption of debate (*from 20 October 2022—Mr Barr*). (*Referred to Standing Committee on Justice and Community Safety on 24 November 2022.*)
- 8 **MODERN SLAVERY LEGISLATION AMENDMENT BILL 2023:** (*Ms Clay*): Agreement in principle—Resumption of debate (*from 28 March 2023—Mr Steel*). (*Referred to the Standing Committee on Public Accounts on 28 March 2023.*)

ASSEMBLY BUSINESS—continued

Notice

- *1 **MRS KIKKERT:** To move—That, notwithstanding the provisions of the resolution of the Assembly of 2 December 2020, as amended, that established general purpose standing committees, the Standing Committee on Public Accounts will present its report on the Modern Slavery Legislation Amendment Bill 2023 on 25 June 2023. (*Notice given 8 May 2023. Notice will be removed from the Notice Paper unless called on within 4 sitting weeks – standing order 125A*).

Orders of the day—continued

- 3 **PLANNING, TRANSPORT AND CITY SERVICES—STANDING COMMITTEE—REPORT 11—INQUIRY INTO URBAN FOREST BILL 2022—GOVERNMENT RESPONSE—PAPER—MOTION TO TAKE NOTE OF PAPER:** Resumption of debate (*from 21 March 2023—Mr Braddock*) on the motion of Mr Gentleman—That the Assembly take note of the paper. (*Order of the day will be removed from the Notice Paper unless called on within 2 sitting weeks – standing order 152A.*)
- 4 **ENVIRONMENT, CLIMATE CHANGE AND BIODIVERSITY—STANDING COMMITTEE—REPORT 6—INQUIRY INTO ENVIRONMENTAL VOLUNTEERISM—GOVERNMENT RESPONSE—PAPER—MOTION TO TAKE NOTE OF PAPER:** Resumption of debate (*from 21 March 2023—Mr Braddock*) on the motion of Mr Gentleman—That the Assembly take note of the paper. (*Order of the day will be removed from the Notice Paper unless called on within 2 sitting weeks – standing order 152A.*)
- *5 **PLANNING, TRANSPORT AND CITY SERVICES—STANDING COMMITTEE—MEDIUM DENSITY HOUSING MODELS AND RESIDENTIAL ZONING—REQUEST TO CONSIDER:** Resumption of debate (*from 30 March 2023—Dr Paterson*) on the motion of Ms Clay—That this Assembly:
 - (1) notes that:
 - (a) across Australia, we are experiencing a housing affordability crisis and the ACT Legislative Assembly has declared a housing affordability crisis here;
 - (b) the ACT’s population continues to grow with a current population of about 460,000 and new predictions of an increase of approximately 330,000 to 784,000 by 2060;
 - (c) Canberra requires a variety of housing choices for its growing population. We also need housing options that are affordable, accessible, climate wise and meet our needs as we move through the life cycle. The ACT Government’s consultation on Housing Choices in 2018 recommended a mixture of dwelling sizes and dwelling types including co-housing, shop top living, aging in place, loft-style, courtyard, terrace and manor houses, and allowing separately titled dual occupancies in RZ1 areas (RZ1 is 80 percent of residential zoning in the ACT and is the lowest density). The Housing Choices consultation identified the “what” of missing middle (or medium density) housing. It did not address the “how”;
 - (d) the ACT Government has trialled different densification models in the last few years and there are opportunities to analyse the lessons from these initiatives in relation to broader changes;
 - (e) while many in the community express a desire for different housing choices, the market is failing to deliver these and the ACT planning system has struggled to facilitate a variety of housing choices for Canberra’s growing and changing population; and

- (f) how our land is zoned impacts on the ability to provide for a variety of housing choices, including “missing middle” housing options. Zoning can also influence other important factors including affordability of housing options;
- (2) further notes that:
 - (a) the ACT Government declared a climate emergency in 2019 and is committed to taking action on climate change;
 - (b) climate science and recent Intergovernmental Panel on Climate Change reports make it clear that less urban sprawl and more high quality, climate-resilient infill is needed along transit corridors that are well-served by public and active transport, and co-location of jobs and housing to achieve compact urban form;
 - (c) the ACT Government has committed to at least 70 percent of new housing development to be within Canberra’s existing urban footprint, with an ambition to increase this share. The ACT Greens have committed to a minimum 80 percent of new housing development to be infill within Canberra’s existing urban footprint and to set city limits and stop unending urban sprawl;
 - (d) over this parliamentary term, the ACT Government has introduced a range of initiatives to ensure that the planning system responds to the need to ensure that a more compact city also prioritises living infrastructure and green space – recognising the importance of these measures to deliver a more liveable city in the context of a warmer and drier climate, both in the public realm and on private residential land;
 - (e) the ACT Government commenced the ACT Planning Review and Reform Project in 2019, and has extensively consulted on a future Planning Bill, Territory Plan and District Strategies for the Territory. This has further extended the conversation in the community regarding how medium density housing can be delivered in Canberra with draft proposals to change dwelling density policies in residential zones, identify areas for further investigation and clearly consult further on whether more single residential homes should be built through increasing dual occupancy developments on RZ1 zoned land;
 - (f) the ACT Planning Review and Reform Project provides a unique opportunity to address how we provide for medium density housing, the “missing middle”, in the ACT. In considering these opportunities, it is also important that we embed work that has already occurred around climate wise planning instruments as part of the planning system;
 - (g) the ACT Government is pursuing a whole-of-government approach to providing more low income and affordable housing with the programs and policies at its disposal;

- (h) a coalition consisting of community, environment and industry groups has emerged calling for the ACT Government to address “missing middle” housing options, including the ACT Council of Social Service, ACT Shelter, Better Renting, Conservation Council ACT Region, Greater Canberra, Havelock Housing, Light House, Living Streets Canberra, Master Builders ACT, Pedal Power ACT, PTCBR, Purdon Planning, TT Architecture, The Y, and YWCA Canberra;
 - (i) this is a critical time to examine what sort of Canberra our new planning system will create and how we want to densify;
 - (j) community consultation and parliamentary scrutiny are needed to explore how we can densify in a way that delivers more options, increases affordability and ensures that our city remains liveable in a changing climate; and
 - (k) the ACT Government is currently considering submissions and continuing policy work in this area to address an urgent problem, therefore there is a need for solutions to be delivered in a timely manner; and
- (3) requests that the Standing Committee for Planning, Transport and City Services consider inquiring into different models of density and the zoning changes needed to deliver high quality, “missing middle” medium density infill and inclusionary housing to meet the needs of our population and report back to this Assembly as soon as possible and no later than September 2023.

11 May 2023

- 6 **COST OF LIVING PRESSURES IN THE ACT—SELECT COMMITTEE:** Presentation of report on cost of living pressures for Canberrans, pursuant to order of the Assembly of 9 February 2023.

**Two months following when the Government review of the
Integrity Commission Act 2018 becomes available**

- 7 **JUSTICE AND COMMUNITY SAFETY—STANDING COMMITTEE:** Presentation of report on the Integrity Commission Amendment Bill 2022 (No 2), pursuant to order of the Assembly of 24 November 2022.
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INQUIRIES INTO BILLS BY STANDING COMMITTEES

(pursuant to resolution of the Assembly of 2 December 2020, as amended)

28 May 2023

Standing Committee on Public Accounts

MODERN SLAVERY LEGISLATION AMENDMENT BILL 2023: *(Ms Clay):*
Agreement in principle—Resumption of debate *(from 28 March 2023—*
Mr Steel).

QUESTIONS ON NOTICE

On the first sitting day of a period of sittings a complete Notice Paper is published containing all unanswered questions. On subsequent days, only redirected questions are included on the Notice Paper together with a list of all unanswered questions.

A Questions on Notice Paper will be issued on the Friday of a sitting week, containing the text of all questions on notice lodged that week and can be accessed at www.parliament.act.gov.au/parliamentary-business/in-the-chamber/chamber-documents.

Redirected and answered questions

The following questions asked by the Member indicated have been redirected to the Minister indicated and answers have been received:

- 1053 Minister for Families and Community Services *(Mrs Kikkert)*.
- 1059 Attorney-General *(Mrs Kikkert)*.
- 1061 Treasurer *(Mrs Kikkert)*.
- 1092 Minister for Sport and Recreation *(Mr Cain)*.
- 1101 Minister for Tourism *(Ms Clay)*.
- 1106 Minister for Housing and Suburban Development *(Mr Cain)*.

Redirected questions

(30 days expired 30 April 2023)

1098 **MRS KIKKERT:** To ask the Attorney-General —

- (1) How many young people, for each year during the past five years, were served with an interim Personal Protection Order (PPO), in the age brackets of (a) 16-17, (b) 14-15, (c) 12-13, (d) 10-11 and (e) under 10.

- (2) How many young people, for each year during the past five years, were served with an interim Family Violence Order (FVO), in the age brackets of (a) 16-17, (b) 14-15, (c) 12-13, (d) 10-11 and (e) under 10.
- (3) How many young people, for each year during the past five years, were served with a final PPO, in the age brackets of (a) 16-17, (b) 14-15, (c) 12-13, (d) 10-11 and (e) under 10.
- (4) How many young people, for each year during the past five years, were served with a final FVO, in the age brackets of (a) 16-17, (b) 14-15, (c) 12-13, (d) 10-11 and (e) under 10.
- (5) How many young people, for each year during the past five years, were criminally charged by ACT Policing for breaching their order, in the age brackets of (a) 16-17, (b) 14-15, (c) 12-13, (d) 10-11 and (e) under 10.
- (6) How many young people, for each year during the past five years, were criminally charged by ACT Policing for breaching their order and given a sentence (including details of sentence i.e. youth detention, penalty units etc), in the age brackets of (a) 16-17, (b) 14-15, (c) 12-13, (d) 10-11 and (e) under 10.

1108 **MRS KIKKERT:** To ask the Attorney-General —

- (1) How many youth on bail have committed over 10 offences, in the last two years.
- (2) Of those offences referred to in part (1), how many (a) of these offences were for actual physical violence, (b) of these offences resulted in grievous bodily harm to other parties, (c) times did these offenders breach their bail conditions before being sentenced, and of these offenders, how many were given a custodial sentence and (e) times did these offenders breach their good behaviour or community corrections orders.
- (3) How many offences have each of the current highest 10 youth offenders on bail committed.
- (4) Of those offences referred to in part (3), how many (a) of these offences were for actual physical violence, (b) of these offences resulted in grievous bodily harm to other parties, (c) how many times did these offenders breach their bail conditions before being sentenced, and of these offenders, how many were given a custodial sentence and (d) how many times did these offenders breach their good behaviour or community corrections orders.

Unanswered questions

(30 days expired 23 April 2023)

1079 **MRS KIKKERT:** To ask the Minister for Corrections —

- (1) How many people breached their parole conditions in (a) 2021, (b) 2022 and (c) 2023 and in what ways were their parole conditions breached.

- (2) How many of the people referred to in part (1) were subsequently sent back to the Alexander Maconochie Centre after breaching their parole, and of these people (a) how many were charged with new offences and (b) what were these offences and how many of those offences were committed against police officers.

1080 **MRS KIKKERT:** To ask the Minister for Sport and Recreation —

- (1) When did ACT Labor first promise to rehabilitate the Spence oval.
- (2) Why has the Spence oval not been rehabilitated similar to the Higgins oval.
- (3) Does the ACT Government have any plans to rehabilitate the Spence oval in the next two years.

(30 days expired 30 April 2023)

1096 **MS CASTLEY:** To ask the Minister for Health —

- (1) In relation to the Department of Paediatrics Organisational and Service Plan 2021-2023, how many actions for the roadmap in year one have been implemented (page 13 of the tabled report).
- (2) For each action of the Plan, can the Minister detail if they are (a) completed, (b) commenced and (c) not yet commenced.
- (3) Has a year two roadmap been developed; if so, what are the actions and can the Minister detail if the actions are (a) completed, (b) commenced and (c) not yet commenced.
- (4) Has a year three roadmap been developed; if so, what are the actions and can the Minister detail if the actions are (a) completed, (b) commenced and (c) not yet commenced.
- (5) Will all actions be complete by 2023.
- (6) For each of the new paediatric specialists that have recently been hired, what is the (a) full-time equivalent, (b) classification (c) and specialty/subspecialty.

1113 **MS CASTLEY:** To ask the Minister for Health —

- (1) Did the Canberra Hospital previously have a Chest Pain Evaluation Unit; if so, (a) when was it established, (b) how many and what type of beds did it have, (c) what was the purpose of this unit and (d) has this unit been closed; if so, why and when was it closed.
- (2) Have beds which were specifically allocated to cardiac patients who did not require Acute Coronary Care in Ward 6A been re-allocated to the Acute Care Medical Unit; if so, (a) why, (b) when and (c) what measures are in place to ensure cardiac patients receive the attention of nursing staff skilled in managing cardiac failure.
- (3) Was a transcatheter aortic valve implantation service to have aortic valve replacements performed via the groin rather than by open-heart surgery promised for Canberra Hospital; if so, when and by whom.

- (4) Has the service referred to in part (3) commenced; if not, why not.
- (5) Was a specialised valve disease assessment clinic planned; if so, (a) what is its current status and (b) why has it not proceeded.
- (6) Was a suitably qualified cardiologist willing to relocate and contracted to establish the service referred to in part (5); if so, did this proceed; if not, why not.
- (7) When is Canberra Hospital due for accreditation for Advanced Physician Trainees in Cardiology.
- (8) Did representatives of the Royal Australian College of Physicians visit Canberra Hospital in late 2022 because of concerns about the welfare and education of local trainees.

1117 **MS CASTLEY:** To ask the Minister for Health — Can the Minister provide details of the baseline staffing, as at 1 January 2022, and the turnover since then, in cardiologists and allied and nursing staff, with specialised skill sets including, cardiac scientists, sonographers, catheterisation laboratory nurses and coronary care nurses at Canberra Hospital.

1127 **MS CASTLEY:** To ask the Minister for Health — For each trip taken by officials in 2022-23 for (a) Canberra Health Services and (b) ACT Health for (i) travel work related conferences and (ii) seminars, (A) what was the purpose of the trip, (B) how many attended, (C) what senior executives attended, (D) what was the duration of stay, (E) what was the total cost of the trip, (F) what was the cost for accommodation, (G) what was the cost of air fares and (H) was online attendance an option; if so, why was physical attendance preferred.

1129 **MS CASTLEY:** To ask the Minister for Health —

- (1) For each week since 3 October 2022 for all divisions in phase 1 of ratios, how many shifts for (a) morning, (b) evening and (c) night shift, have been compliant with all elements of nurse to patient ratios.
- (2) Has the Minister received any notices from the Australian Nursing and Midwifery Federation (ANMF) about not being compliant with phase 1 of nurse to patient ratios; if so, (a) when did Canberra Health Services (CHS) receive correspondence, (b) what was the nature of the correspondence, and (c) did ANMF ask CHS to take any action; if so, what.
- (3) When will online compliance reporting be made publicly available for nurse to patient ratios.

1131 **MS CASTLEY:** To ask the Minister for Health —

- (1) Have lengths of stays for cardiac inpatients at Calvary Hospital increased in the last 12 months; if so, (a) why and (b) what has been the average length of stay, dissected by patient category, at the beginning and end of the most recent 12 month or near period.
- (2) Can the Minister provide a table showing (a) the number of patients and (b) their average waiting time for electrophysiological procedures at Canberra Hospital at various intervals over the last three years,

- (3) Can the Minister provide figures on the number of patients reimbursed for interstate electrophysiological treatment for each of the last three years.
- (4) Can the Minister provide a table showing (a) the number of patients and (b) their average waiting time for outpatient cardiac investigations (stress testing, echocardiography and holter monitoring) at Canberra Hospital at various intervals over the last three years.

T Duncan

Clerk of the Legislative Assembly

GOVERNMENT TO RESPOND TO PETITIONS

(in accordance with standing order 100)

6 May 2023

Tuggeranong Skate Park redevelopment—Minister for Sport and Recreation—Petition lodged by Mr Davis (e-Pet 034-22). *(Referred to the Standing Committee on Education and Community Inclusion on 7 February 2023—Redirected from Standing Committee on Planning, Transport and City Services.)*

20 June 2023

Restoration of ANU bus route—Minister for Transport and City Services—Petition lodged by Ms Clay (e-Pet 002-23). *(Referred to the Standing Committee on Planning, Transport and City Services on 21 March 2023.)*

Casey and surrounding areas—Traffic congestion—Minister for Transport and City Services—Petition lodged by Ms Orr (e-Pet 003-23). *(Referred to the Standing Committee on Planning, Transport and City Services on 21 March 2023.)*

Monash primary school oval—Minister for Education and Youth Affairs—Petition lodged by Mr Parton (e-Pet 027-22).

Establishment of an ACT ombudsman for retirement villages—Minister for Consumer Affairs—Petition lodged by Mr Pettersson (e-Pet 038-22 and Pet 008-23).

Nullabor Avenue, Harrison—Speed controls—Minister for Transport and City Services—Petition lodged by Mr Braddock (e-Pet 041-22).

21 June 2023

Swinger Hill Housing ACT property—Minister for Housing and Suburban Development—Petition lodged by Dr Paterson (Pet 009-23).

27 June 2023

Road and pedestrian safety in the Harrison education precinct—Minister for Transport and City Services—Petition lodged by Mr Pettersson (e-Pet 040-22).

COMMITTEES

Unless otherwise shown, appointed for the life of the Tenth Assembly. The dates of the amendments to the committees' resolution of appointment are reflected, but not changes in the membership.

Standing

Pursuant to standing order

ADMINISTRATION AND PROCEDURE: (*Formed 3 November 2020*): The Speaker (Chair), Mr Braddock, Ms Lawder, Ms Orr.

Pursuant to resolution

ECONOMY AND GENDER AND ECONOMIC EQUALITY: (*Formed 2 December 2020*): Ms Castley (Chair), Mr Davis, Ms Orr.

EDUCATION AND COMMUNITY INCLUSION: (*Formed 2 December 2020*): Mr Pettersson (Chair), Ms Lawder, Mr Davis.

ENVIRONMENT, CLIMATE CHANGE AND BIODIVERSITY: (*Formed 2 December 2020*): Dr Paterson (Chair), Ms Clay, Mr Cocks.

HEALTH AND COMMUNITY WELLBEING: (*Formed 2 December 2020*): Mr Davis (Chair), Mr Milligan, Mr Pettersson.

JUSTICE AND COMMUNITY SAFETY: (*Formed 2 December 2020*): Mr Cain (Chair), Mr Braddock, Dr Paterson.

PLANNING, TRANSPORT AND CITY SERVICES: (*Formed 2 December 2020*): Ms Clay (Chair), Mr Parton, Ms Orr.

PUBLIC ACCOUNTS: (*Formed 2 December 2020*): Mrs Kikkert (Chair), Mr Braddock, Mr Pettersson.

Select

COST OF LIVING PRESSURES IN THE ACT: (*Formed 9 February 2023*): Mr Davis (Chair), Ms Lawder, Dr Paterson.

ESTIMATES 2023-2024: (*To be formed 15 May 2023*): Ms Clay, Mr Parton, Mr Pettersson.

Dissolved

COVID-19 2021 PANDEMIC RESPONSE: (*Formed 16 September 2021*): Ms Lee (Chair), Ms Clay, Ms Orr. (*Presented 2 December 2021*)

DRUGS OF DEPENDENCE (PERSONAL USE) AMENDMENT BILL 2021: (*Formed 11 February 2021*): Mr Cain (Chair), Mr Davis, Dr Paterson. (*Presented 30 November 2021*)

ESTIMATES 2022-2023: (*Formed 1 July 2022*): Mr Milligan (Chair), Mr Braddock, Dr Paterson. (*Presented 11 October 2022; Dissolved 31 October 2022*)

PRIVILEGES 2022: (*Formed 15 August 2022*): Mr Hanson (Chair), Ms Clay, Mr Pettersson. (*Presented 1 December 2022*)
