



**LEGISLATIVE ASSEMBLY FOR THE
AUSTRALIAN CAPITAL TERRITORY**

**STANDING COMMITTEE ON ECONOMICS, INDUSTRY
AND RECREATION**

(Reference: [Inquiry into Annual and Financial Reports 2024-25](#))

Members:

MR T WERNER-GIBBINGS (Chair)
MS F CARRICK (Deputy Chair)
MR T EMERSON
MS E LEE
MR S RATTENBURY

PROOF TRANSCRIPT OF EVIDENCE

CANBERRA

WEDNESDAY, 19 NOVEMBER 2025

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Acting Secretary to the committee:
Mr A Walker (Ph: 620 74843)

By authority of the Legislative Assembly for the Australian Capital Territory

Submissions, answers to questions on notice and other documents, including requests for clarification of the transcript of evidence, relevant to this inquiry that have been authorised for publication by the committee may be obtained from the Legislative Assembly website.

APPEARANCES

Chief Minister, Treasury and Economic Development Directorate	61, 82, 100
City and Environment Directorate	61, 118
Office of Industrial Relations and Workforce Strategy	82
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WorkSafe ACT	82
Cultural Facilities Corporation	100

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Amended 20 May 2013

The committee met at 11.48 am

Appearances:

Berry, Ms Yvette, Minister for Education and Early Childhood, Minister for Homes and New Suburbs and Minister for Sport and Recreation

Chief Minister, Treasury and Economic Development Directorate
Kelley, Ms Rebecca, Executive Branch Manager, Sport and Recreation
Bailey, Mr Daniel, Executive Group Manager, Operations

City and Environment Directorate
Fitzgerald, Mr Bruce, Deputy Director-General, City Services and Transport

THE CHAIR: Good morning, and welcome to the public hearings of the Standing Committee on Economics, Industry and Recreation for its inquiry into annual and financial reports for 2024-25. The committee will today hear from the Minister for Sport and Recreation, the Minister for Skills, Training and Industrial Relations, the Minister for Business, Arts and Creative Industries and the Minister for the Night-Time Economy and officials.

The committee wishes to acknowledge the traditional custodians of the land we are meeting on, the Ngunnawal people. We wish to acknowledge and respect their continuing culture and the contribution they make to the life of the city and this region. We would also like to acknowledge and welcome other Aboriginal and Torres Strait Islander people who may be attending today's event.

This hearing is a legal proceeding of the Assembly and has the same standing as proceedings of the Assembly itself. Therefore, today's evidence attracts parliamentary privilege. The giving of false or misleading evidence is a serious matter and may be regarded as contempt of the Assembly.

The hearing is being recorded and transcribed by Hansard and will be published. The proceedings are also being broadcast and webstreamed live. When taking a question on notice, it would be useful if witnesses use these words, "I will take that question on notice." This will help the committee and witnesses to confirm questions taken on notice from the transcript.

We welcome Ms Yvette Berry MLA, Minister for Sport and Recreation, and officials. As we are not inviting opening statements, we will now proceed to questions. Minister, is now the right session to ask about the Canberra Arena ice sports venue project?

Ms Berry: Yes.

THE CHAIR: There has been a little bit of media recently. Given that it has now been more than three years since the ACT government signed the heads of agreement with the joint proponents, assigned a block of land in Greenway, and committed \$16.2 million towards the planning, design and construction costs, where are the contract negotiations up to for the project?

Ms Berry: We can provide an update on that. I will ask Ms Kelley to speak to that question.

Ms Kelley: I acknowledge the privilege statement. As you pointed out, it has been a protracted process over the last three years, but we did reach a significant milestone in July this year. On 18 July, we issued the draft project agreement to the proponents, Pelligra and Cruachan. That was after certain delays relating to the need to renew the ESO—the environmental significance opinion—the site due diligence work and the time that Cruachan took to prepare their detailed proposal and the like.

As the minister has said many times, that has taken much longer than anticipated, but in July we did give Cruachan and Pelligra a six-week timeframe, until 29 August, to provide their feedback on the draft project agreement, noting that this is the binding point of the project, to look at the execution of that.

On 27 August, Cruachan requested a meeting to discuss further assessments that they had undertaken of the work and the site options. We subsequently met with them. They were not available until 12 September. We met with them at that point. Mr Campbell raised, as he has in the media this week, interest in alternative sites. We reaffirmed Tuggeranong as government's preferred site, because all the project documentation, the detailed proposal and all the negotiations to date have related to that site.

It was agreed at that point that we would allow until 3 October to come back with a more fulsome response to the draft agreement, as we had requested back in July. That was provided on 3 October, in due course. We have then needed to undertake our own consideration of that response and seek legal advice—most notably, probity advice that we were not undoing the process to date through the response, and that response was issued to Cruachan yesterday.

THE CHAIR: Presumably, they will then need to respond to your response?

Ms Berry: Yes.

THE CHAIR: What is the timeframe for that?

Ms Kelley: 13 January. Mr Bailey sent the correspondence.

Mr Bailey: I acknowledge the privilege statement. Yes, that gives them eight weeks to respond—13 January, to come back to us with greater detail.

THE CHAIR: 13 January; can more back-and-forth happen after that? Is there a point where a decision by either the government or the proponents has to be taken, yes or no?

Mr Bailey: I think we are at that point where they have come back with three options—questioning the current site, issues with that, and the government's investment; another option, as they mentioned in the media, was looking at alternative sites and, if they cannot make that work, the project would not proceed.

The letter to them now is quite firm on the first option, basically, to come back with greater detail on that. We need to know exactly what they would need to make it work.

It is very detailed. We have ruled out option 2. We are waiting on that now.

THE CHAIR: Did you say you have not or have?

Mr Bailey: We have ruled out option 2.

Ms Kelley: We have.

THE CHAIR: It is in the government's interest, and it is the government's will and commitment, to have the project built in Tuggeranong. It is within the government's interest to try and work with the joint proponents, as far as possible, to get that agreement, which is why, if it was more of a fifty-fifty deal, the decisions might have been taken earlier.

Mr Bailey: I think that is correct. That is probably part of the delay as well—working with them and giving extra time. We know that there are not a lot of people out there in this field or area that would take it on. We want to work with them. We want this to happen, and where we want it to be. That is why we are at this point. But we are certainly at the final point now where we are seeking this information and, if they cannot make that—

THE CHAIR: We will put that in the best case, preferred case and working-towards-case scenario; you mentioned alternatives or contingencies, perhaps. The ACT Ice Sports Federation have raised that, if the negotiations do not go well, the need for a new ice sports facility is still extant.

What are the other options on the table to deliver one, if any? Could the ACT government, for instance, withdraw from the delivery with private partners, and look to the federal government to provide funding to deliver a project run publicly? Are there options and what might they look like? I guess there are options, but it is about whether they are feasible.

Ms Berry: All of those options could be considered if we do not get anywhere early next year. Those decisions will be made by the government at some point in time, when we know what Pelligra and Cruachan want to do, and what their commitment is to Canberra and to an ice sports facility for all ice sports.

I know Stephen Campbell is very committed to the Brave. We love the Brave. They are fantastic; they have had amazing success over the years, coming from a grassroots campaign to get them back up and running again. We think the Brave are a very worthy team to support the ACT, but so is every other team—the Pirates.

We want to see curling, broomball, figure ice skating, ice dance—all the ice sports—being able to use a twin-sheet facility here, so that everybody gets a fair and equal amount of time on the ice, regardless of the sport. Our commitment is to all sports that use ice rink facilities; certainly, the Brave are part of that.

MS CARRICK: As you know, we do not want to lose the ice rink from Woden. The preferred option is Tuggeranong; then you have Majura and Commonwealth Park. Are they the three options on the table at the moment?

Ms Berry: No. We have ruled out—

Mr Bailey: Those options are what they have come back with, in their recent response in October. They suggested challenges with the first option being Tuggeranong, and they suggested the other two sites, Commonwealth Park and next to Ikea, out at Majura, which we ruled out as something that we would consider under this process.

MS CARRICK: You have ruled out both of those other options. With the old Woden Valley High School site, I know you say that one day it could be a school, but half of Melrose students are out-of-area students. What work have you done around population forecasts and the actual need for another school in Woden?

Ms Berry: It is probably not this.

MS CARRICK: It is, because the ice rink could go there.

Ms Berry: Reframe the question.

THE CHAIR: Yes, it is not—

MS CARRICK: Okay, I will reframe the question. Did Stephen Campbell bring up the old Woden Valley High School site at all, and did you dismiss that as an option?

Ms Berry: No.

MS CARRICK: No?

Ms Berry: No, he did not.

Mr Bailey: That is correct; no, he did not.

MR RATTENBURY: I read in the newspaper today, and I would welcome your—

Ms Berry: Then it is probably true.

MR RATTENBURY: I would welcome your clarification of this. There was a suggestion that the price of the land was not yet clear. Is that the case?

Ms Kelley: Yes, that is the case, because a formal valuation of the Greenway site has not been undertaken yet. An indicative valuation was provided to Cruachan and Pelligra prior to the development of their detailed proposal. Whilst this is a process for our CED colleagues, as we understand it, a valuation will not be undertaken until a direct sale application has been made. Once government has assessed it, assessed the eligibility of it and made a decision, that is when the valuation process is undertaken, to seek the highest of three determinations regarding that site, and that is then shared with the proponent.

MR RATTENBURY: I was somewhat persuaded by the view expressed that it is difficult to make a decision if you do not know what the price of the land will be. It

does seem an unfortunate barrier in the process.

Ms Kelley: It is sitting within their initial detailed proposal, and they did take into account the indicative costing or price of the land that was given to them. That was built into their proposal. We would see that, in the absence of certainty around the cost of the land, it would be for them to consider how they might build that into their proposal.

MR RATTENBURY: Mr Bailey, you mentioned before that option 2 was off the table. I was not clear what you meant by option 2.

Mr Bailey: Under the process that we have run, that we have had, we are not considering other options for them to come back and say, “What hat about that site over there?” They indicated a site next to Ikea—a site that we do not own, anyway—or Commonwealth Park—again, another site that we do not have control over.

Under the process that we have done, we are now locked into Tuggeranong. We have provided quite a lot of advice, as Rebecca was saying. We also provided detailed site investigation reports and those sorts of things, as part of that, that they built their bid on, to come back to us on this.

We are a long way down the road now. To change the site would make this an even longer road. It is much more materially different in terms of looking for another site, with all the due diligence required, environmental assessments and things like that, to get to a point. This site is there, ready to go. The advice that we have, legal and probity advice, is that we cannot consider looking at other sites and changing that now, having regard to where we are in the process.

MR RATTENBURY: Isn’t the alternative risk that we will end up at loggerheads; we will be three or four years down the track, and we will have no ice rink?

Ms Berry: Potentially, but the government has been acting in good faith for the whole time, providing as much time as possible, and offering to work with the joint venture developer to get this project off the ground. It is frustrating, but we are doing our part in doing those good-faith negotiations, with a commitment we thought we had and that the proponents now want to change. We are not open to a change. We have made a commitment to the sport. We have made a commitment to Tuggeranong. That was the agreement that we had at the start, and that is the agreement that we are working on. It is very frustrating for everyone, but we will continue for as long as we have to, to ensure that we are meeting all the requirements, and continue with those good-faith negotiations.

MS CARRICK: Minister, what options analysis did you do before you decided on the Tuggeranong site?

Ms Berry: In what respect? The conversation around Tuggeranong was not only with the ice sports community, but also about the availability of land. That site was identified as being a site that could host an ice sports facility. It was big enough to build a twin-sheet ice rink facility.

That was, obviously, the other very important part about where an ice rink could be

built. It is not a single sheet; it needs to be a double—otherwise people are missing out, and we cannot grow sports in our community. That was some of the work that was done in identifying the space.

MS CARRICK: There was no identification of the objectives or needs of people, or different sites identified that could meet those needs, the criteria or objectives that you wanted, or an assessment done of the different sites—a central location, accessible, and different criteria like that? There was no identification of different sites assessed against criteria?

Ms Berry: All of those were considered as part of this site.

MS CARRICK: What other sites were identified as options?

Ms Berry: There were no other sites that met the size required at the time, given that our commitment was to the south side. The Tuggeranong community were also calling for more sports facilities and activation of their city centre, so that was taken into account in identifying this site. It does meet all those criteria. It is close to public transport, it is central and it is very easy to get to from all over Canberra, along the parkway. It gives that opportunity for a reactivation of the town centre, and to have somewhere for everyone in Canberra to go to, and somewhere for the Tuggeranong community to embrace as well. All of that was taken into account when we were considering this site and whether it was appropriate.

MS CARRICK: You did not consider the impact on the Woden town centre of losing yet another facility?

Ms Berry: Well—

MS CARRICK: Well, the community is pretty devastated about what they have lost.

Ms Berry: I understand that they are getting a range of other infrastructure facilities, including a new double gymnasium at Garran Primary School. I know that they are disappointed; I understand that.

MS CARRICK: More than disappointed. Anyway, I will go on with my next substantive.

THE CHAIR: I think you should just ask the questions.

MS CARRICK: With losing the 50-metre pool, the second 50-metre pool, leaving us with no pool, and leaving us as the only town centre without a 50-metre pool, what policy do you have? What can I tell the people is the government's policy as to why Woden town centre, the major hub of Canberra's south, does not have a 50-metre pool?

Ms Berry: It does have a 50-metre pool at the moment, but I accept—

MS CARRICK: It is not planned to have one. What do I tell people is the policy that you use to leave us in this position?

Ms Berry: I think this is a good opportunity for the Woden community to engage with the ACT government through its aquatic facility strategy. I know that does not save the current pool as it is, but it does give the community the chance to feed into the government's decisions going into the future around aquatic facilities and aquatic user groups—all user groups across the ACT.

MS CARRICK: How long will it take to do an aquatic strategy?

Ms Berry: A strategy usually takes about 12 months.

MS CARRICK: Within 12 months, potentially, we could be identified as a location for an aquatic facility?

Ms Berry: That is a hypothetical.

MS CARRICK: Will your aquatic strategy look at the criteria for where you would put new facilities and fairness of distribution?

Ms Berry: That will be up to the communication we have with the community—all user groups of aquatic facilities across the ACT—on the data that will be used to feed into a strategy and potential infrastructure for new and additional pools across the city.

The strategy is more about what we have and what we need. Any action items that come out of that will be, probably, separate and different. Having that knowledge from the community, as well as from across the country, feeding into our decisions here in the ACT on what is the appropriate number, what is the need, where they can be built and how—all those decisions are outside a strategy development, but that consultation will come on that work.

MS CARRICK: What will be in the strategy?

Ms Berry: I do not know. That will be up to the consultation.

MS CARRICK: It is up to the government as to what sort of outcomes they want from the strategy. They will consult, but you need to have a structure for your strategy.

Ms Berry: Ms Carrick, I appreciate your saying that, but if I were to put what I thought I wanted in the strategy straight out there, I would be criticised.

MS CARRICK: No, I mean the structure of it.

Ms Berry: Sure, and we have not come to that.

MS CARRICK: A structure, like a fair distribution. Will the outcome of the strategy tell us what a fair distribution of aquatic facilities would be?

Ms Berry: The structure of the strategy, if that is what you are asking for, has not been developed yet, but the consultation with the community will feed into what the strategy looks like.

MS CARRICK: Will it look at private versus public ownership of facilities?

Ms Berry: It will look at the information and data around that. Again, we have not put the structure of the strategy out for consultation yet. We will look to the community about feeding into that sort of work at the start of the process.

MS CARRICK: If the strategy were to say that Woden should have an aquatic strategy, is there a timing issue here so that one could talk to Geocon about their 25-metre pool and whether it would be worth going ahead with that, or whether they could provide some money towards a new aquatic—

Ms Berry: Probably not as part of this conversation, Ms Carrick.

MISS NUTTALL: SGS Economics and Planning were awarded a contract to undertake an ACT community recreation and sports facilities needs assessment and social infrastructure audit. Can I double-check that that audit has been completed? Do you have any details about what that audit might provide?

Ms Kelley: Our directorate is not responsible for that piece of work. That sits with planning. We have been engaged in it. The report is currently in draft form, and that is being driven through CED.

MISS NUTTALL: Is there a particular reason? Noting that this has quite a heavy bearing on sports facilities across the ACT and there has been a longstanding conversation about the need for large-scale facilities planning, what has your engagement been? Could you go into a little more detail about that?

Ms Kelley: Certainly. The nature of the report does talk to benchmarking. There have been some detailed discussions about that, the breakdown of facilities within that report, and it speaks to indoor and outdoor facilities, sportsgrounds, netball courts, and a whole range of facilities that are important to our community. It is important to note that it is not just about sport and recreation facilities; it is also about libraries, arts facilities and other social infrastructure. We are just one input into the process.

MISS NUTTALL: What bearing do you anticipate that this will have on sports and recreation as long-term sports infrastructure planning? How do you plan to use this document?

Ms Kelley: It is a really important piece of our puzzle at the moment, when we talk about our long-term infrastructure planning, which we have spoken a lot about in this room. It is still a document that, as the minister referred to, refers to national benchmarks, where we do not necessarily have local benchmarks to guide provision in the ACT. That is a typical approach across the country. It certainly indicates some gaps that might need to be considered into the future. It also indicates areas of good provision.

We would need to make sure that any other long-term planning around sport and recreation infrastructure is aligning with the finding of that needs assessment. There is also the overlay that, even though there is a needs assessment, it does not necessarily relate to delivery, because there would still be decisions that government would need to make in

terms of what is feasible to deliver from an economic and a viability perspective.

MISS NUTTALL: How closely were you engaged in understanding the demand side of facilities—which sporting organisations were close to capacity at the venues that they were currently at, those that seem to be exhibiting strong growth and needed places to go? Was that kind of detail captured, and did sports and rec have a role in that?

Ms Kelley: We certainly provided comment on that. The nature of the report is primarily based on population trajectory. As an example, there might be a certain sport, such as gridiron, which is a fairly small sport that is not necessarily highlighted in the report, but it is my example. It might say that we need X number of grounds to accommodate gridiron moving into the future by 2031-2051, on a projection based on population. However, the bit that we then need to join the dots on is that we do not necessarily see the participation growth in that sport that would support that being in a needs assessment.

That will always be the caveat that we would apply to this type of data. Whilst the population will grow, there is an assumption that popularity in that sport will not grow, and that is not necessarily the case.

MISS NUTTALL: No, or not necessarily at a uniform level.

Ms Kelley: Yes.

MISS NUTTALL: In that case, noting that this report will give us, hopefully, a whole lot of really important data and that bird's-eye view of facilities availability, what work are you doing with different sports to understand their capacity and their growth trajectory? Are you doing supplementary work on that?

Ms Kelley: We are getting an indication of their participation and growth through the data that we collect each year, particularly around the peak bodies and their categorisation process, and the data that they provide to government through that. Typically, through their grant applications as well, there will be questions around participation, membership levels and the like.

On top of that, where they do have facility aspirations, that is where we have encouraged sports to go away and present a little bit more robust data with regard to their participation and growth. Absolutely, it is a key consideration all the time. As we know, it fluctuates. If we were to say who has the biggest trajectory at the moment, it would be basketball, because we have the data to say that we know they have 83 teams that they could not accommodate this season. They have some really strong arguments that are really the determinant of government's commitment to expand Belconnen and look at other indoor facilities to assist that access.

Cricket, similarly, has had growth in the past; they are still reporting growth. It is year-on-year. We work really closely with the peaks in a case management process through our partnerships with them. We are very aware of their annual reports and the data that they are sending back. We also get this consolidated to us nationally, from the Australian Sports Commission, in terms of the growth within various sectors.

MISS NUTTALL: It is great that you are collecting this data. Are you planning to integrate it with SGS's report in a systematic way?

Ms Kelley: That is the challenge that we have within the long-term infrastructure planning process, beyond our four-year road map, which indicates delivery within this term of government. With respect to where there are calls, and we hear them loud and clear, and we agree with the need for them and what it looks like beyond four years, that is absolutely the work that has to happen.

MISS NUTTALL: We would love updates as you go; thank you.

MS LEE: Can I go to turf maintenance? Page 74 of the TCCS annual report talks about soil moisture sensors being deployed across key sites. Can you inform the committee of where those key sites are?

Ms Berry: We did talk about this in the last session. We can talk about it again.

Mr Fitzgerald: I would need to take on notice a list of the actual sports fields that they are installed in, which we are happy to do. As I mentioned in the last session, they have been a game changer for us in terms of maintenance and the capabilities that they bring in measuring water levels. I am also informed that they measure salt content and pH levels, so they are quite a wide-ranging tool for us to be able to then respond in both fertilising and irrigation.

MS LEE: You might need to take this on notice: how many sites?

Mr Fitzgerald: We will take that on notice.

MS LEE: In terms of the criteria for how you determine what the key sites are, is that a specific label or is it just a phrase that has been used in the annual report?

Mr Fitzgerald: It is a phrase that has been used. Key sites would be ones that are based on utilisation rates. We have a very good handle on our utilisation of sportsgrounds, and we would preference those grounds that are heavily used so that we can respond with the appropriate maintenance.

MS LEE: Mr Fitzgerald, whilst you are taking that on notice, would you also mind giving information to the committee about how many of the total sites are classified as key sites?

Mr Fitzgerald: Yes.

MS LEE: Both numbers.

Mr Fitzgerald: Yes.

MR EMERSON: The commonwealth and ACT governments recently announced another 5,000 homes will be developed, or are intended to be built, in the East Lake precinct around the railway station. The closest major oval for residents there is Kingston Oval, which, as you know, is over 100 years old—one of our oldest fields.

This is something we have exchanged letters about previously, Minister. Sport and rec helped to fund a master plan for the oval which laid out four stages of work over the next five-plus years. The projected cost there for delivering the plan is \$12 million to \$14 million.

As you know, Eastlake football and cricket clubs, AFL NSW-ACT and Cricket ACT have all indicated a willingness to come to the table to deliver that plan. Where are we up to on the ACT government side in supporting that?

Ms Kelley: I can talk to our liaison. CED might have some update on the conservation management side of things.

MR EMERSON: Yes, that would be great.

Ms Kelley: We have had a number of meetings with representatives of the club. We went out onsite and walked around with them, to understand it more clearly. Our guidance to them has been to look at the immediate priorities, noting that their aspirations for a larger scale pavilion and to improve the usability of the site for all the patrons is probably a longer term goal. When I say longer term, I mean three to five years of doing a little bit more work. Their immediate considerations were around irrigation and lighting upgrades. We understand that they already have a commitment for some identified funding. We have encouraged them to put an application into the current round of the Sport and Recreation Investment Scheme, which they have done.

MR EMERSON: To kind of top that up?

Ms Kelley: Yes, for the particular proposed works. That assessment process is underway at the moment, and we will likely have an announcement on those grants in February next year. I am not pre-empting an outcome for Kingston, but they are in the mix.

Ms Berry: Is there anything further on the conservation work?

Mr Fitzgerald: No, I do not have any further updates.

MR EMERSON: Could you take on notice if there is any further update on whether any steps are being taken?

Mr Fitzgerald: Certainly. If there is an update, we would be happy to provide that on notice, yes.

MR EMERSON: Okay; in terms of the steps taken to implement the Conservation Management Plan. On the immediate priorities, is your advice to them to kind of pull apart the plan and see what the elements of it are—and, obviously, it is itemised anyway—and then bid in the next budget and provide a business case? Is that what you mean?

Ms Kelley: Exactly; spot on.

MR EMERSON: At the Phillip enclosed oval, are there two stages of upgrades—one

has been completed and the second one has been commenced?

Ms Kelley: Yes.

MR EMERSON: What are the costs of each of those stages?

Ms Kelley: To ensure clarity, I will take that on notice to provide to you the more significant investment related to the pavilion—which is now complete and wholly appreciated, as we understand it, from the user groups—and the second stage of works, which are the drainage upgrades to the irrigation, the lighting and shed installation and some improvements to the Michael O'Connor Grandstand. That is the second tranche of works. I will get the specific figures for you.

MR EMERSON: Okay. Has the second tranche been funded? Was that funded in the budget just gone?

Ms Kelley: It is fully funded.

MR EMERSON: Great. That would be an easy answer, hopefully. The Alan Ray Oval in Ainslie, for example, is owned by the Ainslie Football Club. Kingston Oval is different, in that the government owns it and it is leased by the club. How do you make decisions to balance those where it is your asset versus the club's asset and then also where it is open access, like Kingston Oval, as opposed to an enclosed oval like Phillip?

Ms Kelley: If I am understanding your question, I think it relates to the fact that we are—

MR EMERSON: Let me break it into two.

Ms Kelley: Okay.

MR EMERSON: So there is a question about how to make decisions when it is a government asset that is leased by a club as opposed to, essentially, a club-owned asset. I assume you invest more in the government assets?

Ms Kelley: Yes; where we have recurrent funding—not through us, but through CED—to look at ongoing upgrades and maintenance works that relate to ACT government assets. So, first and foremost, not unlike anyone else that owns their own house, you need to look at that, and you assume that the likes of Ainslie Football Club would be generating their own revenues and benefits from having an exclusive facility of that nature that is more their facility. That is not to say they are not ineligible to apply for government support where it is beyond their means and their scope, if it is providing a facility or a service that government would otherwise have to provide. So that is the balance in that. But, in answer to your question, for these government assets, first and foremost, we need to make sure they are fit for purpose and safe for community access.

MR EMERSON: Okay; that makes total sense, obviously. The second part of the question is around public access versus when you have enclosed ovals. One of the challenges at Kingston Oval is there is no publicly available toilet. There is that toilet block there that has been disused. It is the main green space for that neighbourhood and

so it is not just used by the club. Whereas, you have other examples like in Phillip where that is not the case.

Ms Kelley: Sure. I understand the public facilities at Kingston might be flagged for improvements. But I will hand to Mr Fitzgerald if there is anything further.

MR EMERSON: Great.

Mr Fitzgerald: I have nothing further on Kingston. It is a balance. There is a historical element to sportsground management. With some of the newer facilities, like Gungahlin Enclosed Oval, where there is a multitude of different purposes that we are trying to use that oval for, limiting the public use is important to be able to achieve all of those outcomes. Then we have an oval like Kingston, which has historical value not just as a sportsground but also as a green space. So it is always a balance. Trying to work through exactly how the tenure on the sites are worked through—whether that is through a leased agreement, whether it is through transfer of ownership—and making an assessment as to how many sporting fields actually need access are all considerations. Obviously, for us, it is a tough decision to fence off a sportsground to become enclosed and become limited use. It is a tough conversation to have with the community.

MR EMERSON: Sure. Finally, on the toilet block—flagged but maybe not funded—is that something that might be considered in the next budget?

Mr Fitzgerald: We will need to look at that in conjunction with the Conservation Management Plan and how that fits into our priorities across our sportsground maintenance requests to government.

MR EMERSON: Okay.

THE CHAIR: On the public facilities at ovals it is regularly raised with me the need for more public toilets in and around or on footpaths. There are changerooms that have toilets that could be accessible next to ovals that are near footpaths and through foot traffic routes that, it would seem to me, could take up some of the burden, as it were, instead of building standalone public toilet blocks. Public toilet blocks in Canberra district parks are open from 7.00 to 10.00 pm in summer. Has consideration been given to toilet blocks in Gowrie, Kambah or Chisholm being open at those sorts of hours and then elsewhere in Canberra? Is that something that has been discussed or thought about? If not, what are the obstacles to maybe using those public facilities more publicly?

Ms Berry: I guess it is mostly because they are being used by other sportsground user groups when it might be a popular time for the general public to use them as well. User groups have paid for the facilities to be opened up and are renting that space during their period of use. We could consider it. It might just be working around those times, which would be limited.

THE CHAIR: It would generally be the evenings and weekends when the ovals would be used. But I have heard from people who are walking during the day—so more elderly people—that they are looking for those sorts of places as they walk footpaths to and from shops and are going past ovals.

Mr Fitzgerald: Our big problem with the utilisation of those facilities outside of sporting events is that you often lack the passive surveillance that you often get at a dedicated toilet facility, say, in a town centre. As a result, unfortunately, we see high levels of vandalism. Then there is the maintenance burden that is placed on those assets and, on occasions, they are then not available for sporting groups to use. That is that is a consideration that we—

THE CHAIR: Yes, I suspect so.

Mr Fitzgerald: It is a tricky balance for us. We understand the community's desire to have those facilities close by. But, unfortunately, due to historical reasons, the maintenance cost for us can be huge.

Ms Berry: We could definitely see if there are some that are less remote and maybe trial something and see if it is possible. It is just that they are so remote from everything else and nobody sees them. Unfortunately, that is why they are good targets for vandalism and other things, and then facility has to be taken offline. I am not telling you what to do or anything, but you could make a recommendation that we could investigate it.

THE CHAIR: Yes; thank you.

MR MILLIGAN: Back in 2023, the directorate did an active recreation infrastructure survey. What I have here is that it got 267 proposals from 54 organisations. What has come from that—from then to where we are today?

Ms Kelley: A great wealth of information, in short. It has been a touchpoint for us through a range of things, including grant applications and assessments—that there is correlation between what applications are and what priorities the sport has put forward within their determined need through that application. We have seen a number of current commitments from the current term of government informed by the proposal register. At the moment, we are looking in a renewal process for it, noting that two years has gone past and we have heard from a number of sports that their priorities have changed.

That is work that we are looking at right now, alongside the finalisation of the roadmap for delivery for this term of government, as the puzzle piece, as I said before, towards the long-term infrastructure planning. There are two other things that we are waiting on alongside that work—being the National Sport and Recreation Infrastructure Plan release and also the findings of the current audit into planning of sport and recreation infrastructure in the territory. There is a lot going on, but that register has been a reference point for us at this point in time.

MR MILLIGAN: But what specifically has come out, though? You said that it has informed the government, but what specifically? Can you actually list any infrastructure, improvements, upgrades, builds or proposals that you have actually done that has come out of this survey?

Ms Kelley: Sure. We could take on notice to give you a more fulsome list.

MR MILLIGAN: That would be great.

Ms Kelley: The Taylor District Playing Fields is an immediate example. That was a high priority for rugby league, and we have a commitment to that. We are currently completing the statement of requirements for that work to commence the procurement for design. So that is one that is actively underway. There is also the expansion of the Belconnen Basketball Centre. I guess it was no surprise that basketball had that at the top of its list. Most of our projects at the moment have a reference to that register.

MR MILLIGAN: If you could take it on notice and provide more detail that would be great. What were the major concerns that were raised by sporting groups through this survey? What did it mainly focus around?

Ms Kelley: There is a listening report that we have on the Sport and Recreation website. The key theme that came out—again, not a surprise—was the need for greater indoor facilities and access. That has been heard. Then there concerns around general upgrades to existing facilities, such as lighting upgrades, which would extend access. That has certainly been taken into account with the works of the Sports Grant team also.

MR MILLIGAN: Have some of the works that you have taken on as a result of this survey actually been completed?

Ms Kelley: As I said, we will consider that and we will respond to you on notice. A number of priorities have been funded through the Sport and Recreation Investment Scheme over the period as well, where the sports themselves would have commenced some of their priority works.

MR MILLIGAN: You mentioned something about a road map. When will that be finalised?

Ms Kelley: We cannot give you a definitive date. We are pulling it together at the moment.

Ms Berry: I think it would be fair to say that, from when that work was done until now even, sports clubs have different priorities or have had a change of direction on some smaller shorter-term aspirations rather than the sort of big picture priorities.

MR MILLIGAN: Okay.

THE CHAIR: Can I ask a couple of quick questions about fitness stations in this section?

Ms Berry: It is not us.

THE CHAIR: Okay. Page 112 of the skatepark strategy says that the planning work has commenced on the skatepark strategy. When is that strategy going to be finished or implemented?

Ms Berry: I think we have to start the conversation with the sector.

Ms Clement: The Skate Strategy was funded in this current budget, and we have commenced work on that. We have a consultant engaged to develop the Skate Strategy. In October and earlier in November we did two rounds of targeted consultation with the skate community and the BMX community. We expect to have a draft strategy early in the new year. It will then need to go through a process of government review and decision.

THE CHAIR: Do you have a timeline?

Ms Clement: Mid next year.

THE CHAIR: Okay. The Erindale Brick Banks, which is not a formal skate park, is being considered for heritage listing on the basis of its historical importance to skateboard boarding in the ACT and Tuggeranong. Is there a place in the skate park strategy for the Erindale Brick Banks, which is very much skate park adjacent?

Ms Clement: The Skate Strategy will look at all of the skate infrastructure across Canberra.

THE CHAIR: So formal or informal?

Ms Clement: Formal and informal; that is right.

THE CHAIR: Okay.

Ms Clement: It will do some consideration on how skate infrastructure can be incorporated into urban planning, recognising, I guess, the role that the urban environment has in providing skate facilities and balancing the different objectives of the urban realm and what the priorities are in that area.

THE CHAIR: So there are plans then for the use and future of the Erindale Brick Banks and, I guess, similar urban areas within that strategy?

Ms Clement: Yes. It will provide some guidance around how we think about skateboarding in the urban environment. Specifically on the Erindale Brick Banks, that will be looked at within the Skate Strategy and obviously consideration of its heritage register nomination and the significance that it has as a feature in the skate community, yes.

THE CHAIR: Okay.

MISS NUTTALL: That was actually my substantive but I have a few more questions on that. Are you waiting for the completion of the Skate Strategy before you do the full-scale redevelopment of the Tuggeranong skate park?

Ms Berry: Tuggeranong is funded to have some upgrades and some remediation work happening with it. But it is not funded fully for a full upgrade at the moment.

MISS NUTTALL: Noting that, in response to my motion at the end of last year, the Assembly committed to that work, will—

Ms Berry: Yes, but that does not mean it is going to be funded and done straightaway.

MISS NUTTALL: No, of course, but—

Ms Berry: The strategy actually gives us the chance to talk with the community about what the options could be there. Certainly my conversations with the user groups have been that it might not just be a complete knockdown-rebuild; there could be some other options out there, particularly for other user groups. Those are the kinds of things that we are considering over and above the ideas that you put forward. There is some more thinking on that with the skate user groups.

MISS NUTTALL: Obviously, the skate park strategy will be released. Is there provision within that to do further consultation, noting with big redevelopment projects that tends to be quite iterative.

Ms Berry: Of course.

MISS NUTTALL: Glad to hear it. Thank you.

MS CARRICK: Ms Kelley, you have mentioned basketball on a few occasions and how 83 teams could not be accommodated this year. I know that Basketball ACT has a four-pillar strategy, which are the town centres of Gungahlin, Belco, Woden and Tuggeranong. Given that there is Belco and Tuggeranong already there and there is going to be an indoor sports stadium in, I think, Casey, Minister, will you work with the community and the indoor sports community to identify a site for planning and eventually being on the pipeline of projects in the Woden town centre?

Ms Berry: I have certainly spoken with Basketball ACT and some indoor user groups about the provision of a double gymnasium at Garran Primary School, noting the loss of facilities at Woden through the private ownership of a facility out there, and the potential for a three- to four-court facility as part of a school. I am happy to continue that conversation, absolutely.

MS CARRICK: Can you explain to the community why it is that other parts of Canberra can have indoor sports stadiums that are owned by peak bodies. There are three in Lyneham by Basketball ACT. I do not know who is going to own the Casey one. Is it a private sector one in Casey? None of those are in schools. Why is it that Woden has to have theirs in a school and other areas do not? Can you explain that to me?

Ms Berry: We are changing the way that we are doing things to make sure it is more efficient and that all users get the opportunities to use these facilities. We build multi-million-dollar facilities at schools. It makes no sense to keep them closed off to the community outside of school hours. That is just insane.

MS CARRICK: We have just had an inquiry where people have identified that having them in the schools is not ideal—that it is a school community, and the indoor sports community having its own facility is a better outcome.

Ms Berry: It could be that it is separate to the school but used by the school in school hours. That could be the case.

MS CARRICK: With any indoor sports stadium, a school can go and book it and use it, no doubt.

Ms Berry: These are the kinds of things that we would consider. But, at the moment, the proposal going forward is that there would be an indoor sports facility, potentially up to four courts, depending on the size of the school. It could either be the school facility or it could sit adjacent to the school.

MS CARRICK: Or could it sit somewhere else and the school could use it?

Ms Berry: If you can identify a piece of land that can fit a four-court basketball facility on it that is not being used for other purposes, then we could consider that. But there is a piece of land that is there that is identified for a school site. It is big enough to hold a school and a sports facility on it. It makes sense that that is the space that it would go on.

MS CARRICK: Have you considered the Scentre Group proposal? Are you on the Woden town centre cross-directorate working group? Aside from what Minister Berry has just identified in schools, have you been a part of any conversations with Scentre Group?

Ms Kelley: No, we have not directly. We are aware of it, but we have not been engaged in any conversations at this point.

Ms Berry: Have you?

MS CARRICK: I have spoken to Scentre Group, yes. Are there options for identifying a site, with various people putting in for funding—like Scentre Group, the commonwealth, the ACT government—and a facility being built and handed back to the ACT government, like I am told happened at, I think, the Griffin Centre? QIC built it and—

Ms Berry: Always open to partnerships.

MS CARRICK: Okay. We will work on some partnerships.

MR EMERSON: I want to ask about Southwell Park in Lyneham. The existing amenities on the site were meant to be a temporary solution, not so much for the netball centre but for the fields, when the park was redeveloped in 2013. I understand design work for the central amenities to include in a revised master plan for the precinct were budgeted for in the 2013-14 budget—sorry; I know we are going back a little while here—with \$500,000. It has been put to me that there has not really been any progress since then on action and what was done in terms of design work. Is that accurate? Has the government progressed any work on the redevelopment of the amenities in Southwell Park?

Ms Berry: No. I have met with Owls and talked to them about their aspirations for the

site to understand the facilities better. There was some maintenance work that was done down there based on some of the things that they fed back to us around changing the direction of sprinkler heads so that their canteen did not get flooded—which was a relatively easy thing to fix—and those kinds of things. There are some flooding and stormwater challenges on the existing site. We had talked to them about the sport and rec grants process. I do not know if they have applied or not, but there are opportunities there to start looking again at possibilities for that site. But there has been no funding or further than the previous master planning work, which would be well out of day by now.

MR EMERSON: Related to my previous question, where you have pavilion upgrades or, in this case, a new pavilion are those beyond the scope of the grant rounds? We kind of touched on this in the community support hearings.

Ms Berry: Yes.

MR EMERSON: So they would have to put in a budget bid as well.

Mr Fitzgerald: The land is set aside as part of the master plan. There is a site marked for future use for that for a pavilion. It is a very difficult site to service in that it is such a broad site. So actually understanding whether that is the best location to service all the fields—

MR EMERSON: It is massive, yes.

Mr Fitzgerald: I think there is still some debate as to its most appropriate location. That will need to be worked through as future planning processes.

MR EMERSON: Okay. I acknowledge that you have said that the master plan is out of day, but are you able to provide a copy of the master plan from 10 years ago on notice?

Ms Berry: Sure, yes.

MR EMERSON: Great. I confirm that is taken on notice for the Hansard.

Ms Berry: Sorry; I should have said that I will take that on notice.

MR EMERSON: That is all right. Thank you.

Ms Berry: Owls have a copy of that.

MR EMERSON: We can check, yes.

MR MILLIGAN: I have a question in relation to the Phillip district enclosed field. There has been funding of \$1.7 million. What was that funding used for? Was it additional funding? Was it for new capital works or new fields?

Ms Kelley: This relates to an earlier question that we have taken on notice, where we will provide the exact costings for stage 1 and stage 2.

MR MILLIGAN: Okay.

Ms Kelley: The additional funding was to ensure the completion of both stages.

MR MILLIGAN: Thank you.

MR RATTENBURY: I want to ask about the Gungahlin United Football Club, which we spoke about in the hearing the other day. Are you able to provide us with any update on the situation from the directorate's perspective?

Ms Kelley: Not really any further update from last week. We understand that the club, in accordance with their constitution and the requirements there, are holding a special general meeting on 25 November, where it will be understood that they will look to pass a special resolution to voluntarily wind up the entity and appoint a liquidator. We are pleased that that process is being undertaken, noting the constitutional requirement sitting around the club and that there was uncertainty as to how it was being followed. So we will await the outcome of that meeting.

In the meantime, I think Capital Football is pleased that the likes of Canberra Olympic and others are looking at how they can expand their structures to accommodate community level football, particularly juniors. I think that will then flow onto what facilities and the like that they will look to access to maintain the participation base in Gungahlin.

MR RATTENBURY: I previously asked about the government's relationship with Capital Football, given that the government funds Capital Football to administer the sport in the territory and Capital Football has overseen these circumstances. Has the government had any further conversations with Capital Football as to their responsibilities?

Ms Kelley: I have. At this point in time, they are awaiting the outcome of that special general meeting as well. But I think more broadly, as we noted last week, it is looking at the health check process that Capital Football will be needing to undertake, and I understand have committed to undertake, to ensure the governance and the financial situations of the clubs are in check. I think it is an ongoing conversation.

MR RATTENBURY: Right. Thank you.

THE CHAIR: Are there any updates?

Mr Fitzgerald: In answer to Ms Lee's question, we have 104 sensors deployed across our sportsgrounds, which actually represents 100 per cent of our irrigated fields.

Mr Emerson, we are working to undertake repairs to the Kingston toilet facilities using our existing repairs and maintenance budget. We are working with the club to get those organised as quickly as possible.

MR EMERSON: Great. Thank you.

PROOF

Ms Kelley: I have one other further point of clarity. Ms Carrick, back to your question about Mr Campbell's queries around the Woden CIT site, I would like to confirm that he did raise that in conversations; however, he was informed at the time that it was identified as a future school site.

MS CARRICK: Thank you.

THE CHAIR: On behalf of the committee, I thank you for your attendance today. If you have taken any questions on notice, please provide your answers to the committee secretary within five business days of receiving the uncorrected proof *Hansard*.

Hearing suspended from 12.50 pm to 2.00 pm.

Appearances:

Pettersson, Mr Michael, 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

Chief Minister, Treasury and Economic Development Directorate
Starick, Ms Kate, Executive Group Manager, Policy and Strategy, Economic Development

Office of Industrial Relations and Workforce Strategy
Young, Mr Michael, Executive Group Manager, Work Safety Group

Canberra Institute of Technology
Andersen, Ms Josephine, Executive Director, Education, Futures and Students

WorkSafe ACT
Agius, Ms Jacqueline, Work Health and Safety Commissioner
Smith, Mr Bill, Executive Branch Manager, Compliance and Enforcement

THE CHAIR: We welcome Mr Michael Pettersson MLA, the Minister for Skills, Training and Industrial Relations, and officials. Please note that, as witnesses, you are protected by parliamentary privilege and bound by its obligations. You must tell the truth. Giving false or misleading evidence will be treated as a serious matter and may be considered contempt of the Assembly.

As we are not inviting opening statements, we will now proceed to questions. Minister, last week the government released a new code of practice relating to extreme heat. Could you provide me with a bit more information about what this involves? It is not a new issue, but is it a new requirement?

Mr Pettersson: Thank you, Mr Werner-Gibbings. It is not a new issue. Following the summer of 2020-21, the government made a commitment to release a new code of practice to help guide PCBUs in how they meet their pre-existing obligations under WHS law, to make sure that their workplaces respond to extreme temperatures. After much consultation over many years, it was very exciting to release the code of practice last week. I will hand over to officials to detail a bit more about how it fits into that framework.

THE CHAIR: Thank you very much.

Mr Young: I have read and acknowledge the privilege statement. Thank you for the question. Building on the comments of Minister Pettersson, there has been a strong focus internationally and nationally on ensuring that the impact of climate change, and extreme heat particularly, is properly understood in the workplace context and is properly managed. As the minister indicated, this has been a focus in the ACT particularly since the 2019-20 summer season. Since that time, the tripartite Work Health and Safety Council has been working iteratively on guidance for industry on how to best manage these risks. In that context, an initial round of guidance material was produced and published, and that ultimately fed into the development of a code of

practice.

To your specific question, codes of practice do not add any additional legislative obligations on employers or employees; rather, they are intended to provide guidance on how obligation holders can best execute their existing obligations. In that sense, the experience of the five years of development showed that, generally, there was not a broad understanding of the wide range of health effects of heat, particularly the long-term effects of exposure to heat in the workplace; likewise, the breadth of factors that potentially influence the degree of risk. The available controls are also very broad.

In the development of the code, there was a particular focus on helping industry understand the risks and the factors that are available, but in particular to develop a framework and a set of tools that would be accessible and allow the obligation bearers to go through a planning process, taking into account all of that complexity. In particular, the code links to a number of resources designed for laypeople to do a risk assessments around the effects of temperature and gives the breadth of controls that might be available, and hopefully provides a framework within which those things can be stitched together into an effective risk management plan.

Also in the development, there was a particular focus on the construction industry, where this has been a key issue for many years. In the construction industry, we found that a number of employers have implemented an arbitrary temperature threshold above which work should cease. There was a desire to have that level of clarity and certainty able to be applied more generally into a breadth of workplaces. That was difficult for a whole range of reasons, but particularly because two workers, depending on their health, fitness et cetera, could react very differently to the same conditions and the same temperature. In order to have a universal code that reconciled the desire for accessibility and simplicity, but also to accommodate the variability of factors, the planning framework that has come together balances those two tensions and provides a clear framework where people are required to consider that arbitrary limit and are able to modify their approach to it.

THE CHAIR: I have a slightly different question now. I think it was a few months ago that it was announced that CIT would be home to a second Cyber Security TAFE Centre of Excellence. Is that correct?

Mr Pettersson: Correct.

THE CHAIR: What work is underway to deliver the centre of excellence? When is it due? What is it going to support in terms of skills and careers?

Mr Pettersson: That is a wonderful question. I will ask CIT to join us at the table. It was great to launch it with federal Minister Giles recently. It will be an important part of CIT's future as we really gear the skills that CIT is catering to for future-focused industries. I will hand over to Josephine.

Ms Andersen: Thank you, Minister. Thank you for the question. I have read and understood the privilege statement. We were very excited at CIT to have the second Cyber Security TAFE Centre of Excellence announced in September this year, following our successful implementation and progress in establishing the Electric

Vehicle TAFE Centre of Excellence. The Cyber Security TAFE Centre of Excellence has attracted \$5 million of funding under the National Skills Agreement. Recently it was confirmed that CIT was also successful in accessing an additional \$449,000 through the Turbocharge initiative. That is commonwealth funding designed to accelerate the activity of the Cyber Security TAFE Centre of Excellence.

The key platform of the new centre of excellence is to develop and uplift cyber skills to support the development of sovereign capability, not only in the ACT but also nationally. The key activities that the Cyber Security TAFE Centre of Excellence will be involved in are to develop and support innovative teaching and learning practices across the country and to be a nationally significant hub for TAFEs across the country as well. Key activities include working with university partners and with industry to look at options for developing innovative qualifications and curriculum, including microcredentials and a degree apprenticeship.

The cyber courses that we will be looking at are around addressing emerging skills gaps and cyber literacy, and leveraging the national reform environment so that we are not just bound by the typical training package structure that has existed to date but also look at the possibilities of, as I said, the national reform landscape and how we can build more innovative qualifications, so that we can support speed to market and stackability to meet the needs of workers that are coming into the industry, but also workers that are already working in the industry. We will be looking at the importance of the increasingly critical interaction between human skills and technical skills in this space. That is really important when we are looking at people who might be looking to transition from one sector of the workforce to another.

We are also looking at projects to increase the participation of under-represented groups in cybersecurity—that is, women and people from culturally and linguistically diverse backgrounds. And we are also going to implement an applied research program. That is where we will be able to work productively with industry and our university partners.

THE CHAIR: Thanks. How are the TAFEs going to work together through the centre of excellence to improve the way cyber is taught through VET qualifications?

Ms Andersen: That is absolutely the intention of the Cyber Security TAFE Centre of Excellence. In addition to that, the National TAFE Network has recently been established under the National Skills Agreement. That absolutely also provides the platform for interjurisdiction collaboration and for TAFEs to take a leadership role in driving some of that qualification reform, and to look at how we can work together productively to skill the nation.

THE CHAIR: Thank you very much.

MS CARRICK: CIT enrolments are down 10 per cent—from the target of 100,000 to 90,419. What is being done to reverse the decline in enrolments while maintaining high-quality training? How is the government ensuring value for money from CIT's funding?

Ms Andersen: Thank you for the question. We have seen a decline in program enrolments and student enrolments. If I look at the data, there was a drop of

approximately 23 per cent in program enrolments from 2023 to 2024. It is important to emphasise that not all enrolments are created equal. One of the examples I could draw on is that, in 2023, we had a significant uplift in our enrolments because there was a need to skill the workforce in silica awareness. So we saw a significant spike in enrolments, noting that that is a short course. As I said, not all enrolments are created equal.

The other factor that we consider when we are looking at enrolments and the trends is that, with the process of training product updates, sometimes there is additional specificity built into training products. A qualification, for example, might increase by 10 per cent or 20 per cent in terms of the number of units but also the specificity that exists within those units, in terms of how many times an assessment needs to be conducted to demonstrate competence.

In relation to your question about what we are doing to drive enrolments, we have a marketing strategy and part of that marketing strategy is a strong focus on school engagement. We recently held—in fact it was only on Friday—our open day. We had a lot of activity at our new Woden campus and our Bruce campus. I am pleased to report that we had record attendance at that open day. We had over 2,000 people attending to see what CIT has to offer.

As to some of the other strategies that we are looking at, we have recently rolled out some short courses. We have had a lot of success in enrolling Canberrans in a range of short courses. That is not accredited training, but it does provide a pathway in many instances into our accredited training. That is showing strong success. We are also looking at those programs where we might have capacity but we need to increase enrolments and adopting, I guess, a hero campaign approach in terms of marketing around those particular programs.

Mr Pettersson: Can I just jump in and add some more context?

MS CARRICK: Yes.

Mr Pettersson: CIT has seen a decrease in enrolments but that is not unique to CIT; across VET, we have seen a similar increase in private and public providers, and you will observe challenges in enrolments across tertiary education as a whole. There is a lot of work underway within CIT, which Josephine has gone to. It is a priority of government. While we have seen a decrease in enrolments in CIT and private providers, for the future of the city, we need to make sure we get those numbers up. Initiatives like fee-free TAFE are pretty important to that.

MS CARRICK: I did note that VET was down across all students—down across First Nation students and down across young Canberrans. The targets were not met. I guess that you will deal with that. I was wondering about Woden—newly opened and 6,500 students. What sorts of numbers are showing up each day? How is that 6,500? How is it all going there? It is a wonderful facility—thank you.

Mr Pettersson: It is a wonderful facility. Can anyone speak to the numbers on campus at the moment?

Ms Andersen: I cannot speak to the specifics of the numbers on campus on a day-to-day basis, but we would expect over the course of the year to have 6,500 students coming and going. With the new digital technology available at Woden, we have a much better opportunity to actually capture the number of enrolments. But we have not captured that data as yet.

I do have to say, though, that it is a really dynamic campus. It has been designed with bespoke learning environments for a range of things, like cybersecurity, fashion, culinary and film production. For example, this morning we actually had a group of industry stakeholders visiting to see our cutting-edge facilities in that space. It has also been really pleasing to see the students using the spaces that have been designed for them. We have industry collaboration spaces and we have student spaces where students can study, stay to eat their lunch, collaborate and socialise. Those spaces are being incredibly well used.

MS CARRICK: That is good.

MS LEE: Minister, you mentioned that numbers, in terms of enrolments, were down across the country. Where does the ACT sit in the context of those numbers? Are we around halfway? Are we near the bottom? Are we at the top? Where does the ACT sit in that context?

Mr Pettersson: For VET enrolments or for enrolments in public provider—

MS LEE: In VET enrolments.

Ms Starick: I can probably start by answering that. We have seen a decline in enrolments probably relative to other jurisdictions. Some jurisdictions have seen a decline, some have remained stable and others have increased. For the ACT, we came off a very high base in about 2022. Since that time, we have seen reductions in enrolments, mainly in traineeships, timed or coinciding with some times that we implemented some policy changes where government employees were no longer eligible to access government-funded subsidised training. That impacted numbers.

This last academic year, we have seen a bit of an uptick in enrolments. That will not be coming through the published data yet. Some of the initiatives have coincided with some of the increases in subsidy payments where there were increases in electrotechnology subsidies to 90 per cent in the last financial year. This financial year, we increased subsidies to another six other qualifications. That will take a little bit of time to wash through with these most recent subsidy increases. But with electrotechnology, again, at the beginning of this academic year, those numbers had remained fairly stable. We have now seen a slight increase.

There have also been some changes in the way that the data has been recorded. The ACT's borders are very porous. We work closely with the New South Wales government. We have an agreement with the New South Wales government whereby students who live just across the border are accessing training in the ACT. Those enrolments had been counted under the ACT numbers but they are now counted under New South Wales. So the training levels might be holding up but, in the data, there has been that shift.

MS LEE: Do you have data that gives you a comparison in terms of enrolments across VET all together and the public provider? Is that available? You might need to take that on notice.

Ms Starick: Can I take that on notice?

MS LEE: Yes.

Ms Starick: I am just thinking of the way you framed the question, and I will just take that on notice. If we can get back to you before the end of the session, we will.

MS LEE: Thank you.

MR EMERSON: I want to ask about massage therapy. We have a shortage of massage therapists in the ACT, according to the ACT skills needs list—this list “informs ACT fundings priorities at qualification level for vocational education and training”—yet the CIT has not offered its diploma of remedial massage for the past year. Why did CIT drop this course?

Ms Andersen: Thank you for the question. CIT has not dropped the course, as such; it is regular practice to review our course delivery profile. With the certificate IV and Diploma of Massage, in particular, there has been a training product update, which happens regularly. That is part of the national training system. We have taken the opportunity as a part of that training product update to look at how we build more flexibility into the program. The program has some different requirements in it. So we have had to adjust our curriculum accordingly. We have looked at some more flexible options for delivering that program in terms of achieving more effective delivery but more efficient delivery as well.

As a registered training organisation, we are required to engage with industry to look at the affordances of technology; we have to consider the skills and capability profile of our staff, for example; we have to look at the kinds of technology that we can use to support training delivery; and we must consult with industry. There has been a robust process of looking at all of those factors in terms of what we were delivering and some options for future delivery of massage courses. We are at the point where we have developed a range of options. Those options are subject to our governance processes. In the fullness of time, we will be working with the regulator to look at what we can add to our scope of registration. Obviously there is a process there that I would not want to pre-empt.

MR EMERSON: How often are courses reviewed?

Ms Andersen: There are different types of review that happen regularly.

MR EMERSON: Let’s go with the type that is happening for this program.

Ms Andersen: There would be, say, a five-year cycle review from a national perspective. That might be accelerated depending on the particular sector and the technology dependencies on a particular training package, for example. We look at our

courses regularly. We look at our training and assessment strategies annually. We have to maintain that strong engagement with industry to ensure that what we are delivering is fit for purpose and contextualised to the needs of ACT industry. So review happens regularly.

MR EMERSON: Is it regular practice to discontinue courses while reviewing them?

Ms Andersen: At times, there is a teach-out of some courses while there is curriculum being developed for the new approach. It really depends on the complexity of that review, the complexity of the changes within the training package and our capacity in terms of what we might do to teach out a cohort of students who are engaged in the previous situation of the training package before we commence the new training package. So it varies.

MR EMERSON: Can you help me understand why this course was discontinued during this review? I understand there are three teachers of the course who are still all employed at CIT. So you have got the teachers there and there is a demand. We know it is on the skills needs list. I am just trying to understand why? Has the course been taken off scope?

Ms Andersen: No.

MR EMERSON: Just discontinued?

Ms Andersen: Because it is a new training package, it has not been added to our scope. Our review has taken a little bit longer than typical because of the complexity involved. Our staff are always gainfully employed. Most of our teachers are multi-skilled. Some of them also work in industry. They might teach for us part-time while working with industry, which is a great model. Of course, those teachers have also been involved in developing the courseware.

MR EMERSON: I do not know whether I got an answer to my question, though, about why this particular course was stopped while the review was happening.

Ms Andersen: We can no longer deliver it, because the old training package has been superseded.

MR EMERSON: Okay. Minister, you have indicated the decisions regarding the additional removal of complete fields of study at CIT require your approval. Does this count as the removal of a complete field of study if it has not been offered for the last year?

Mr Pettersson: I do not believe so. I accept that, for a range of operational reasons, not every course is available at any given time. I am in constant conversation with CIT about their offering, and I am optimistic that this review process will be fruitful.

MR EMERSON: Was massage promoted at the open day on Friday?

Ms Andersen: No; we are not able to promote a course that is not on our scope of registration. That is a regulatory requirement.

MR EMERSON: So massage is off your scope but it has not been removed as a field of study?

Ms Andersen: Correct. There is a sequence of events here around a superseded course and there is some technicality around whether that course is equivalent to the previous course or non-equivalent. In this case, the courses are non-equivalent, because there is significant change that has happened. Those things are not automatically rolled over on a registered training organisation's scope of registration. We have to develop the curriculum materials, ensure that they are quality assured and then apply to the regulator to have those training products added to our scope of registration.

MR EMERSON: Okay.

MS LEE: Minister, when the government sets the critical skills list, what engagement do you have with CIT to ensure that those courses can be delivered?

Mr Pettersson: There is not an expectation that CIT would provide an offering to everything on the skills needs list. The skills needs list largely goes to what is funded through user choice, I believe. CIT and its governing board are responsive to the fields of study that are required to have an offering in. Also, they have a responsibility to the corporate entity, which is CIT, to provide an offering that makes sense for CIT. Within those parameters, CIT and its board go about making sure that course offering is fit for purpose.

MS LEE: Are you saying that you do not have any formal engagement whatsoever to discuss making sure that what you are putting out there as a critical skill is not going to be delivered by the public provider?

Mr Pettersson: The skills and needs list is a list that outlines what qualifications would attract subsidy from government. That is separate to the operational decisions that the CIT board make as to what they are offering is.

MS LEE: Maybe I will rephrase that. Do you have any engagement with CIT or any other registered training provider in relation to making sure that, from any source, from any provider, the courses are going to be delivered that are going to at least somewhat try to match what you have on your critical skills list?

Ms Starick: If I may?

Mr Pettersson: Of course.

Ms Starick: Yes; we regularly get approaches and are in discussions with training providers and industry about the qualifications. Also, there is work happening nationally on qualification reform. The VET system and the range of qualifications under vocational education and training is incredibly complex. There is a piece of work happening nationally now to reduce that complexity so that there are not, for example, multiple qualifications that lead to a single occupation. I guess what I am saying, Ms Lee, is that there are inputs from a range of industries and training providers.

There are qualifications on the skills needs list that are not currently being delivered here in the ACT. That is because we want to attract providers and put on notice to training providers—not just CIT but also private training providers—that these are qualifications that are important or in need in the territory and “were you to provide that, this is the subsidy that it would attract”.

MS LEE: What is being done or planned by CIT to catch up on the number of graduates that we lost this year because the course was cancelled?

Mr Pettersson: I do not think that is CIT’s responsibility. CIT—

MS LEE: All right; what are you doing then? What is your plan?

Mr Pettersson: Ms Lee, please let me answer the question. CIT as a public provider for vocational education provides an offering. I appreciate the interest from local industry, in particular, for CIT’s qualification. The diploma from CIT is the gold standard and is held in the highest esteem in the industry—far and above what is provided by private RTOs. Further to that, it is provided—

MR COCKS: It is not there.

MS LEE: It is not there to be delivered.

MR COCKS: It cannot if there is no course there.

Mr Pettersson: If you would like to answer, you are more than welcome.

THE CHAIR: Just answer.

Mr Pettersson: It is provided at a price point that is far cheaper than what private providers are providing. I appreciate why there is such interest in ensuring that CIT continues to offer this. It is very good for industry. CIT’s responsibility, as a governing board, is to make sure that CIT provides an appropriate offering to ensure that CIT is viable. It also needs to respond to the needs that occur within our community. CIT is not responsible for providing the skills needs of our city. It plays an important role in that but it is not primarily responsible for it.

As a government, we take broad responsibility for ensuring that the skills needs that the future of our city requires are being provided for. As a government, we are proud to invest in vocational education—for example, increasing subsidies to six key construction trades to 90 per cent; and increasing payments to apprentices—\$250 for first-year apprentices and a second \$250 payment. Let me rephrase that: \$250 payments to all apprentices and a further \$250—

MS LEE: Are all these things available to people who want to get a qualification in massage? That was the crux of the question. To skill that is going to be loss, because there is no course being offered. I am just trying to get to the crux of the question.

Mr Pettersson: Well the crux of the question, I think, is misconstrued. This diploma is available here in the ACT. There are private providers that offer it—

THE CHAIR: You kind of just said there were not any.

MS LEE: Yes; exactly. That is why I am getting confused.

THE CHAIR: Mr Cocks, do you have a supplementary?

MR COCKS: Yes. I have two small supplementaries. In terms of the massage course list, in particular, it looks to me that, after we have seen the remedial massage side of things disappear, there is only one massage course left, and that is a non-accredited training course in minor facial cupping. Is that correct—that is the only thing that we have?

Ms Andersen: That is the course that we are offering at the moment. As I mentioned before, we are not able to advertise or enrol students in any course that is not on our scope of registrations. My understanding is that that course is like a post-trade course. So it is for qualified massage therapists who are seeking to specialise in that particular area.

MR COCKS: But that is a non-accredited trade?

Ms Andersen: That one, I believe, is; yes.

MR COCKS: That is what it says here. Going to the same sort of question that Ms Lee was trying to ask, what impact does it have? I am assuming you do not have instructors now for massage, other than this minor facial cupping course?

Ms Andersen: As to the question that was asked before about our workforce and capacity to deliver the diploma, we still have the capacity to deliver that course, and we have been using—

MR COCKS: They are just not training people?

Ms Andersen: They are training in other areas—they can work across other course areas—and, in addition to that, are working on developing course materials to ensure that whatever is offered is of the same high standard as the previous offering.

MR COCKS: Okay. Minister, you said that it is not the role of the CIT to meet the training needs of the ACT—

Mr Pettersson: In isolation solely—

MR COCKS: What is its role then?

Mr Pettersson: They are a public provider of vocational education. They have an important role in meeting the skills needs of our city, but they are not solely responsible for it.

MR COCKS: I am going to move over to WorkSafe, if the relevant people want to make their way up. I am sure this was anticipated, because there has been a whole lot

of discussion over the last week around the asbestos-contaminated coloured sand. The ACT closed 69 public schools while most private and independent schools under the same WHS laws remained open. The Minister for Education has spoken quite a bit about having based those decisions on WorkSafe advice. I really want to understand what formal advice and direction was issued and who to in relation to this coloured sand.

Ms Agius: Thank you for the question, Mr Cocks—and you are right: we did anticipate it. I want to make really clear that, in relation to what people are saying is advice, is not something that WorkSafe provide to anybody unless it is in our code of practice, our act, our regs or other legislation that we have coverage of. I was called to attend a meeting at 8.30 on Thursday—I think it could have been the 12th.

Mr Pettersson: Last Thursday?

Ms Agius: Yes; it was last Thursday.

THE CHAIR: The 13th.

Ms Agius: Thank you; the 13th. At that meeting—

MR COCKS: Was it am or pm?

Ms Agius: It was at 8.30 pm. At that meeting were the following people: myself; Minister Berry; her media adviser, Tori—whose surname could be Phillips, I hope that is accurate; Rebecca Hobbs; and Max Murdoch, who is adviser to Minister Pettersson. At that meeting I was provided notification of the sand in schools, which is a requirement under the act—whenever there is a release of a dangerous substance, WorkSafe are notified—and I was provided a breakdown of the number of schools that may be involved and also the amount of product that may be involved.

My advice was that, under the work health and safety legislation, there are a couple of requirements. One is to conduct a risk assessment, and, in conducting that risk assessment, they must apply the hierarchy of controls. The steps in a risk assessment are to identify, assess, control and review, and the hierarchy of controls comes in at the control stage. That hierarchy requires that the first question the PCVU must turn their mind to is: can they eliminate the risk? So we had that discussion.

I advised them that, under the work health and safety law, they must get a licensed asbestos assessor and removalist to undertake the work. That requirement falls under 458 of our legislation. That requirement is a little bit different to the model laws. Model work, health and safety laws have what we refer to in safety circles is the 10 square metre rule. The 10 square metre rule allows in other jurisdictions workplaces to remove up to 10 square metres of bonded asbestos without needing to engage a licensed assessor. I did not get into that in the meeting. I am just providing that information here. I left that meeting at 8.45, according to my notebook, after accepting notification, and that was the end of my involvement.

MR COCKS: At any time, did you advise that the schools would need to be closed pending that work by licensed assessors?

Ms Agius: No, that was not my advice.

MR COCKS: It sounds like the only advice you provided was verbal advice to the minister—

Ms Agius: Verbal advice in relation to the application and obligations under the Work Health and Safety Act.

MR COCKS: In that meeting, was there a discussion about closing schools?

Ms Agius: I do not recollect that. I did check my notes, and I do not see that on my notes. The meeting continued after I left. I left the meeting so that they could continue on with the discussion about how they were going to conduct their risk assessment.

MR COCKS: What I am trying to get to the bottom of is: during that period of time, there was considerable uncertainty, particularly it seems for non-government schools, who clearly were not beneficiaries of the same advice. You said that you are only able to provide advice in limited circumstances. Is there anything that prevents you providing the same advice that you provided to the Education Directorate to, for example, non-government schools?

Ms Agius: No. On Friday morning, a phone call came into our office from a safety person from the Catholic education sector, and I provided them the same advice.

MR COCKS: Would there have been some scope for you to provide proactive advice?

Ms Agius: We were dealing with a circumstance that was moving very quickly. We provided a safety alert on Friday in relation to what we knew. What we knew at that time was that the only product that was in the ACT was a product that was purchased by consumers. As soon as we found out that the product was a bit more than the product that we had tested, we then provided updated advice.

Our inspectors made calls to every independent school and every early learning childhood centre. Yesterday they made calls to mental health centres, because we heard on the radio that there may have been contamination there. They also made calls to all of the aged-care facilities in the ACT and then followed them up with emails. I can give you the figure on the number of calls that we made.

MR COCKS: What would perhaps be more useful—and perhaps you can take the details on notice—is when that contact was made with non-government schools and whether it was initiated by Catholic Education in particular. I have a quote here that says, “Catholic Education is urgently seeking clarification”—this is from that morning—“from the ACT government regarding the reasoning behind the decision to close schools, as it differs from the advice previously provided to us on how to safely manage the product.”

Ms Agius: I do not know what other advice they were referring to. The advice on our website was consumer advice in relation to a product that was purchased at a stationery store. We were pretty clear that that is the product that we were talking about with that

advice. That was our first safety alert. Once we had information that it was then in education facilities, we acted on that information as quickly as we could.

MR COCKS: Did you also put something out publicly once you had that information?

Ms Agius: It is our safety alert, yes—and we did so much media.

MR COCKS: It is very difficult to find anything on the website that actually says—

Ms Agius: It is actually across the top. It says, “Safety alert; sand recall”. It is right there as soon as you open the page.

MR COCKS: It is certainly not on the news page. That might be something to take a look at.

MR RATTENBURY: I want to ask about matters relating to insurance for key community organisations. In a hearing about insurance costs in this committee, we were given evidence by DVCS that their insurance premiums have gone up quite substantially. They have had a 450 per cent increase since 2019-20 to nearly \$500,000, which is equivalent to three full-time frontline crisis worker positions. The ACT government has now created a legislative framework for the public sector’s default insurance to apply to other industries. Has the ACT government done anything yet to support important community sector organisations like DVCS through this scheme?

Mr Pettersson: Can you just clarify which insurance product have they seen an increase in?

MR RATTENBURY: Their workers compensation—the same one that the piece of legislation recently passed by the Assembly seeks to address.

Mr Pettersson: Okay; and what was the question again, sorry?

MR RATTENBURY: Has the ACT government done any work to support important community sector organisations like DVCS to deal with the obvious financial stress that this is creating for their organisations?

Mr Young: This is a matter that has been raised through a number of forums, including in the course of the Legislative Assembly’s inquiry. The government’s response to the recommendations of that inquiry are being developed, as per the timing requirements of the Assembly. That response will, to some extent, go to those matters.

I am a bit cautious about discussing the detail of them until the government has had the opportunity to table those. But I would say that, to the specific scenario that you have put forward in those very significant increases, the amount that an individual employer pays in workers compensation premium is a factor of a number of things, including their wages. So, to form a view on whether those increases that you have seen are as a result of general industry trends, changes in the employee circumstances and changes in the employers claims history, these are all things that I think we would need to understand to give an formed view on what has driven the change in that particular scenario.

However, I would say that, if you look at the experience of the ACT Workers Compensation Scheme, generally, what it shows is a relatively stable average premium rate. Where you are seeing significant variability—and it is present within certain sectors—that is frequently a result of sector experience or individual employer experience. And as to the extent of those increases, I think the legislation that you referred to was created to deal with a relatively small industry sector, in the first instance and where the total sector growth was very significant. With the information that we have to hand, I think it would be difficult to say that the triggers for that piece of legislation apply in that scenario. To comment on that scenario would be difficult to say without the details.

MR RATTENBURY: Are those criteria that you just outlined that you would take into account now the criteria that exists behind that legislation? At the time that the Assembly passed the legislation, there were no specific criteria as to how somebody became eligible for the scheme.

Mr Young: It was established essentially as a failsafe mechanism that would allow the executive branch to intervene in anticipation of potential market failure. I think the discussion around what those factors were debated in the Assembly, and I will not seek to repeat them.

MR RATTENBURY: Sure.

Mr Young: But, from that, the criteria would be imminent market failure, which may occur. We are, of course, monitoring the overall experience of the scheme. But I would say that the sector that was identified in the first instance was the only one that manifestly represented that in the views of internal experts.

MR RATTENBURY: As the ACT's key 24-hour domestic violence crisis service is facing a 450 per cent increase, do you think that would sort of meet that market failure criteria?

Mr Young: That level of increase has not been experienced by that sector, which led me to my comments around the need to understand the specific factors.

MR RATTENBURY: What is the sector that the Domestic Violence Crisis Service sits in?

Mr Young: I will look that up and provide the year-on-year increase before the end of the hearing.

MR RATTENBURY: But you just made the observation that that sector has not seen that problem.

Mr Young: No sector has experienced an increase of 450 per cent.

MR RATTENBURY: How would someone like the DVCS apply to be eligible to join this default insurer scheme?

Mr Young: There is no application process.

MR RATTENBURY: So how does somebody get into the scheme?

Mr Young: It is a matter for the executive branch to determine on advice from the directorates about the performance of the scheme and, I would say, evidence of the imminent market failure.

MR RATTENBURY: Minister, how does the executive form the view that there is imminent market failure?

Mr Pettersson: There is a wide array of considerations. I would not necessarily describe it as scientific. In making the decision to intervene in the workers compensation affairs of the training industry, as opposed to the racing industry, we were cognisant of what we were observing on the ground.

Key to that was that this work was increasingly not occurring in the ACT and was occurring across the border in New South Wales, through no fault of the workers, and the decision of their employers to seek alternative workers compensation arrangements. What that ultimately meant is that workers who did engage in the most dangerous work in the ACT, a young, feminised, highly casual workforce that were prone to extreme injury and extremely low return-to-work rates—would have the protections of ACT workers compensation removed from themselves and instead they would be subject to New South Wales workers compensation, specifically the workers compensation arrangements of the New South Wales racing industry, which I would not encourage anyone to take.

So the grounding principle was responding to what we were seeing here on the ground, because this workforce continued to live in the ACT; however, their work was occurring across the border. I guess the other central consideration is that this is an industry not particularly like every other industry in that it is an industry of passion. People work in this industry not because of the wages—it famously pays terribly—but because these people are very passionate about horses. These workers would follow these horses into terrible industrial circumstances. Responding to those matters, the scheme which was implemented in ACT was designed and implemented in such a way that we protected the working conditions of these workers without seeking to provide a windfall to the industry.

MR RATTENBURY: Thanks for that context. I was not contesting that decision; I was trying to understand the process. You said that you observed that there was a problem. Is that because the government was out proactively examining this or were you lobbied to bring this industry into this scheme?

Mr Pettersson: I understand matters relating to workers compensation in the training industry have been raised for several years.

MR RATTENBURY: You made the observation that this is an industry of passion where people are not well paid. I do not imagine people who work for the Domestic Violence Crisis Service are well paid. What steps is the government taking to analyse workers compensation premium costs across different sectors of the economy,

particularly non-government sectors funded by the government, which we know are under significant demand pressure?

Mr Pettersson: The other point that you have left off in that analysis is that these workers are prone to catastrophic injury and they have terrible return-to-work rates, which I think is an important consideration. The thing that I would highlight is that central to this decision was—

MR RATTENBURY: I am not questioning that decision; I am asking how other people get in. I am wondering what the criteria is.

Mr Pettersson: That was not the question. Let me respond to the question.

MR RATTENBURY: I would be careful comparing the impact of various industries on their workers.

Mr Pettersson: I do not disagree with that, but I think you still can make more observations about what are the most frequent injuries occurring in different industries.

Mr Young: I would just add that my group commissions an annual actuarial report, and we publish the results of that. It examines the performance of individual industry sectors according to the Australian ANZSIC Class, not just in terms of past price and reasonable price but also sets up a real activity measure that allows a comparison of the frequency of injury and the severity of injury or claims coming through those industry sectors.

That is a resource that is available to cut through those individual factors that you have described to get an understanding of what the sector-level experience and trend has been, and we monitor that very closely. I think if you were to compare the racing industry to any other, it was far and away the outlier area of performance where that imminent risk was visible.

MR RATTENBURY: Thanks.

MR BRADDOCK: I would be interested in the WHS commissioner's response and how you are effectively regulating an industry that minister has described as having catastrophic injuries and terrible return-to-work timeframes.

Ms Agius: I am happy to give you some information on that. Before I do that, though, I would just correct the record. I think I left off the Director-General of Education, Ms Jo Wood, when I mentioned who was present at that meeting. I just want to make sure that I am accurate about that.

We have conducted a number of proactive visits in that industry. Our inspectors went out to the track and looked at the way the emergency vehicles attended scenes. They checked all of the emergency exits. They checked what processes and procedures were in place to ensure, so far as is reasonably practicable, that the workers were safe. By nature, it is a bit of a high-risk industry, unfortunately. I will hand over to Bill, because he oversees that area and will be more familiar with what the inspectors have done in that space.

Mr Smith: One of the challenges for looking at that industry, which is trainer specific, is, as the minister touched on, after under-training occurs at the track, the trainers then go back across the border into New South Wales. Our inspections have been largely track-based while they are at Thoroughbred Park. The challenge is to get out to those workplaces that are across the border in New South Wales.

Ms Agius: Where we have no jurisdiction.

MR BRADDOCK: Mr Young, does the definition of “market failure” turn on whether work is done to go across the border or are there further definitions which other sectors may be interested in as to whether they meet the criteria of market failure and apply for the government for dispensation in this regard?

Mr Young: I think it goes to the availability of the insurance product and the risk that the private sector market—because it is a privately underwritten market—would not be able to respond and that that would result in potentially the sector becoming insurable. On that aspect, I think, Mr Rattenbury, the employer that you were referring to was classified as another social assistance service. When I look up those reasonable premium rates, the recommended rate for 2025-26 is 4.26 per cent and the previous year it was 4.44 per cent. So, as you can see, that is not anything like the individual experience of the employer that you have named; whereas, if you look at the racing sector, it was going to more than double in that year-on-year period. So that gives a sense of the relative pressure on the market between those two sectors.

MR RATTENBURY: Thank you.

MR COCKS: It would not be an annual report or budget hearing without me asking about psychosocial risks. Psychosocial having been in place for a pretty reasonable length of time at this point, I have a bunch that I will put on notice, given the timing. But I want to understand how you deal specifically with psychosocial risks with the scope of legislation and who is covered by it? I know that current employees are definitely very clearly covered, as would be clients of an organisation. Former employees is one that I have a particular question about.

Ms Agius: I have not turned my mind to former employees. There are, of course, opportunities for former employees to make workers comp claims. But the idea of the Work Health and Safety Act is that it is risk-based and preventative, and so the controls that you put in place are put in place in the workplace. So we cannot control the risks to somebody who is not in the workplace. My opinion would be that it does not apply.

MR COCKS: I am specifically thinking around the process of separation. There is a period of time when former employees are still potentially being actively engaged by their former employer. I am happy for you to take on notice whether there is any application.

Ms Agius: Do you mean when someone is leaving, they have already left or they are in the process of leaving?

MR COCKS: For example, during the period between someone being hired and

resolving all outstanding issues relating to that separation. They are no longer employed but there would be—

Ms Agius: Once the employment relation ceases, the obligation to keep that person safe also ceases; however, during that—

MR COCKS: But if there is engagement with a former employee by a workplace?

Ms Agius: It may come under others, but I do not know of a precedent that exists.

MR COCKS: Not necessarily clear at the moment?

Ms Agius: It is not really clear. Michael, do you have a view on that because—

Mr Young: No.

THE CHAIR: On behalf of the committee, thank you, everyone, for your attendance today. If you have taken any questions on notice, please provide your answers to the committee secretary within five business days of receiving the uncorrected proof *Hansard*.

Short Suspension

Appearances:

Pettersson, Mr Michael, 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

Chief Minister, Treasury and Economic Development Directorate

Starick, Ms Kate, Acting Deputy Director-General

Comacchio, Ms Teresa, Acting Executive Branch Manager, artsACT, Economic Development

Hobbs, Ms Georgia, Senior Director, artsACT, Economic Development

Stewart-Moore, Ms Karen, Executive Branch Manager, Business, Communications and Engagement

Cultural Facilities Corporation

Fulton, Ms Caroline, Acting Chief Executive Officer

THE CHAIR: We welcome Mr Pettersson MLA, this time in his capacity as Minister for Business, Arts and Creative Industries, and officials. Please note that, as witnesses, you are protected by parliamentary privilege and bound by its obligations. You must tell the truth. Giving false or misleading evidence will be treated as a serious matter and may be considered contempt of the Assembly.

As we are not inviting opening statements, we will now proceed to questions. Minister, the last budget saw additional investment in arts funding. Has this funding started to flow to the arts community? If not, when is it expected to do so? If yes, what kind of projects is it supporting?

Mr Pettersson: The ACT government is proud to support arts activity across the city, in conjunction with the commonwealth government. There is great news today; we are able to announce some of the detail of some of that arts activity funding that the ACT government has provided. I will hand over to officials to go through some of those projects.

Ms Comacchio: Today it was announced that more than \$570,000 will be invested in the arts in the ACT through two funds. The first one is round 2 of Arts Activities funding. That is funding of between \$5,000 and \$50,000 for each recipient, to individuals and organisations. The second one is through the Regional Arts Fund. That is funded by the commonwealth but administered by us.

With the Regional Arts Fund, there were three recipients of funding in the ACT. We have about \$60,000 available for that in 2025-26, and we really wanted applicants that would deliver activities that benefit areas of the ACT that do not receive a lot of arts activities. In particular, we were focusing on Molonglo, Woden, Weston Creek and Gungahlin. We also really wanted applicants that would be engaging with marginalised groups, including culturally and linguistically diverse communities, people with diverse gender identities, and people living with a disability.

The three funded projects there were the Stellar Company, who will be delivering dance and movement classes for older Canberrans, particularly those from migrant

backgrounds. That will be delivered in Gungahlin, Phillip and Woden. They will be delivering those in the Woden library. Australian Dance Party will be activating public spaces in Woden and Gungahlin, and Tuggeranong Community Arts Association received \$20,000 to deliver First Nations-led workshops in Tharwa.

With the Arts Activities funding, \$513,000 was awarded to 16 applicants. Again, we were looking for a range of—

THE CHAIR: Is this the \$5,000 grants or the \$50,000 grants?

Ms Comacchio: \$5,000 to \$50,000. We were looking for a range of art forms there as well. It might be dance, it might be literature or it might be visual arts. We are also looking for engagement with diverse sections of the community. Examples of that are authors Darren Rix and Craig Cormick, who have just won ACT Book of the Year. We have provided them with funding to support a new book that would re-examine John Batman's interactions with First Nations people. This is a book that will be told through First Nations perspectives. We are supporting that project with \$20,000.

Another great example is Gang Gang Café in Downer, who will deliver the second edition of Sundowner, a one-day music festival. That is about inviting a range of artists to showcase what they do. There will be visual arts installations, dance and DJing. Another great example is Jordan Best from Echo Theatre. This is a production that is being developed here in Canberra with Canberran artists, but it is touring around New South Wales.

MS CARRICK: That is terrific. Could you provide, for that \$513,000, the list of where the money is primarily going to?

Ms Comacchio: Yes.

MS CARRICK: I want to ask about culture in Murrumbidgee.

Mr Pettersson: It sounds like the name of a band!

MS CARRICK: It could be, couldn't? Are you part of the Woden town centre cross-directorate working group?

Ms Comacchio: Not in this capacity, no.

MS CARRICK: artsACT capacity?

Ms Comacchio: No, we are not.

MS CARRICK: Can they get an invite?

Mr Pettersson: I look forward to the recommendation from the committee.

MS CARRICK: Scentre Group and the Hellenic Club are both doing massive developments; there is potentially a deal regarding the lease variation charge and the level of density which will be allowed, in order to ask them to provide community

facilities. That creates opportunities, and we are trying to talk to them about getting a street theatre-arts centre—a street theatre, where you could put art on the walls, a multipurpose facility. It would be really good if you could be involved in those conversations.

Mr Pettersson: We will take that as a comment. I am sure there is a recommendation that the committee can make in this space, and it will be considered.

Ms Starick: If we are not directly on the committee, there are other ways for us to feed in views and get information, so we will follow that up.

MS CARRICK: I was also wondering about your needs analysis and how that is going, because that could provide other opportunities, too.

Mr Pettersson: Maybe. Do you want to speak to that consultancy work?

Ms Comacchio: Yes. I might defer to my colleague Georgia to talk about arts assets needs analysis.

Ms Hobbs: The ACT government is undertaking an arts assets needs analysis. It is a strategic review of cultural infrastructure in the city, to understand current and future demand for creative spaces. We have engaged Lockbridge Pty Ltd to undertake that work. We are currently in the stakeholder consultation phase, so there is an opportunity to feed into that consultation. There is a survey out at the moment.

The arts assets needs analysis is being conducted in stages. Stage 1 is a creative spaces mapping exercise, which includes an audit of ACT government arts facilities and other facilities in the ACT that are used by the sector. That will look at location, art form focus and services provided. The targeted stakeholder consultation that I mentioned will look at opportunities, challenges, barriers to access—that kind of thing.

The next component will be a demand and gap analysis, which will be informed by projected population, visitation growth, and finishing with a report to government in the first quarter of next year.

MS CARRICK: I noticed you said “visitation growth”, and it is an issue for people that are not in the city area, where a lot of the visitation happens. I note that, in other areas where there are grants for events and whatever, to get more than \$10,000 you have to tick a box about tourism and attracting people to the area. For community infrastructure, it is very difficult to tick that box. They cannot, and they do not get the grants. They are stuck at \$10,000, unless you can prove there will be tourism. I ask you to bear in mind that visitation and tourism are not the be-all and end-all when it comes to community infrastructure.

Ms Hobbs: The purpose of understanding visitation and population projection is taking into consideration that Canberra is a growing city. By 2050, our population will have significantly increased, and we plan to increase our visitor economy as well. Noting that, it is about looking at what the sector will need to accommodate the future needs of the arts sector.

MS CLAY: Will that asset mapping that you are doing pick up all the different community groups—the capital region, community services? You are talking to all those different organisations?

Ms Hobbs: Yes. The Belconnen Community Theatre are included as part of that mapping.

MS CLAY: That is great. You are doing a needs analysis as part of that. Will that look at what the maintenance and funding needs are for all these facilities?

Ms Hobbs: No. This study is just about the status of what facilities are existing in the city.

MS CLAY: It is a good start. Is it also looking at our larger centres—CFC, Canberra Theatre, the Lyric, when it is done—and how all the different stages interact with one another?

Ms Hobbs: Yes. It takes into consideration existing infrastructure as well as planned infrastructure—the Lyric Theatre, Kingston arts precinct, and any changes to the portfolio related to those developments. For the Kingston arts precinct, it will look at changes to the former transport depot, or Manuka arts centre, for organisations that might be relocating to the Kingston arts precinct. That will all be factored in.

MS CLAY: When will we see this work? When will it become public?

Ms Hobbs: That will be a decision for government, but the first stage of the report will be due in the first quarter of next year.

MS CARRICK: Are MLAs allowed to speak to the consultants doing that report? I have spoken to other consultants before, as the Chair of the Woden Valley Community Council, so I was wondering if we are allowed to speak to them about our areas. Jo mentioned talking to different community groups. If you do not have the facilities, it is very difficult to have the groups, so please bear that in mind, too.

Ms Hobbs: Thank you.

MR EMERSON: With the Old Bus Depot Markets, I have heard—

Mr Pettersson: The former transport depot?

MR PETTERSSON: The former transport depot. I want to ask about what will happen there, including the current or extended licensing arrangements. I understand that the current operators have indicated their licences are extended until after the new year, so as not to miss out on the Christmas trading period. When is that licence extended until?

Ms Starick: The licence is on a holding licence, which means that each party has to give three months notice and cannot exit before three months notice. While the current licence is in place until just into the new year, that approach will continue.

MR EMERSON: Either party who wants to end the arrangement—

Ms Starick: Either party, correct, has to give three months notice.

MR EMERSON: What happened with the tender process?

Ms Starick: It has taken a long time. I understand that it has taken a long time; however, it is still in a tender process, so the details that we are able to give here are very limited.

MR EMERSON: Maybe you can either give me blinks or nods when I ask some questions about it.

Ms Starick: I do not think I can, in all seriousness. It has taken a long time. I do not want to do anything here that would compromise it.

MR EMERSON: We were provided with assurances publicly yonks ago—I cannot remember the exact dates—when we thought the process was going to be complete. It has been put to me that a tenderer was successful. They then said they did not want to do it, and that is part of the reason for the delay. I think you can answer that question without—

Ms Starick: Not really. What I can say is that, at all stages, we have been communicating with the current provider and encouraging that provider to communicate with their sublicensees and their stall holders, so that as much clarity and assurance as possible can be given in the current environment, notwithstanding I understand that it is unsettling for those stall holders.

MR EMERSON: Are you going back to the other people who submitted to the tender, asking if they are still interested?

Ms Starick: I am not able to talk about a current procurement process in detail. What I might do, Mr Emerson, is take questions on notice and get some clarity about what information I can provide, rather than perhaps say something here that oversteps.

MR EMERSON: Yes; perhaps when you anticipate this process to be complete.

Ms Starick: I would like this process to be complete as soon as possible. Again, if I can take these questions on notice, I will come back with as much detail as I can.

MR RATTENBURY: I would be interested in what explanation you can offer us as to why this process is taking an unduly long period of time. In the scheme of what ACT government tenders for, this is not light rail stage 2B.

Ms Starick: True, but there are complexities with a whole range of procurements. There are procurement steps that we need to take. We did go to market looking for a new offering in the context of Kingston arts precinct, so it was not just swapping out like for like. That creates some time in the process to assess the viability and the do-ability of a new offering. Again, all I can say is it is unfortunate that it has taken this time, and it is progressing.

MR RATTENBURY: Mr Emerson asked about a likely completion date and you said

“as soon as possible”. Are we talking weeks or months? What sort of timeframe are we looking at here?

Ms Starick: I do not anticipate that we will be in contract by the end of this year.

MR RATTENBURY: What certainty can vendors expect for trading beyond Christmas?

Ms Starick: As I said, the licence or the leasing arrangements allow for that continuity.

MR EMERSON: There is a three months notice period?

Ms Starick: Correct.

MR EMERSON: When the new contract has landed, would that be immediately three months notice, to indicate whatever is happening next?

Ms Starick: It depends on the outcome of the tender process.

MR EMERSON: With the question taken on notice, I want to make clear the requirement to specify the public harm that would be caused by not providing information. I understand your view, but with whatever is provided on notice, if it is kind of nothing—

Ms Starick: As I said, I will take those questions on notice and come back with what detail I can.

MR RATTENBURY: Has the government sought feedback from current sublicensees, the stall holders? Was there an evaluation process before this went to tender to help to inform the decisions you were taking going forward?

Ms Starick: It needed to go to public tender because of the timeframes prior. The licences have been in place since 2016, so there was a requirement to go to public tender. Even with or without feedback from current stall holders, we would have, through the procurement requirements, had to have gone to a public tender. Through this process, there has been public commentary, but we have also received other approaches from stall holders. The procurement process has been assessed on its merits, notwithstanding the fact that we have had feedback.

MR MILLIGAN: The 2025-26 budget allocated \$3.6 million to go towards Screen Canberra, and for that money to be used in programs for the screen and digital games industry. How is that money managed through Screen Australia and the different industries and business? Do they go out into the sectors and inform them of this grants money that could be available; is that how it works?

Ms Starick: There are two separate amounts. Screen Canberra has a role; they are a funded organisation. I will pass to my colleague Ms Stewart-Moore in a moment. They have a role in attracting and promoting Canberra as a production destination; and now, with the additional responsibilities for digital games, working with the sector to connect digital games producers and small businesses with opportunities to grow their business.

The screen and digital gaming sector are at two different stages. There is quite a flourishing digital games sector in the ACT, but many people are hobbyists or they are doing it as a side role. Their role in supporting them, connecting them to commercialisation—say, opportunities or start-up opportunities—is quite different, whereas, with screen, there is a different value proposition in terms of the ACT as a place to come for different types of productions, producing a pipeline of talent and skills here in the ACT.

That is the role of Screen Canberra. They also have a role now, in that we are just finalising our arrangements with them for the screen and digital games fund. Their role is to promote that fund to local screen entities and local digital games producers. I will ask Karen to provide detail.

Ms Stewart-Moore: I have read and understood the privilege statement. I have responsibility for the Screen Canberra relationship. As Ms Starick said, there are two parts to it. One is the operational funding for Screen Canberra to do that industry development and work with the local sector, and there is funding to directly support screen productions and digital games. We are in the final stages of getting that funding arrangement sorted, so that it can go out to the sector. Screen Canberra works very closely with the sector and has a good handle on the types of productions that are on foot.

MR MILLIGAN: That is where my concern was. I have recently spoken with many entities in the digital games industry in Canberra, and they were unaware of this funding. They were unaware that Screen Canberra was given \$3.6 million and part of that was to go to the digital industry. I take it that none of that promotion has occurred yet? What will it look like, and how will it be promoted to these different entities here in Canberra? They have not heard about it yet, so what will that look like?

Ms Starick: Generally, as to what it will look like, there will be rounds that are announced. One of the priorities that we have asked screen to focus on is connecting with the organisations in the territory that work with these industries, whether it be business development organisations like CBRIN or CBASS, as well as the peak bodies or industry entities that work with them. Usually, that would be how it would be promoted. In the digital space, there are some entities that are actually quite connected, so they will be plugging into that network.

It is similar, through screen, but I will say that there are also entities that have already approached Screen Canberra, asking questions and with some ideas and some projects already in the pipeline. There is already some knowledge of and exposure to it.

MR MILLIGAN: Can some of that funding go towards the production, distribution or marketing of digital games, or is that money used for networking and business connections? How can that money be used?

Ms Starick: I do not want to speak too early, but the fund will have criteria that organisations, small businesses or start-ups can apply for, or productions can apply for. For example, in the screen area, it would need to show a return on investment, talent uplift in the ACT, promotion of Canberra, and return on spend. In the digital space, it

might have opportunity to commercialise a prototype or something like that. That fund is earmarked to go to screen and digital start-ups, providers and businesses. The promotion and networking would be covered through the funding that goes to Screen Canberra, so it is separate from the fund. It is also done through a whole range of our own channels in our business comms and engagement area.

MR MILLIGAN: If there is investment in a game, and it goes out to market, is there a requirement for that entity to pay anything back to the government from any funding that was given to them to help produce that product, or is it just funding going to that entity? They can produce a product, as long as they show some benefit of X, Y, Z; but once that product hits the marketplace and they start making money and a return, they do not need to provide anything back to the government?

Ms Starick: We have not quite finalised the guidelines yet, but if you take into account what the screen investment fund, which was the previous iteration of this, did, with funding over a particular amount, there was an equity investment. Once that production started to make money or generate revenue, there was an expectation that that funding would come back.

I will say that, nationally, funds of this nature have tended to move away from being totally an equity-type fund and more towards a grant or something like that. We are looking at how other funds have moved and learning from those lessons.

MS CLAY: Minister, it was great to hear earlier about some of those funding announcements. Is there any update on the 25 per cent increase for arts centres and organisations?

Mr Pettersson: I am not in a position to provide an update in these hearings. That is a decision for cabinet through budget processes. As you will be aware, ACT Labor has an election commitment to deliver a 25 per cent increase in funding to arts organisations. The government has a keen eye on keeping our commitments. I look forward to being able to say more at a future time.

MS CLAY: Minister, that is almost word for word the last answer to this one.

Mr Pettersson: I wish I could say something.

MS CLAY: No, I hear you. You will appreciate that it is quite difficult for those centres and organisations at the moment. They are in the middle of drafting their bids for their multiyear service arrangements, and they need to do this while knowing whether or not it is appropriate for them to ask for the funds that they need. Noting what you have just said, how is artsACT managing those conversations, when you have a bunch of organisations writing multiyear service agreement funding bids who are asking you what funds are available, and you cannot tell them?

Ms Comacchio: Yes, as you said, arts organisations are currently preparing their applications for the next round of multiyear funding. If an arts organisation is asking for a substantial increase, they would need to be able to demonstrate what that would be for. For us, that is very much separate to this process. Arts organisations will be bidding for a certain amount; they will be explaining to us what that would be for, and

they will be assessed on their merits, as they are through each of these processes.

MS CLAY: What is a substantial increase? Is that a five per cent increase or a 50 per cent increase? What does that mean?

Ms Comacchio: Each application would be assessed against the criteria on its merits.

Ms Starick: From the previous round, the range of applications vary from a 100 per cent increase, to above that, to modest increases. This is irrespective of the funding that was available. There is a very broad range.

MS CLAY: Are you hearing from a lot of organisations that they are now bound by and very enthusiastic about the fair remuneration for artists principles—the ACT government principles that artists should be paid fairly for their work, like any other worker? Are you hearing from a lot of centres and organisations that they are finding it quite difficult to pay their workers fairly, on their current funding?

Ms Comacchio: I have not heard that, no.

MS CLAY: Have you heard from a number of organisations that, because for the last 10 years their indexation was pinned to CPI rather than WPI, or the community sector indexation rate, which more fairly reflects their costs, that they in fact went backwards for 10 years? When some of them ask for a funding increase, they may just be asking in real terms for what they had a decade ago. Is that a conversation that you are having?

Ms Comacchio: No, not explicitly. I am aware that, last year, the indexation was 2.5 per cent. Of course, for some organisations, costs are increasing in certain areas. But I have not explicitly had that conversation across—

MS CLAY: Have any of them presented to you any information about their salary surveys or any information about what they are paying their staff at the moment? Has that information come through at all?

Ms Comacchio: I will have to take that on notice, because I do not think they are required to provide that as part of the annual process.

MS CLAY: I did not mean as a requirement; I meant as information that might be coming to you from the sector to demonstrate the fact that the funding has not been sufficient to allow them to pay their staff fairly.

Ms Starick: We might take that on notice and check whether any information like that has come through.

MS CLAY: Okay. Minister, I do not know whether you can answer this one, but I will try, anyway. I note that you cannot give us an update on when that 25 per cent increase will commence, other than it will be this term. Is there any update on what type of indexation rate these organisations are likely to receive?

Mr Pettersson: I appreciate the good intentions in your asking the question, and the advocacy that you are bringing to this space on behalf of the very many important arts

organisations in the ACT. As I am sure you will appreciate, I am not in a position to announce policy.

MS CLAY: Sure. There has been no decision yet on what indexation rates would be?

Mr Pettersson: No decisions.

MS CLAY: When the decision about when the 25 per cent increase comes in, would there also be a decision about what the indexation rate would be?

Mr Pettersson: I am not in a position to pre-empt decisions that are decisions of cabinet through budget processes.

MR MILLIGAN: I have a question in relation to what support you are offering businesses, particularly new start-ups. You mention in the annual report that 274 new and existing businesses understood the requirements around approvals that are relevant to start-ups and whatnot. What feedback have you received from businesses where you have assisted them, particularly in the start-up process and the approval processes for their businesses and the like?

Mr Pettersson: Can you be a bit more specific with the question? What feedback have we received from new start-ups?

MR MILLIGAN: Yes; 274 new businesses have been through this process with the directorate in relation to supports and seeking an understanding of approval processes that are relevant to their business sector and the like. Can you tell us a little bit about that program or what these businesses were—

Mr Pettersson: Start-ups or Canberra business advice service?

MR MILLIGAN: No, relevant to start-ups to grow—start-ups and to grow their business.

Ms Stewart-Moore: Having a quick look, it might be in relation to the Access Canberra Business Assist team.

MR MILLIGAN: Yes.

Ms Stewart-Moore: The detail of that would be better asked in the Access Canberra hearings through CED. I can speak to the Canberra Business Advice and Support Service, which has been in operation since 2020 and, under the most recent provider, since 2023. That service is delivered on behalf of government by Lighthouse Business Innovation.

Where Access Canberra Business Assist team is the front door for business to come in to government with assistance with navigating government approvals, licensing regulation et cetera, Canberra Business Advice and Support Service is more around the business help in terms of marketing, and discussions about legal and other business-related matters. They provide that broader advice to businesses, and businesses can access up to four hours with that service.

MR MILLIGAN: Have you received any feedback from these businesses in terms of what you are offering them? Have they listed some of the challenges and barriers that they are facing? Are there any areas where government could improve its own operations to help support these businesses?

Ms Stewart-Moore: From the Business Advice and Support Service, we certainly do hear from the service provider about the businesses that they work with. They are often working with a number of businesses that are starting up as a hobby or a side business; that tends to be a good proportion of those businesses, as well as ones starting up in food businesses.

When it comes to Access Canberra and the Business Assist team, questions about the feedback going directly to Access Canberra would be better answered by that team. In terms of the Business Advice and Support Service, satisfaction with that service is really high. In 2024-25, there were 294 businesses that accessed the service, and over 600 since it started. We do get that feedback on the kinds of problems and challenges that businesses might be facing, and the kinds of referrals that they might be getting, whether it is through to other legal advice or accounting advice, and that kind of thing.

MR MILLIGAN: Do you evaluate this program; is there room for this program to grow; what is the demand there; how are you promoting it; and are there more businesses being made aware of this?

THE CHAIR: I would say one question; that was about five!

MR MILLIGAN: That is why I rolled it into one.

THE CHAIR: Well done.

MR MILLIGAN: You roll it in one and, if they accept it—well, you know. I have now forgotten them all; So, Hansard, just wind that back.

Ms Stewart-Moore: In terms of demand, there is certainly good demand for the service and they usually have appointments booked a week or two in advance. That varies throughout the year. In terms of promotion, there is promotion that we do that Lighthouse does directly. We absolutely promote the service through our e-newsletter that goes out to nearly 8,000 subscribers.

Also, the business advice and support service is really great at getting out and about to different events. An example of that is just recently the City Renewal Authority hosted an event over Braddon for any businesses, but particularly those interested in the city. CBUS were present at that event as was the Access Canberra Business Assist team. Getting out and about to where businesses are is another focus for that service and team. They also attended the Business Connect Expo in Dickson a couple of months ago, with a number of different service providers, again including Access Canberra Business Assist.

We will also be doing a little campaign over the early part of the new year. We have found in the past that we have had really good take-up in awareness of the service and

bookings for appointments when we do that sort of specific push around the service and its availability. It is certainly a service that we promote through our other government directorates who are working directly with business, with CRA, Infrastructure Canberra and other parts of government wherever it is appropriate.

MR EMERSON: To what extent all do the learnings through that program get shared back to inform government policy?

Ms Stewart-Moore: Through our mechanisms across government, we absolutely pass on the feedback that we hear through our regular meetings and catch-ups with the Business Advice and Support Service. One of those examples is where we are helping some city businesses, working with Infrastructure Canberra, on bespoke parking information for businesses around the light rail area. Where we have some really specific feedback, we have certainly responded to feedback in how we present web information. CBUS has been a great tool for insight into that and how we present information and the kinds of information that businesses are looking for. The Business Assist Team within Access Canberra are also another great source of insight and intelligence into the kinds of inquiries that they are getting and how we can maybe provide that information really simply on the business hub website as well. They are just a couple of examples of how those insights and what we are hearing from business are fed back into the way we are doing things.

MR EMERSON: Okay.

MS CLAY: Minister, on the Kingston Arts Precinct, we have asked in the past about arts residencies and whether that was being factored into the design, and I think we got some relatively non-committal answers. Can you tell me if artist accommodation is being built?

Mr Pettersson: I am not responsible for the Kingston Arts Precinct; that is the Chief Minister.

MS CLAY: So you cannot answer questions about accommodation in there? You are not involved in the consultation there?

Mr Pettersson: No. Questions are best directed to the Chief Minister.

MS CLAY: I have further questions which I am certain are for you, but you will tell me if I am wrong. The arts organisations who will be the tenants there are trying to work out if they can attract international artists to do residencies there. These are obviously decisions that need to be made now. Will they get given funding for residencies or, if they are to offer residencies, does that have to come out of their core central organisation funding, which essentially means they need to sack their own staff if they are going to support international arts residencies? That must surely be an RCT decision—surely.

Ms Hobbs: Artist accommodation is being considered as part of the precinct. If organisations wish to access those spaces, they can consider how they will need to fund those residencies as part of their application for multiyear funding to artsACT.

MS CLAY: So that means that there will be physical places for artists to live. That is great to hear. Will they be offered on commercial lease and the arts organisations will have to factor in commercial lease rates for those?

Ms Hobbs: The idea is that they will be available free of charge to the arts organisations that are part of the precinct. But, obviously, there are other costs associated with bringing artists to Canberra, and organisations will be expected to cover those within their resources.

MS CLAY: When you say “other costs” do you mean power and electricity? What do you mean? If they are going to get free lease for the arts accommodation, will they have other expenses for the artists accommodation?

Ms Hobbs: The licence arrangements for the Kingston Arts Precinct is that artsACT will be the head licensee and each of the organisations will have a sub-licence arrangement. They will be on peppercorn rent. But they will pay a sub-licence fee to cover those shared expenses like utilities, water, security, cleaning, waste removal and that kind of thing. Any utilities and cleaning associated with the arts accommodation will be factored into their sub-licence arrangements. If organisations decide that they would like to pay their artists in residence a fee or a per diem, that is a decision for that organisation and that would have to be factored into their budget.

MS CLAY: So those arts organisations would need to know now what sorts of residencies they are going to offer, so that they can factor that into their service agreement at the moment and bid for it?

Ms Hobbs: Yes, and arts organisations are aware that there are 10 apartments being considered as part of the precinct.

MS CLAY: Great; and everybody has all the information they need and they are all factoring that into their funding bids at the moment?

Ms Hobbs: I cannot speak for what they are putting in their applications.

MS CLAY: But you do know that they have all been told that same information—they all understand peppercorn leases; they all understand the expenses; and they all understand that they need to factor in the cost of the residencies into the funding bids that they are doing at the moment?

Ms Hobbs: Yes, and artsACT meets with those organisations regularly. So, if there are any questions, they could ask them at any point.

MS CLAY: Thank you; that was extremely informative.

THE CHAIR: I have a quick question—and hopefully it is for here—about the educational programs that CFC might be running at Lanyon Homestead for Canberra students. Is that in this part?

Ms Fulton: Yes.

THE CHAIR: Are those sort of educational programs still occurring?

Ms Fulton: My understanding—noting that I have been in the role only a few weeks—is that education programs have rolled out across the Canberra Museum and Gallery and our heritage places. I am happy to take on notice any specific questions that you might have.

THE CHAIR: I would be interested to know how many students came through the programs in 2024-25 at Lanyon.

Ms Fulton: Let me bring up the annual report.

THE CHAIR: It is in there? I did not see it.

Ms Fulton: I have a consolidated number across our venues. Nearly 4,000 students attended the education programs. But I can take the question on notice if you were wanting a breakdown of where it was at each of our facilities.

THE CHAIR: Yes, I would be interested. Thanks very much.

Ms Fulton: Yes.

THE CHAIR: These are very quick questions. You can probably answer them with a yes or no. I note the artsACT website page about the *Here and Now* artwork that was on Northbourne Avenue says, “Due to work on light rail stage 2, the artwork has been removed and will be reinstalled at a later date.” Noting the very successful relocation of *Dreamlands for the Future* from Northbourne Avenue to Lake Tuggeranong this year and the relative shortage of public art in Brindabella to other ACT electorates, is the government considering reinstalling *Here and Now* in Tuggeranong?

Ms Comacchio: The decisions around the movement of artworks are a decision for the minister. But we certainly in artsACT would look at possible options around the best place to put those artworks, depending on the kind of artwork that it is, what works are suited to the surroundings, if the artist is living and what their inputs are. We take a lot of factors into consideration when we are considering new locations for existing artworks.

THE CHAIR: I sense a committee recommendation. The other one about the Gathering Place public artwork. The website says:

... all six timber totems that form part of this public artwork were removed on the recommendation of a structural engineer. The timber had extensive cracking and decay and some of the totems were no longer stable. The future of the timber totems will be decided in consultation with the artists.

Has the government and the artists made a decision about the future of the Gathering Place totems yet, including replacing them or repairing and reinstalling them?

Ms Comacchio: No decision has been made yet. The totems are in storage. We have received reports around the totems, especially the fact that they are wooden. When we checked them it was found that they were structurally unsound. So, for now, they are in

storage. In consultation with the artists, we will make a decision about what to do with those.

THE CHAIR: Those totems have a significant visual impact on the work where it is situated. So a decision about whether or not they can be repaired or replaced would be, I think, greatly welcomed by members of the community. Is there a timeline for the decision-making process?

Ms Comacchio: No, not a timeline. We can take it on notice and provide information when it is available.

THE CHAIR: Thank you very much.

MS CARRICK: With Molonglo and the town centre that is being built, I understand that there will be a plan for it coming out maybe early next year. Are you working with the SLA on a cultural sort of facility in the plan for the town centre?

Ms Comacchio: Not that I know of.

Ms Hobbs: We have been involved in some consultation with the Suburban Land Agency around the Molonglo town centre, and that is ongoing.

MS CARRICK: Is there any hope for some sort of cultural facility in the Molonglo town centre?

Ms Hobbs: That would be a question for the Suburban Land Agency.

MS CARRICK: Are you providing them advice about the need for one, being the policy people?

Ms Hobbs: We are certainly consulting with them as part of artsACT analysis. Any work that they are doing in new suburbs and districts and the consultations that they have been having are informing that, and that will inform future planning as well.

MS CARRICK: With respect to Woden town centre, the CIT has the creative industries in it. Does artsACT work with the CIT in how that they might bring the students and their creativity through those courses out to the public—into, for example, the West Plaza? Is there any collaboration?

Ms Comacchio: If those organisations are seeking advice around arts policy, certainly we would provide that. But I am not aware of any conversations currently happening with CIT around that.

MS CARRICK: There are plenty of people who think that there is a bit of a gap there in the delivery. So it is one area where there could be some collaboration. There is that new space.

Ms Comacchio: Can I just clarify: are you talking about creative industries and students or are you talking about public art?

MS CARRICK: Not public art; just getting some sort of cultural activity with the CIT—because, in Woden, they have the creative industries there.

Mr Pettersson: I am putting on a different hat; the Minister for Skills, Training and Industrial Relations. CIT, and particularly those based at CIT Woden, have a keen interest in activating and expanding out—not just from the footprint of the building but also into the wider community. Largely, those activities have not really, at least to my knowledge, been targeted in an artistic manner. It is mainly trying to increase foot traffic and providing some commercial offerings out into the concourse.

I am happy to take that on board as a suggestion to see if there are ways to get more creative elements of CIT expanding further out. As I understand, the exhibition space for CIT Woden is on the ground floor and is within the building footprint. I appreciate that some of that can look out, but it is still behind glass. I think it is an interesting suggestion and am happy to consider it.

MS CARRICK: Thank you.

MR MILLIGAN: I have a question in relation to the new CEO of the arts here in Canberra. Do we have an interim CEO?

Mr Pettersson: Of the Cultural Facilities Corporation?

MR MILLIGAN: Yes. Do we have a new CEO? Is it interim?

Ms Fulton: I guess I am the interim.

MR MILLIGAN: You are the interim? Okay; very good. It is good to see that it has a CEO. What is the process now? Do we have to go to a whole new round or—

Ms Fulton: That question is really probably for the Head of Service, who is responsible for employment of the CEO of the Cultural Facilities Corporation. She did the process in terms of the temporary filling of this position. I am the outcome of that.

MR MILLIGAN: You have a number of different responsibilities in a number of different areas, don't you?

Ms Fulton: With the Cultural Facilities Corporation?

MR MILLIGAN: Yes.

Ms Fulton: That would be the Canberra Theatre Centre, historic places and Canberra museum and galleries.

MR MILLIGAN: Okay; thank you.

MS LEE: Ms Fulton, I understand that your interim gig is coming to an end in early December.

Ms Fulton: Correct.

MS LEE: Do you do you have any information to share with the committee about what the process is going to be after that? What is going to be in place? Obviously, there has been a bit of an unsettling time for the entire organisation and they are probably wondering what is happening.

Ms Fulton: I would anticipate that a further process will be run by the Head of Service. But, as I said, it really is a question for her.

Mr Pettersson: I have not been briefed on what is next. The CFC operates on a slightly different structure to what most people would think. The CEO is not appointed by the board. The CEO is not appointed by the minister. The CEO is appointed by the Head of Service.

MS LEE: Can you clarify that the current CEO has been stood down but is still employed in that capacity?

Mr Pettersson: Suspended without pay.

MS LEE: Suspended without pay but still employed. But there has been no decision made about that status as at this stage?

Mr Pettersson: We would have to take it on notice. Employment arrangements are not for me.

MS LEE: No worries. In terms of a suspension without pay, under the conditions of his employment, does that have any time period limitation or restriction attached to it?

Mr Pettersson: We will have to take my notice.

MS LEE: Okay; no worries.

MS CLAY: I want to ask about the work experience and educational opportunities at the Cultural Facilities Corporation—now the CFC, because it is quicker to say. Page 60 says that the CFC work experience program was fully subscribed. Are you considering adding another round or expanding it?

Ms Fulton: There are a number of work placements that CFC undertakes across all of the facilities. I am aware that we have been in discussions with, for example, with Rebus Theatre in terms of work placements as part of their pathways program. I would anticipate that we would talk with various providers or organisations that we collaborate with in terms of continuing those. We find that there is a lot of value not only in terms of further people that are placed but also for the organisation.

MS CLAY: Absolutely; continuance is good. Is it likely to expand? It is one of our largest and best-funded arts organisations. So it is a really good pathway for training artists.

Ms Fulton: Yes, we will look at it on a case-by-case basis depending on the program and our ability, in terms of the staff's ability, to be able to support it appropriately.

PROOF

THE CHAIR: On behalf of the committee, I thank you all for your attendance today. If you have any questions on notice, please provide your answers to the committee's secretary within five business days of receiving the uncorrected proof *Hansard*.

Short suspension

Appearances:

Cheyne, Ms Tara MLA, Minister for the Night-Time Economy

City and Environment Directorate

Cox, Ms Kirra, Executive Branch Manager, Strategic Policy and Programs

Kamarul, Mr Matthew, Head of the Environment Protection Authority

Rynehart, Mr Josh, Executive Group Manager, Head of Access Canberra.

THE CHAIR: We welcome the Minister for the Night-Time Economy, Ms Tara Cheyne MLA, and officials. Please note that, as witnesses, you are protected by parliamentary privilege and bound by its obligations. You must tell the truth. Giving false or misleading evidence will be treated as a serious matter and may be considered contempt of the Assembly. As we are not inviting opening statements, we will now proceed to questions. Ms Cheyne, I have a couple of questions about the Visa Night-Time Economy Index that has just been released. What is it, please?

Ms Cheyne: It is a report called *Vibing the Night*. I am not sure I would pick the same name, but anyway.

THE CHAIR: It is Visa's, I guess.

Ms Cheyne: That is right; Visa know best. Effectively, Visa have said that they want to produce an index where they rank cities, metro areas, regional areas against over a period of time, reflecting that we do have 24-hour economies. In the night-time economy, there are about four million people in Australia who work in the night-time, let alone enjoy it. That is not just people in bars and clubs but also shift workers, people in emergency services and a whole lot of things like that. Visa drew a whole lot of researchers together, including Dr Anna Edwards, who is probably Australia's leading night-time economy expert.

THE CHAIR: Would you call her a night-time economist?

Ms Cheyne: I do not know if she calls herself that. I do not know if she is an economist. She has visited Canberra many times and she has spoken at Music ACT events. Effectively, Visa say measurements help governments target interventions, even where you are performing well and when you are not performing so well. The ACT is actually performing well.

THE CHAIR: How granular was it? It wasn't at a district level or, for instance, how much better Tuggeranong is than Woden, or the ACT versus other—

MR RATTENBURY: Chair!

THE CHAIR: I was just asking. Maybe it was.

Ms Cheyne: I do not know if you have noticed, Mr Werner-Gibbings, but we have enough on our hands fighting all the other cities for Australia's arts capital, let alone night-time economy. What I can say is that, outside of Sydney and Melbourne, we were the next metro area—12th on the index. There were more than 80 cities represented in

the index, and we are the highest ranked metro area outside of Sydney and Melbourne. They said that Canberra offers a diverse night-time economy shaped by live music, international cuisine and seasonal events; that we host two designated entertainment precincts; that 22 per cent of the night-time spend comes from interstate visitors; that businesses have a clear opportunity to cater to this audience; and that we also lead the nation in the growth of retail merchants trading consistently at night, which is up eight per cent from 2024-25.

THE CHAIR: My other question was going to be: what does the report attribute the ACT's ranking to? Mr Emerson, do you have it up at the moment? Does it have the metrics—like what it is measuring against?

Ms Cheyne: It is pretty extensive.

THE CHAIR: How long has it been going for?

Ms Cheyne: This was the inaugural report.

THE CHAIR: Okay.

Ms Cheyne: The index is against four “dimensions”, they call them: night intensity of spend; how people are using their cards, Visa cards, at night; and what sectors are driving the spend; the average spend per card; growth in night versus day et cetera; the business environment; how the local and state governments are supporting the economy; the vibrancy—so the scale of the workforce and the number of the businesses trading late; cultural vibe; the growth and contraction of restaurants and quick-service restaurants; and safety and accessibility—so how safe it is after dark and perceptions of safety. There were 88 statistical areas—level four, not down to our electorate base levels.

THE CHAIR: Night-time economy reforms were identified in the annual report. I have removal of regulatory barriers, including liquor licence reforms and incentivising venues to showcase artists and musicians. Would these sorts of reforms have had an impact on the measurements? Because they only happened quite recently, I suppose, we cannot tell what it was like beforehand and what it is like now as a result of the reforms.

Ms Cheyne: No, but I think what we can note is that, because they are looking at actual government investment and support for the night-time economy across Australia, they have done a pretty deep dive into what different governments are doing. In fact, one of the things they say is: “A shared factor among lower-ranked capitals is the absence of strong, coordinated state level governments for the night-time economy. Unlike New South Wales, Queensland and the ACT, which have dedicated ministers, commissioners and strategies, these jurisdictions have not yet embedded after-dark planning into broader economic and urban policy.” Lower-ranked ones were Hobart, 41; Darwin, 32; Perth, 28; and Adelaide, 22. So it is saying that there is, I guess, a shared issue among all of those that are not actually putting in dedicated strategies and targeted investment and really thinking through how they can activate precincts, but also coordinate across whole of government.

THE CHAIR: On the reform package that I have mentioned, does your team have an assessment of what reform has had the most impact? A follow-up question is: are there further reforms planned or being considered?

Ms Cheyne: I do not think we have it down to the granular level of which one. I would hesitate to single out any one, because I think it is about the suite of actions that we have been undertaking. I think probably the most helpful for a number of our venues, and especially now that we have expanded it up to a capacity of 350, is the liquor licence fee discounts that venues get for hosting 10 cultural activities a year. What that was really about was rewarding venues that are already doing it, encouraging venues to do it and making it easy for them to prove that they have done it. It is retrospective; so, when the laws changed this year in July, a whole heap of venues were ready to go on 1 July to say, “In the last 12 months, we have hosted 10, 20 or”—in the case of something like Smith’s Alternative—hundreds of cultural events, and we think that we qualify,” and we are able to process that really quickly.

In terms of what is still to come, there are probably two areas of further development. One is entertainment precincts. With the City Centre Entertainment Precinct, we said we would give it a year—not touch it, not tweak it; just “Let’s do it.” Obviously there are different noise standards and a very different kind of planning outcome with the core and the frame. We have just started the evaluation of that. That evaluation will inform the creation of further entertainment precincts in places like Belconnen, Woden and Tuggeranong. No inner south, though.

THE CHAIR: Right.

Ms Cheyne: No, I am joking—inner south, probably too. We do not have that data yet, but that should be pretty good. Then, on the other side of that, is noise. We are going through how we respond to vexatious complainants and whether we have kind of a right of the order of occupancy. Let’s say you are a venue like the Old Canberra Inn and been there for 100 years and then someone moves in directly behind you. They are probably wanting to live there for the proximity, for the vibrancy et cetera. If they then say that it is too loud, that there is too much loud music or whatever it might be, order of occupancy—“Well, you knew that the old Canberra Inn was going to be there. It has always been there,” and, hopefully, it is going to be there long after this person might move, for example—is what we would be looking at, and then the reverse would be true as well.

THE CHAIR: Fighting for the right to party, as it were.

Ms Cheyne: If you had, say, a night club open next to your house, on order of occupancy, you would win.

THE CHAIR: That will be interesting when that comes out.

MS CARRICK: That is terrific news—thank you, Minister. What are the timeframes on that work to evaluate the city centre? I ask that because we have more towers going up and planned for around our town square. I do not know if the order of occupancy is there. It is a town square. It is the West Plaza. It is a community. That is what town square are—they are community.

Ms Cheyne: Yes.

MS CARRICK: Whether or not that wins out in the order of occupancy—but it freaks us out without having it a defined entertainment precinct.

Ms Cheyne: I can understand that. I have just signed off—it could have been a month ago—the evaluation framework. So that evaluation has started. In terms of a timeframe, it is definitely not for the never-never; we want to get the results and start the work on how we expand the entertaining precincts. Ms Cox can help us out.

Ms Cox: We have started the consultation for the evaluation of the City Centre Entertainment Precinct. We had a survey out, which has closed. We got 57 responses, which we were really pleased with, given a lot of the businesses that we are talking to are impacted by other goings on in the city, and there is some consultation fatigue going on with those businesses. We are working through those responses and analysing them in order to complete the evaluation, with the goal of progressing work to the minister on the outcomes of that evaluation in the first half of next year.

MS CARRICK: Thank you. Is your area on the Woden town centre cross-directorate working with you?

Ms Cox: I think we are, but I will take the details on notice or get back to you with an answer by the end of the hearing.

Ms Cheyne: I should have anticipated this. You have asked everyone.

MS CARRICK: I have asked everyone, yes. I do not even know who the lead of it is. Maybe you could take it on notice and ask. Then I could ask whoever is the lead of the cross-directorate working group who—

Ms Cox: I think I can get you answer about whether or not we are on it, but I could take on notice the details of who leads that group.

MS CARRICK: That would be great, because then I can write to them and ask who is on it, and then I do not have to ask everyone.

Ms Cheyne: No problem.

MS CARRICK: Thank you. Have you been in any discussions with Scentre Group or the Hellenic Club about their massive proposals where they are providing community and, assumably entertainment type things?

Ms Cheyne: In Belconnen, when Scentre Group were talking about the variation to their site height, there was a meeting—maybe once; maybe twice—when they were doing that consultation ahead of that variation. In terms of talking about Woden, I do not think so—and the Hellenic Club I have been aware of, but more from the multicultural former minister and community spaces being available.

MS CARRICK: This is just a comment, not a question: the current Scentre Group

proposal is another 17 towers up to 55 storeys. It is big, and there is opportunity.

MR EMERSON: As you know, another report this year on Australia's night-time economy, which was published by the Council of Capital City Lord Mayors in July, showed that night-time venues in Canberra close earlier than many other major Australian cities and, among capital cities, Canberra ranked equal last with Hobart on the total proportion of venues open after 9 pm. Canberra's venues were shown to underperform the national average in each of the four different time windows, measured to evening, early night, late night and then early morning. How has the government responded to those findings and used those to inform policy moving forward?

Ms Cheyne: I take the Visa report, because it is more recent. With what this report is measuring, I absolutely agree: I think anyone who goes out in the city at night can see that there is a certain time when things drop off; however there is also a certain time when things pick up. Just recently, on the Halloween weekend, I was out very late and everyone I was talking to were saying, "This is the biggest night that we have had in a long time."

As to what we are doing overall as a government, I think it is the flexibility that we are providing venues who want to take advantage of that up-tick that we get across the city where we have got more people coming to the city for an event. A good example is Spilt Milk. Spilt Milk is going to have lot of people here, and a lot of those people who go to Spilt Milk are going to want to go out afterwards. Our reforms—including that the Head of Access Canberra, Mr Rynehart, can make special event declarations—can incentivise. The special event declaration means that any venue in Canberra can stay open till 2 am if it has a liquor licence. Usually they would have to pay a fee. That is to take advantage of what is available, stay open a bit later, encourage people to go out and maybe test it out—do it over a few periods of time and see if they maybe want to have a later liquor licence. We are trying to provide for that flexibility. Mr Rynehart signed off a declaration earlier this year with more than 40 events until July 2026. I say Spilt Milk because Spilt Milk is one. The Ashes beginning on Friday night is another.

MR EMERSON: Encouraging venues to stay open is one thing. Are there any measures that we could be introducing to keep more people in the city, particularly in those periods where there is a lull—for example, night markets and those sorts of things—and, with cross-promotion and that sort of thing, to encourage what is out of Spilt Milk into venues which might be more broadly across government?

Ms Cheyne: Absolutely. The "inthecity" website that the CRA has launched is probably the prime example of that, inviting businesses to use that as a way to promote anything that they might be doing that is new and doing cross-promotion—Spilt Milk is the one, and we are going to have a Spilt Milk cocktail or something—and trying to draw attention to those and having a central location where people can understand what else is happening in the city.

I would not underestimate the power of late-night trade for retail. One of the most interesting figures for me overall is our growth—we lead the nation—in businesses staying open later for retail trade. That is keeping people out for different reasons. It is still a very valid indicator of our night-time economy and what the overall spend is in the economy when we are trying to cater to everybody who is working or are out or

awake at that time.

MR EMERSON: On that point, what has the interaction been like with the Canberra Centre? For instance, when I went to The Forage, which was awesome, and, as part of that went to the City Festival, the Canberra Centre was open to 12 but none of the retailers were open. It just seemed like a massive missed opportunity on a Saturday.

Ms Cheyne: At what time?

MR EMERSON: None of the retailers were open on the same night.

Ms Cheyne: At what time?

MR EMERSON: In the evening—at 7 pm or something. It was a Saturday. I am just wondering what the interaction and engagement is with them on shifting their opening hours. I understand they are kind of open to ideas.

Ms Cheyne: They are open to ideas—that is my understanding as well. I would probably point to our relationship with them with the National Multicultural Festival. They have been a big supporter—in fact, I think they might be a sponsor; I cannot remember. They see the number of people that brings into the city not as a competition but as a rising tide lifts all boats. That is our big venue that also brings people in, though we cannot necessarily see the activity that is happening inside. Working with them to ensure the overall footprint that they have expands a little bit outside, helps create that movement and flow and activity in the city. Christmas in the City is a prime example of that—and, of course, with Christmas we will see later trade.

MR MILLIGAN: The night-time economy portfolio is a new portfolio; it has not been around for long. What was the reason for the establishment of this portfolio? Were there some problems or challenges? Was there a specific area that needed to be addressed, so that it needed its own portfolio? Had the government heard from the community, the public or businesses about it? What instigated this portfolio?

Ms Cheyne: It was, I would say, mid last term that the administrative arrangements were amended particularly to add the night-time economy to my business and better regulation roles. Coming out of that period, and not being minister for business, but having some responsibilities that had previously crossed different portfolios, such as the Attorney-General having responsibility, historically, for the Liquor Act, we wanted to bring together a whole lot of functions, where it made sense, as a coordinated grouping under one minister. It was also to signal to the community that we were serious. The Visa report, as I said, mentions twice that the ACT having a night-time economy minister sends at least a signal, if not starting to lead the way.

We were not the first. It was John Graham in Sydney, of course. He has told me that, while he was the first, he thinks I am the second in the world. On that basis, he and I have opened up the relationship between our offices and how we can coordinate a lot more. We do have some things planned, but I will not announce them until they are more certain. It does effectively give us a launch pad to get more attention on both of our night-time economies and amplify each other.

MR MILLIGAN: What are some of the biggest challenges that have been fed back through to this directorate from business owners across the territory?

Ms Cheyne: Disruption.

MR MILLIGAN: Common ones, yes. Disruption?

Ms Cheyne: I would say it has been all the things that you know about—bushfires, COVID, cost of living, and disruption. Disruption is not everywhere, of course. Probably the thing that we do not talk enough about, but we are subtly trying to do something about it, is that gen Z does not drink—well, not entirely, but compared to previous generations, poor old millennials and gen X-ers are really having to carry the can here. That means venues need to think about the experience that they provide.

It is a new phenomenon and we are all grappling with it, but what we are seeing is that gen Z will save up. They will not go out every weekend as part of their regular lifestyle. They will go, “There’s an event in two months time, and we’re going to save up for it, we’re going to buy big, we’re going to get a whole heap of people together, we’re going to dress up,” and that is the thing that they are concentrating on. At other times, they are looking for venues that are not just offering liquor. They are looking for liquor and/or not liquor at all.

The CRA, with the disruptions in the city, has been offering micro-grants. Squeaky Clean’s event on Saturday night has received one. Mooseheads has received one. They are bumps of money, effectively, to allow venues to experiment, to try, “Hey, we’ve got a special event on, come out for this.” For our settings in government, it has been, “What can we do to incentivise more activity that is not just based around drinking?” and that is where it comes to talking about those cultural activities and liquor fees being reduced.

MR MILLIGAN: A lot of issues have been raised. Disruption is one of them, and we have that happening here on London Circuit. We saw what happened in Gungahlin, when there was that disruption; a lot of businesses, unfortunately, fell through, because it really affected their business. I am worried that we will see the same thing happen here on London Circuit. How seriously is the government taking this, and to what lengths will you go to support these businesses, to try and keep them afloat, to try and keep these doors open, and offer them something on which they have provided feedback back to you that you could probably address?

Ms Cheyne: We have had discussions with a lot of businesses. Really, what it has come down to is this: you can get around the city, but, for a lot of people, if they are not regularly out in the city or they are not here all the time, it can come as a shock. Where you usually park, that car park does not exist, or not in the way that it used to. You might think, “This is how I know to get from A to B, but it’s not there, and I’ve got to take a different route, and where is this taking me?”

In addition to those grants that I mentioned, and the “in the city” website, which has also been created as part of that, there is better wayfinding. There is much better signage throughout the city now. Along all the hoardings, it is much bigger and easier to look at, rather than having to squint or pull out your phone.

I am looking at what we can do effectively to make getting home more accessible, easier and more straightforward. When you leave a venue, let us say you might be a little bit addled, and where you would normally go is not the route, if that is a person's experience, how can we make sure that they are safe, they know where to go and that there is support, good lighting and they are able to get home? They are the things that, with the mix of hats across portfolios that I have, I am looking at, at the moment.

MR RATTENBURY: I was pleased to hear about the evaluation of the city entertainment precinct now being underway. What is the current timeline for the government to conduct consultation to establish additional entertainment precincts in other town centres and other potential locations identified in the entertainment action plan areas?

Ms Cheyne: It is effectively over this term. I do not yet have a “this is the next cab off the rank”. We need to see what the outcomes of the evaluation are. The core and frame model, in terms of the noise limits, is unusual. I hope it has been pretty successful; I think it has.

With the other town centres—Woden, Belconnen, Tuggeranong and Gungahlin—the way that they are set out, obviously, is not mimicking the city. The actual adjustments that we need to make there might have to be a bit different. I am looking for the evaluation effectively to give us the information we need so that we can adjust to a different town centre's make-up, layout, or whatever it might be, and go from there.

MR RATTENBURY: I am hoping that we might see some quicker progress. The urban sounds discussion paper was released in 2016. It has been some time, and we still only have this limited result. Is the government considering providing additional supports, such as through models like the CRA, to future entertainment precincts to help them get organised, and to put programs together and coordinate?

Ms Cheyne: I would not rule it out, but I do not think that is necessarily a requirement to assist other areas with the benefits that an entertainment precinct provides. What the entertainment precincts provide, effectively, is a particular standard; everyone knows that this is where entertainment happens, and decisions are made around that that help also to give effect to it.

Again, if you are going to build a tower next to the core of an entertainment precinct, you should be making it clear that this is an entertainment precinct and supporting residents who are moving in to know about that and be informed.

I appreciate that the urban sounds paper took a long time to give effect to, but it did do it, especially when I got night-time economy in the AAs, which, again, was only in 2023, and the entertainment precinct was established in October 2024. It has only been a year, and I did say, deliberately, at the time, that we needed to give this a year without tweaking it.

MS CLAY: The Gungahlin 2030 project is a development in downtown Gungahlin. They have a disclaimer on their website that says, “This proposal cannot progress through approval without implementation of the Gungahlin entertainment precinct

legislated in 2011.” I gather from the developer that, while the area is recognised on the Territory Plan as an entertainment precinct, their issue is the EPA noise regulations do not align with the act. That precludes the area’s use for its intended purpose, so they do not think they can proceed. Have you spoken to that developer at all, or had any contact?

Ms Cheyne: Not that I am aware of, no.

MS CLAY: Would your agency be able to talk to them? If we have a development that is saying on their website, “We can’t proceed and we’re waiting for this 2011 legislation”—

Ms Cheyne: The normal process would be that they can reach out to us. If you are in contact with them and they are looking to have a conversation about it, they should write to me.

MS CLAY: Excellent; we will get that done. Are they right? Is there a problem with the noise regulations not being aligned with entertainment precincts? I understand Gungahlin is not yet declared an entertainment precinct, but is there some kind of statutory hold-up for them?

Mr Rynehart: I might ask Mr Kamarul to come to the table.

Mr Kamarul: Ms Clay, the noise zone standards that currently apply in Gungahlin are not consistent with those that have been implemented in the city centre entertainment precinct.

MS CLAY: They are right to have that disclaimer on their website that they cannot go ahead until it is declared an entertainment precinct?

Mr Kamarul: I am unaware of the commercial viability or otherwise.

Ms Cheyne: It is an entertainment precinct, so it is declared as an entertainment precinct, but it may well be the provisions that are attached to it in terms of noise limits. My understanding is that it is the same noise limits that are in other town centres.

Mr Kamarul: That is correct.

Ms Cheyne: I now have been told they have already met with us; there you go.

MS CLAY: Okay, great.

Ms Cheyne: I do not think that is necessarily precluding them, but it might be precluding what they want to do.

Mr Kamarul: The noise zone standards that apply specifically in the core and frame of the city are an increase from those that apply in different town centres. In the core and frame, you have 75 dBA in the core, which is greater than those in other town centres. Until such time as a change was made to increase the noise zone standard in another town centre, you would not have that capacity to make noise in accordance with what can be done in the city at the moment.

MS CLAY: Given that you have met with them, have you given them any indication about whether this will happen or what the timeline is?

Mr Kamarul: From the EPA's perspective, we are a regulator as opposed to—

Ms Cheyne: It is not the EPA's role to tell them, but they have met with representatives from the Better Regulation Taskforce as well.

MS CARRICK: Is it done in the Territory Plan? Do you put the increased sound limits in the Territory Plan? Is that where it goes?

Ms Cheyne: No, it is in the—

MS CARRICK: Is it in the Gungahlin district policy?

Ms Cheyne: No, it is in the regs.

Mr Kamarul: It is in the schedule to the environment protection regulations, but they are tied to the zones in the Territory Plan, so there is a connection.

Ms Cheyne: I need to correct the record. I said that they had not written to us that I was aware of, but they have. That is how these meetings have happened, and my office has said we are very happy to brief you, Ms Clay, if you would like. But I will not take that on notice; we can work that out offline. Out In Canberra has just published a great article of 11 restaurants and late-night eats open after 11 pm, so check it out.

THE CHAIR; Thank you very much. If you have taken any questions on notice, please provide your answers to the committee secretary within five business days of receiving the uncorrected proof *Hansard*.

On behalf of the committee, I would like to thank our witnesses who have assisted the committee through their experience and knowledge. We also thank broadcasting, Hansard and the secretariat for their support. If a member wishes to ask questions on notice, please upload them to the parliamentary portal as soon as possible and no later than five business days from today. This meeting is now adjourned.

The committee adjourned at 4.51 pm