



Debates

Weekly Hansard

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7 May 2025

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Wednesday, 7 May 2025

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Wednesday, 7 May 2025

MR SPEAKER (Mr Parton) (10:00): Members:

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

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

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

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

Ministerial records—order to table documents—documents returned

Pursuant to standing order 213A and the resolution of the Assembly of 4 March 2025 and 6 May 2025, the Clerk presented the following papers:

Health expenditures and the 2024 caretaker period information—Order to table—
Copies of—

Indexes of returned documents—Part 1, Part 2 and Part 3.

Returned documents—Part 1, Part 2 and Part 3 (7 folders).

Petition

The following petition was lodged for presentation:

Planning—Ainslie Football Club rezoning application—petition 23-25

By Mr Rattenbury, from 653 residents:

To the Speaker and Members of the Legislative Assembly or the Australian Capital Territory

This petition of certain residents of the Australian Capital Territory draws to the attention of the Assembly **a proponent led proposal by the Ainslie Football and Social Club for a Major Plan Amendment (DPA-2) to the Territory Development Plan 2024**. If approved in its current form, this proposal would:

- rezone land originally provided and zoned for sporting and recreational use to high-density residential and commercial use.

- set a precedent across the ACT allowing for the construction of high-density residential developments of up to 7 storeys (21.5 metres) and commercial development (no height limit) immediately adjacent to low-density residential development.

Over 80 percent of the 146 submissions to the ACT Planning Authority on this proposal opposed the rezoning specifically for **high-density** and raised a broad range of concerns that have not yet been adequately considered.

Your petitioners, therefore, request the Assembly to refer the Ainslie Football and Social Club's DPA-2 rezoning proposal, to the Parliamentary Committee on Planning, Transport and City Services for a full public inquiry, including public hearings.

The Clerk having announced that the terms of the petition would be recorded in Hansard and a copy referred to the appropriate minister for response pursuant to standing order 100, the petition was received.

Pursuant to standing order 99A, the petition, having at least 500 signatories, was referred to the Standing Committee on Environment, Planning, Transport and City Services.

Motion to take note of petition

MADAM ASSISTANT SPEAKER: Pursuant to standing order 98A, I propose the question:

That the petition so lodged be noted.

MR RATTENBURY (Kurrajong) (10.04): I would like to speak briefly to this petition. As is noted in the title, this petition relates to a proposal led by the Ainslie Football and Social Club for a major plan amendment on the site that the club currently occupies, bounded by Limestone Avenue, Wakefield Avenue and Angas Street in Ainslie. It is a significant proposal. This petition today contains 665 signatures, in addition to the several hundred contained in the e-petition delivered yesterday.

I sponsored this petition because it is an issue of concern to people in my electorate, and I was keen to ensure that they were able to have those issues raised in the Assembly. In the conversations I have had with members of the community, there are a range of views and concerns about this proposal. Some people are supportive of redevelopment on this site, yet they remain concerned about specific elements of the proposal. Some people are concerned to understand whether the club will still have poker machines on the site, given the significant financial opportunities from the redevelopment proposal. There are a range of other views, and it is fair to reflect that across the community there are different questions and different perspectives on this proposal.

In response to the petition, I have also received representations from the Ainslie Football Club, in which they have set out, amongst other points, that the club is seeking to only redevelop existing car park areas and underutilised land surrounding Alan Ray Oval; that there are no plans to develop the oval or remove existing green space; that

the 21.5-metre height limits do not directly adjoin low density RZ1 residential areas; and that height controls in Angas Street are limited to 12.5 metres, with a minimum 60-metre buffer between any proposed development and nearby RZ1 dwellings.

The concerns of the petitioners and the comments made by the proponent highlight that there is still room for some more dialogue on this proposal, despite the fact that the work on this proposal has been going on for a number of years. We are seeing quite differing views on the nature of the proposal, even perhaps factual disagreement on what the proposal is. Clearly, there is a degree of discussion that will benefit the progress of this site.

For the Greens, I have been very up-front with the community on our view that this is a good site for more people to live—a place where we can build homes that are close to existing amenities, close to light rail, and close to employment hubs and recreational activities. But we also have questions about the proposal. For example, we want to ensure that it includes social and affordable housing, something that is not currently part of the proposal. We are also concerned about other issues around green space and the like, and they are things that will continue to develop.

There is still a lot of detail to be worked out in this proposal, and I look forward to that dialogue continuing, so that we can see a great outcome on this site for our community.

MS STEPHEN-SMITH (Kurrajong—Minister for Health, Minister for Mental Health, Minister for Finance and Minister for the Public Service) (10.07): I thank Mr Rattenbury for sponsoring this petition. I say to those who brought forward the petition that I also want to thank them for taking the time to meet with me as a local member and talk through both the process and their concerns about the potential densification of this site at the Ainslie Football and Social Club.

Like Mr Rattenbury, I conveyed to local residents that I support the development of more housing on this site. It is a good site for housing to be developed, and residents were clear with me, as I am sure they have been with others, that they were not opposed to the development of housing on the site of the Ainslie Football Club, but they wanted to make sure that it fit in with the local community.

As Minister Steel said yesterday, as part of the major plan amendment process, the amendment will be referred to the committee. That is a necessary part of the process. Obviously, it will be up to the planning committee to determine whether or not they conduct an inquiry into that. The community has certainly expressed its view that it would like to be able to have a say, through the Assembly process, and I would encourage the committee to take that into account in making that consideration.

I also want to thank Ainslie Football Club for taking the time to come and meet with local members and talk through their proposal, and why they have put forward the amendment in the way that they have. I look forward to those issues continuing to be aired. There is a significant amount of water to flow under the bridge before there is any development on the site. This is the first stage; then there will be subsequent stages of particular proposals coming forward for development approval and assessment through that process, and that involves the community having their say.

For the moment, I want to thank the community for their interest and for their support for housing on this site, and for wanting to see density done well in their community.

MR PARTON (Brindabella) (10.09): I rise to speak on this as the former shadow minister for gaming. I am really pleased with the tone from our two speakers thus far on this. I should have taken the opportunity to meet with Mr Rattenbury face to face on this. I am sure that, if I had done that, I would not have risen to speak.

I had this great fear that Mr Rattenbury would be down here demonising one of the clubs, but that is not what he is doing. What we are seeing here is genuine democracy in motion, in that, as a local member, Mr Rattenbury is sponsoring a petition from concerned residents, and that is what he should be doing. Interestingly, in his speech on this petition, Mr Rattenbury outlined most of the stuff that I was going to say, anyway. I was also most pleased with the response from Ms Stephen-Smith.

I have been contacted by some people from the community. Like Mr Rattenbury, I was also contacted by the Ainslie club, and they are of the view that they have engaged quite meaningfully with stakeholders and the local community. They are concerned that some of the material that was circulated regarding this petition was not quite on the money, and that it was a little misleading—the claim that we wanted real public scrutiny of the club’s rezoning proposal which would allow for high-rise, high-density residential. I know, based on the conversations with Mr Rattenbury and Ms Stephen-Smith, that that is not what we are talking about here. It is not what we are talking about at all.

The MPA contains specific controls limiting building heights on Wakefield Avenue to 21½ metres. Mr Rattenbury outlined that, despite the fact that there was a claim made that this rezoned land originally provided a zone for community, sporting and rec use, the club is seeking to only redevelop existing car parking areas and underutilised land surrounding Alan Ray Oval. There are no plans to develop the oval or remove the existing green space and, most importantly, this site was identified as a change site under the inner north district strategy due to its central location and proximity to public transport and public amenities. I wanted to make that clear. Thanks for the tone, and let us see what the committee say when they get to it.

I cannot leave without having a little kick. Despite the fact that Mr Rattenbury is adopting a very sensible approach here, I find it fascinating that the Greens are always pushing for the clubs to diversify, but in many instances they then push back whenever there is a chance for them to diversify. It appears that, potentially, that is not so in this case.

Question resolved in the affirmative.

Building and construction—modern construction methods

Ministerial statement

MS BERRY (Ginninderra—Deputy Chief Minister, Minister for Education and Early Childhood, Minister for Homes and New Suburbs and Minister for Sport and Recreation) (10.13): The ACT continues to see sustained pressures relating to available and affordable rentals. The government has a good pipeline of construction in this place, thanks to the Albanese Labor government’s Housing Australia Future Fund and their

various other housing commitments, as well as a variety of funds and grants that are being provided by the ACT government to build even more build-to-rents and more affordable rentals.

However, at the moment, there continues to be increasing demand for greater accommodation services that are funded and built by the ACT government. We are aware of this pressure, and we are working to address it. The ACT government has committed to the delivery of 5,000 new affordable rental dwellings, to grow the ACT property portfolio to 13,200 homes by the end of 2030, making it easier for Canberrans to access the housing they need, when they need it. That is also why the growth and renewal program is so important and we continue to work towards renewing over 1,000 dwellings, growing the portfolio by at least 400 dwellings by June 2027.

The ACT government is committed to investigating alternative pathways to deliver more homes more efficiently, as part of an Australian, state and territory intergovernmental agreement to deliver a 10-year national competition policy reform program. This includes exploring the use of modern methods of construction, looking at how we can use more innovative delivery methodologies, such as prefabrication, 3D printing, modular building systems, and off-site construction.

I am pleased to report that one home has already been completed using a prefabricated precast concrete panel system, with more homes on the way. The construction of a four-bedroom home was completed onsite in 11 weeks, where all panels were delivered and erected in two days, allowing the roof to be erected and internal works to commence quickly.

This rapid construction was a result of the precast concrete wall panels being manufactured off-site in a controlled environment, and pouring wet concrete into a mould, instead of being poured at the construction site. This allows the cured concrete product to be transported to construction sites and installed as a finished structural external wall. There is no need for facade cladding or external wall framing.

Precast concrete panels have other benefits, including reducing building material waste and opportunities to improve safety onsite, with fewer deliveries and trades, and it is an extremely durable product that can also be recycled.

Following the success of this, I am pleased to share today that we have committed to additional precast panel projects this year, with eight dwellings across four sites due to be completed at the end of this financial year. These government-funded public housing projects provide opportunities for builders to develop their skills, capability and understanding of modern methods of construction, providing benefits across the ACT residential housing development market.

The ACT government has made a commitment to partner with larger states like New South Wales and Queensland to purchase, at scale, modular housing, with a view to significantly reducing the time and cost for the delivery of new public housing dwellings. We will work closely with the industry in Canberra as we look to use the delivery of public housing dwellings to drive productivity improvements across the sector that will support the government's goal of enabling the delivery of 30,000 homes by 2030.

In addition to this, we are continuing to investigate other innovative methods of construction, including structural insulated panel systems and modular construction. Structurally insulated wall panel systems, also known as SIPs, are known to be exceptionally energy efficient, improving thermal performance of the home, which can reduce household energy costs. SIPs usually consist of an internal insulation core sandwiched in between two structural facings that are manufactured under factory-controlled conditions and then delivered onsite.

Modular building materials are more conventional; however, sections of the house are manufactured in a factory-controlled environment and assembled onsite. This allows for a quick construction time and the improvement of quality control.

As the Minister for Homes and New Suburbs, I am absolutely dedicated to continuing to investigate and trial various modern methods of construction to support the demands of the housing crisis. I look forward to seeing and sharing these cutting-edge public housing products.

We still have a long way to go. Many of these methods are in their very early stages, so rolling this out at scale is still a little way off. But I have been very happy to see the growth in this area across a range of different innovative ways to build homes across our city, and being able to partner up with states and territories to be able to deliver the different kinds of homes that meet the needs of public housing tenants and others across the ACT community. I look forward to continuing to keep the Assembly up to date on the use of modern methods of construction in the ACT.

I present the following paper:

Modern methods of construction—Ministerial statement, 7 May 2025.

I move:

That the Assembly take note of the paper.

MS CLAY (Ginninderra) (10.18): It is great to hear the minister's statement on some of these modern construction methods coming along and coming to maturity. I was really pleased to read that statement this morning.

The Greens took to the last election that we needed to build and buy 10,000 new public homes. One of the reasons we settled on that number was that it was the number that was brought to us by the community sector as the correct number to clear the waitlist and make sure that the ACT, once again, could get back to the historic levels of public housing that we grew up with in this town.

We did have to look at a lot of different ways of how we deliver that much public housing, noting all of the things that the minister has said in the past about difficulties with supplies and labour. Prefab homes was one of the methods that, to us, from our consultation and from the movement around the country and in other countries, looked like where things were going.

We put prefab homes for public housing and a prefab manufacturing hub in our election platform, and we had been discussing that with Labor. We were sad, during our

negotiations, that Labor did not want to support that at the time, so that did not end up in our supply and confidence agreement. It is really pleasing to see that that method has come along so quickly we are now able to explore that quite ambitiously in the ACT, and we are very much looking forward to seeing prefab and other modular and modern construction methods assisting us with all of our housing and with our public housing.

MR EMERSON (Kurrajong) (10.20): I, too, rise to speak in response to Ms Berry's statement, which I welcome. We are in the middle of an acute housing crisis, as we all know, and the ACT desperately needs more housing supply. I am supportive of all measures like prefab housing that get vulnerable people into secure homes.

If we are serious about hitting our housing targets, we must innovate. I recently met with Rezicast, a local organisation that specialises in prefabricated concrete panels. They said they can turn a 10-month construction period into just 10 weeks. Speed like that on the construction of homes is life-changing for someone who has not had a steady roof over their head for a long time.

In the ACT, of course, we need to be mindful that many people who are homeless include vulnerable women and children. That is why one of my commitments leading into the election was to support the implementation of novel housing solutions like tiny homes, prefab and modular housing.

I am very pleased that the government is looking into innovations that can address this critical issue. I am heartened by the fact that we have already built our first prefabricated home in the ACT. My sense is that we are a small jurisdiction—I think we can all agree on that—with one level of government, and that if anyone has the opportunity to take action and use these innovative methods, it is us. I thank the government and Ms Berry for their work on this issue and I encourage them to continue it.

Question resolved in the affirmative.

Voluntary assisted dying—advance care directives—Assembly resolution 6 June 2025—government response

Ministerial statement

MS STEPHEN-SMITH (Kurrajong—Minister for Health, Minister for Mental Health, Minister for Finance and Minister for the Public Service) (10.20): I rise today to report back to the Assembly and the Canberra community on the resolution passed on 6 June 2024, which called on the government to explore the issue of individuals who have sought and been found eligible for voluntary assisted dying but who then lose decision-making capacity, thereby rendering them ineligible for voluntary assisted dying. I want to acknowledge that there are members of the community in the gallery today who are very passionate about the issue of voluntary assisted dying and the examination of capacity issues, including representatives of Dying with Dignity ACT, and I thank them for being here today.

As members will be aware, before the passage of the Voluntary Assisted Dying Act 2024, Dr Marisa Paterson MLA developed amendments to expand access to individuals who lose decision-making capacity following their final approval for voluntary assisted dying but prior to administration of the voluntary assisted dying substance. It was clear

from Dr Paterson's consultation draft and her consultation that there was support for the government to look at this highly complex issue more deeply and, on 6 June 2024, the Assembly passed a resolution calling on the government to do so.

To respond to the resolution, the ACT government undertook broad and considered consultation on this issue, led by the ACT Health Directorate. The consultation was informed by a significant research effort and consultation with more than 100 people, including community organisations and experts, both in Australia and internationally. There was engagement with health and medical professionals, including current voluntary assisted dying practitioners and palliative care specialists; legal and policy experts; government officials; Australian and New Zealand VAD oversight boards; academic and clinician researchers; and selected community and non-government organisations.

While I recognise that there is broad support across the community for consideration of access to voluntary assisted dying for people who have lost capacity more broadly, it is important to note that the scope of the resolution and this engagement was limited to a loss of capacity following final approval for voluntary assisted dying.

The government is focused on ensuring voluntary assisted dying is available in the ACT from 3 November 2025. A key element of this is ensuring our community and clinicians clearly understand and have confidence in the current scheme as it will be implemented later this year. Therefore, it was essential to ensure this consultation was targeted and focused so as not to confuse or complicate the community's understanding of voluntary assisted dying eligibility and processes, or impact important voluntary assisted dying implementation education and messaging that is underway now. This means that, at this stage, broader stakeholders and the general public have not yet had their say on this topic.

In saying this, I acknowledge the release of Go Gentle's issues paper "A wicked problem: the complexity of dementia and voluntary assisted dying" in January this year. I acknowledge that Dying with Dignity ACT has continued this conversation, including most recently last month, with a public forum here at the ACT Legislative Assembly. I was also pleased to meet with Dying with Dignity ACT following that forum.

I cannot stress to members enough that, while this issue may appear relatively straightforward on paper, in reality it is complex and nuanced. The extent of this complexity is also reflected in Go Gentle's issues paper. Administration of a voluntary assisted dying substance to someone who has lost capacity requires the final voluntary assisted dying decision to be made by someone else. The ethical and human rights considerations and implications of this are profound, particularly in a person-centred and person-driven process such as voluntary assisted dying.

In considering this issue, as legislators we must ultimately consider some core principles. First, inherent in the name, voluntary assisted dying is voluntary. To be voluntary, an individual must be able to understand the decision they are making and communicate that. This concept is a central safeguard for voluntary assisted dying in the ACT, across Australia and around the world.

However, we must also balance this against the principles of autonomy and dignity on which voluntary assisted dying legislation is founded. We accept that people's choices

about how they want to live and how they want to end their life when they are suffering must be respected, and we seek to minimise their pain and suffering. It is hard to see how it is equitable if this choice and control are then removed if a person is at risk of losing capacity at the final voluntary assisted dying step.

In considering the response to Dr Paterson's resolution, the ACT government has sought to understand how this problem has been conceived elsewhere and what we might learn from across Australia and around the world. There is limited data available from Australian jurisdictions on loss of capacity after final approval, but it is nevertheless clear that this is one of the reasons that some approved voluntary assisted dying individuals do not end up receiving voluntary assisted dying.

Voluntary assisted dying and palliative care clinicians have confirmed that loss of capacity is a common occurrence when a person is very close to dying, or earlier in particular conditions and diseases. Timely access to voluntary assisted dying plays a critical role to ensure access before the risk of a person losing their capacity becomes too great.

Voluntary assisted dying clinicians in Australia told us they see many people seeking access late in their disease trajectory, when suffering increases and quality of life and wellbeing decrease. However, consultation also revealed that voluntary assisted dying legislative, policy and system settings can create barriers to timely access, and this has been described in a number of Australian voluntary assisted dying board reports. Given the progressive elements already incorporated into the ACT legislation, particularly the lack of a legislated timeframe to death, it is not yet known to what extent these same factors will impact the timeliness of voluntary assisted dying access in the territory.

During the consultation, the Health Directorate heard some compelling reasons to consider legislative reform in this area. We have heard that some people may choose to access voluntary assisted dying earlier than they otherwise would have because they fear losing the ability to make that choice. We have also heard of people who delay or refuse pain relief, prolonging their suffering, through fear of not being able to die in the manner of their choosing. Despite excellent palliative care, for some people the possibility of losing capacity and the ability to choose can be a constant source of anxiety.

We have heard from families and carers about how they have grappled with the agony of feeling they were unable to support the wishes of their loved one. This, in turn, complicated and prolonged their grief and bereavement. Some stakeholders told the team that the voluntary assisted dying eligibility criteria and process put people in a situation where they have a choice, but then essentially little control over that choice. Others contended that decision-making capacity is a fundamental safeguard for ensuring voluntary assisted dying is always voluntary, and that having clear conditions on access to this choice is fundamental to ongoing community safety.

I have very clearly heard the concerns from the community, and harrowing stories of loved ones who have suffered. However, we have also heard about the challenges of addressing this issue. Our consultation yielded a spectrum of diverse views among and across stakeholder groups, and particularly amongst clinicians and advocates for some of the most vulnerable members of our community.

Our doctors, nurses and other health professionals are committed to relieving suffering and are deeply ethical practitioners. Many clinicians that the directorate spoke to expressed their concern that removing the requirement for decision-making capacity for administration of the voluntary assisted dying substance exposes them to complex legal, ethical and moral questions. They asked how they might navigate situations where they cannot be sure of the individual's wishes, especially where family members and carers may not agree.

I spoke before about the need to balance principles of individual autonomy and voluntary decisions, but we must also keep front of mind the safety and wellbeing of our health professionals. To understand and learn from how some other jurisdictions have responded to this issue, the Health Directorate met with international voluntary assisted dying clinicians and researchers. I am grateful to international colleagues who took the time to speak with the team about their experiences and lessons learned. We heard very clearly from them that how they have approached this difficult question reflects their own culture, people and systems. We can learn from their experiences, but ultimately how we address this issue must reflect the values, principles, legal frameworks and health system of the ACT.

With this in mind, we have considered what a suitable model for the ACT might look like, including a potential role for a voluntary assisted dying attorney, the role of advance care directives, and elements of international systems. The directorate spoke with legal, ethical and human rights experts, alongside experts in advance care planning and palliative care. We heard that advance care plans and directives are critically important tools to document an individual's wishes and guide their care.

Mr Speaker, at this point I should take a moment to encourage everyone in this place to have a discussion with their health professional about advance care plans and, importantly, to discuss their plans with their family members and loved ones. It is not something we want to think about, but it can become critical sooner than you might think.

However, advance care plans and directions become much more complicated when applied to decisions to access voluntary assisted dying, especially for someone who loses the capacity to understand that decision. Some of the experts we spoke to saw the strengths of advance care plans in demonstrating an individual's wish to access voluntary assisted dying at a point in time. However, others noted that many people change their minds about voluntary assisted dying, and there are challenges in ensuring that the plans continue to reflect the individual's wishes. We also heard that there can be ambiguity in how plans are interpreted.

In relation to the voluntary assisted dying attorney model, we heard that some experts support this approach as a model for shared decision-making between health professionals, carers and families. It may assist with clarity and reassurance for individuals and loved ones that a trusted person will make decisions in the best interests of the individual.

However, legal academics, ethicists and policymakers expressed strong concerns that this form of substitute decision-making entails greater risks for coercion and abuse. Deferring this decision to someone else also places a significant responsibility on carers and/or family members, who are most likely to be appointed as VAD attorneys. Experts

also noted that this model alone does not provide access for people who do not have families and significant others, or who may not be able to appoint an attorney, in comparison with a model like a waiver of final consent.

I spoke earlier about the complexity of this issue and the need to consider and balance our values and principles. In our consultation we have heard two clear messages. Firstly, we must engage our community, our experts and our advocates to find solutions that reflect our values, our principles and the culture and context of the ACT. The best solution for the ACT may be a combination of elements from different models. This will take time: to have sensitive and considered conversations; to hear the different views; and to develop the right solution for the ACT.

Secondly, we have clearly heard that the current ACT voluntary assisted dying legislation is world leading. It features strong safeguards alongside world-first elements, such as participating nurse practitioners and not imposing a set timeframe to death to determine eligibility. Our scheme has not yet commenced. It is essential that we give our current scheme the opportunity to commence and build confidence in the community.

In moving forward with this work, it will be critical to maintain community trust in the strong and safe Australasian voluntary assisted dying model that has developed over the past decade.

The government is committed to addressing community concerns about access to voluntary assisted dying for those who have lost capacity. We intend to do so in a considered manner that builds confidence and works to the best solution for the people of the ACT. In early 2026, the government will consider a community consultation and co-design process to develop a solution that considers and balances all the concerns we have heard and that reflects the needs of the ACT.

First, we would gather valuable data and insights to inform future changes as our scheme becomes established and learn how our world-leading model helps to address this issue already. After the voluntary assisted dying scheme has operated for around 12 months, we would bring together experts, community groups, advocates and clinicians to further consider the issue and engage in a co-design process for a potential ACT model. We would then use those insights to develop the legislative and policy changes required.

I know this is a pressing issue for many in the community and some will be concerned that we are not progressing straightaway. However, the government has been clear that its priority is ensuring the scheme is operational from 3 November this year. This is a significant undertaking, with all available resources focused on this effort. Observing how our unique scheme is operating for a period of 12 months is the necessary next step in ensuring and building community confidence in the scheme and in understanding how our unique scheme helps to address these issues already.

I would encourage members of the community, and anyone interested in this complex and sensitive issue, to read the consultation report that I am tabling today and the other information that is available. Again, I thank everyone who spoke with the Health Directorate, sharing their expertise, experiences and advice. I thank the team who

undertook this work. The report they have produced is clear and comprehensive. I look forward to providing further updates to the Assembly on this work.

I present the following papers:

Voluntary Assisted Dying—

Decision-making capacity following final approval for voluntary assisted dying (VAD)—An exploration of issues and feedback—A report by ACTHD, undated.

Access—Loss of capacity—Assembly resolution of 6 June 2024—Government response—Ministerial statement, 7 May 2025.

I move:

That the Assembly take note of the statement.

MR BRADDOCK (Yerrabi) (10.34): I would like to thank the minister for her statement today and the report she has just tabled. I, too, would like to acknowledge and thank the stakeholders who are sitting behind me, who have been consistently advocating in this area. Dying with Dignity ACT—in particular, the president, Sam Delaney, plus Roy Harvey—are well known to me and they have been doing excellent work in this space. I look forward to reading the report in great detail, and I will do so later today.

I agree with the minister that the highest priority is to ensure that VAD is successfully implemented this November. We need to ensure that the ACT community have confidence in VAD as it is implemented for the first time here in the ACT. I was particularly pleased to hear the minister confirm that the government will commence work in 2026, 12 months after VAD has been operational, to examine the question of how we apply voluntary assisted dying to those who may have lost capacity.

This addresses one of my key concerns in terms of having to wait until the statutory review of the Voluntary Assisted Dying Act before we could examine this question. There is a great deal of concern within the community that they may not be able to access VAD in the manner that they wish for loss of capacity. This work will address that.

We do need to consult further with stakeholders and the community in terms of some of the information that is provided in this report, and I will provide further comment on this particular issue after I have done so.

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

ACT clubs—inquiry

Ministerial statement

DR PATERSON (Murrumbidgee—Minister for Police, Fire and Emergency Services, Minister for Women, Minister for the Prevention of Family and Domestic Violence, Minister for Corrections and Minister for Gaming Reform) (10.38): I present the following paper:

Clubs inquiry—Ministerial statement, 7 May 2025.

I move:

That the Assembly take note of the paper.

On 17 April this year, I released the terms of reference to establish an independent inquiry into the future of the ACT clubs industry, which the government committed to at the 2024 election. The inquiry follows the previous government's motion to the Legislative Assembly, on 3 September 2024, to establish an inquiry. The inquiry is expected to commence in June and will identify practical options, timeframes and measures to support the clubs industry, its workforce and other stakeholders as the sector transitions to become less reliant on revenue from electronic gaming machines.

It is expected that the inquiry will examine and make recommendations about: possible policy changes to regulatory and tax settings to support the establishment of alternative revenue streams for clubs; skills and training requirements for club sector workers to support repositioned industry activity or workforce transition; future uses of club-owned land to provide community benefits, including affordable housing, aged-care and supported accommodation; transitioning the clubs industry over a 20-year period to significantly reduce reliance on gaming revenue; practical options, timeframes and assistant measures to support the clubs industry, its workforce and other affected stakeholders during industry transition, aligned with the government's commitment to reduce the number of EGM authorisations to 1,000 by 2045; and, finally, the economic contribution of the clubs industry and possible measures to mitigate any potential adverse economic impact arising from industry transition.

It is anticipated that the inquiry will deliver a report and outline a transition plan for consideration by the government in early 2026, alongside any other findings and recommendations. While the work of the inquiry is underway, the government has announced that it intends to introduce a temporary pause of payments into and out of the Diversification and Sustainability Support Fund. The fund was designed to help clubs reduce their reliance on gaming revenue by supporting the development of non-gambling revenue streams and enhancing administrative efficiency. Legislation to do so was introduced in the last sitting week. The amendments in this bill would, if passed, see the fund's operation suspended for two years to allow the ACT government's approach to diversification support to be informed by the findings of the inquiry.

Consistent with the terms of reference, the inquiry will conduct its work independently. As such, I have asked to be briefed by the Justice and Community Safety Directorate on how they will ensure that this process remains independent. I expect that this approach will ensure the panel's ability to act independently from government and provide a thorough and considered final report.

The process to select the inquiry panel is currently being undertaken by an open tender procurement through Tenders ACT and managed by the Justice and Community Safety Directorate, in accordance with the Government Procurement Act 2001 and the ACT government procurement framework, to ensure that the procurement achieves value for money for the territory. It is expected that the successful supplier will have skills and knowledge in regulatory settings and business diversification, consistent with the inquiry's terms of reference.

The inquiry panel will have the option to commission additional research and specialist consultants to support the work of the inquiry, should it be required. Consistent with the terms of reference, it is also expected that the panel will prioritise deep engagement with clubs industry stakeholders and other relevant stakeholders to develop recommendations to government on an industry transition plan.

The tender to procure the panel is scheduled to close on 20 May. Subject to the responses received and contract negotiations with preferred providers, I expect the inquiry to be underway by mid-year. An interim report will be circulated to stakeholders for commencement towards the end of the year, before a final report is delivered to government for its consideration in March next year.

While the inquiry gets on with its work, the government is focusing on implementing its wider gambling harm reduction commitments. This includes the introduction of mandatory account-based cashless gaming in all ACT venues by 2026-27, alongside a range of evidence-based measures to reduce harm, including mandatory pre-commitment, where users can set personal loss limits; mandatory breaks in play; and an account-based gambling exclusion scheme.

Recently, I met with a mix of industry stakeholders, harm-minimisation experts and community organisations for the first meeting of the Cashless Gaming Working Group, which has been formed to discuss and settle detailed policy settings for account-based cashless gaming and additional harm-reduction measures. The working group will provide a consultative mechanism between the government, the community sector, Clubs ACT and the broader clubs industry.

We have already achieved a reduction in gaming machine authorisations to fewer than 3,500 through the voluntary surrender program, down from nearly 5,000 in 2018. That is about a 30 per cent reduction in the number of machines in the territory. The most recent voluntary surrender program ran from March 2024 to 1 May this year as a result of the commitment in the Parliamentary and Governing Agreement for the last Assembly to target a further reduction in the number of machines to 3,500. The government sought to achieve this target through a non-statutory voluntary surrender program and then, if required, through a compulsory surrender program. Under the voluntary scheme, 296 authorisations have been surrendered across several club venues, reducing the cap now to 3,424. The successful uptake of the voluntary surrender scheme means that the compulsory surrender program is no longer required.

The government offered financial incentives of \$15,000 for each gaming machine authorisation voluntarily surrendered and \$20,000 for each authorisation if the licensee elected to remove all machines from the venue. During the voluntary surrender scheme, two venues, the Canberra Bowling Club and the Statesman Hotel, went pokie-free by surrendering their authorisation certificate.

Gambling harm evidence demonstrates that an increase in the prevalence of gambling harm has also been associated with increased density of gaming machines. This is why the government is committed to supporting clubs to reduce the number of machines within venues by providing incentives for them to create spaces that are completely free from poker machines. We recognise the cultural and social importance of clubs in the ACT and want to continue to see them contribute to the territory but without the harms

associated from gambling. The work of the inquiry will help us progress towards our next goal of 1,000 machines by 2045. We are also progressing a range of other initiatives to reduce harm.

Recently, I made new guidelines for the Gambling Harm Prevention and Mitigation Fund, derived from gambling taxes, which provides for an expanded scope for organisations to present gaming harm reduction-related proposals for funding. This fulfills the government's election commitment to expand the fund to ensure the eligibility of a wider range of research and expert advocacy groups.

These are but some of the measures we are taking, together with the inquiry, to reduce the harm caused by gambling in our community and ensuring, over the longer term, that our club sector is a healthier and more sustainable environment. I look forward to considering the work of the inquiry when it provides its final report and recommendations to government in 2026.

MR CAIN (Ginninderra) (10.45): I welcome this inquiry being launched. In my opinion, this was a commitment made in response to the inquiry by the Standing Committee on Justice and Community Safety last term—a committee I chaired with Dr Paterson and Mr Braddock as members—that looked at cashless gaming in the ACT. Touching on the ministerial statement, recommendation 5 seems particularly pertinent, and I am sure that the minister is aware of this. It states:

The Committee recommends that the ACT Government develop policies to facilitate diversification with respect to reducing clubs reliance on Electronic Gaming Machines.

Given that committee report, which was handed down in June last year, was without a dissenting report, I would think that you could read between the lines—that this is something that the Canberra Liberals are also supportive of, to help our clubs find revenue sources to help them make adjustments away from gaming machines. The length of time we give the clubs to do that is certainly up for question, because it really depends on how proactive the government is on helping our clubs diversify their revenue streams.

I would like to call recommendation 5 a pro-diversification policy. That is what the government needs to adopt. I am very hopeful that this inquiry will, as it seems to promise, come up with practical solutions for clubs—not just solutions for the clubs to take up but also approaches of the government towards the clubs. That really is the key factor. It is not just about the clubs finding ways on their own to make money without relying on gaming machines. The focus properly belongs on the ACT government to help the clubs with positive policies to help them diversify their income streams.

I thank the minister for bringing this statement to us this morning. I will be watching carefully, particularly in my capacity as shadow attorney-general with responsibility for clubs. I will be watching carefully at what this inquiry leads to. I think I am on the same page as our clubs industry. They want the government to help them find other revenue streams. They do not want to be left on their own: “Go and find something or else.” They want positive government policies, administrative procedures and legislative frameworks to help them find alternative streams. That seems to be the heart of what

this inquiry is about. I hope that is what actually eventuates, not just through recommendations from the inquiry but also through the government's real commitments to assist the clubs in finding ways to raise income to help them remain a valuable and permanent part of the ACT community support landscape.

MR EMERSON (Kurrajong) (10.49): I want to provide a brief response to the minister's statement. I am absolutely supportive of the intent of this inquiry, as it seems we all are. I am a little disappointed that the government missed a key opportunity to consult the Assembly on its terms of reference. My understanding is that a motion by Liberal member Mark Parton was brought forward during the last term and prompted this inquiry. Obviously, the Greens have clearly expressed their support for gambling reform, as have I. There is multipartisan interest in this issue, so much so that the terms of reference for the inquiry were queried during annual reports hearings and in this chamber.

Properly debating the terms of reference could have been an example of politics done right, where the Assembly could have engaged collaboratively to come to a multipartisan position that ultimately benefits the community. In this case, the government set their own constraints on what would be discussed through this inquiry. Of course, it is independent—that is fantastic—but there was an opportunity to consult with the Assembly or conduct independent research into what might be best for the terms of reference, premised first on an evidence-based approach to harm reduction.

We know that the questions that we ask frame the answers we get. I am left wondering who, if not the non-government members of this Assembly, contributed to the questions that are being asked by this inquiry. Nonetheless, I am still very keen to engage and look forward to working on this critical issue alongside colleagues in this Assembly.

Question resolved in the affirmative.

Legal Affairs—Standing Committee Report 1

MR CAIN (Ginninderra) (10.51): I present the following report:

Legal Affairs—Standing Committee—Report 1—*Inquiry into Annual and Financial Reports 2023-24*, dated 30 April 2025, together with a copy of the extracts of the relevant minutes of proceedings.

This report was circulated to members in accordance with standing order 254C. I move:

That the report be noted.

I speak as Chair of the Standing Committee on Legal Affairs. This is the first report of the Standing Committee on Legal Affairs for the Eleventh Assembly. The Assembly referred the inquiry into annual financial reports for 2023-24 on 5 December 2024. The committee held public hearings between 10 and 21 February 2025. Witnesses took 59 questions on notice. The 28 recommendations address topics that include restorative justice, online alcohol sales, rehabilitative programs and the Witness Assistance Scheme. Under the Assembly's standing orders, the government is required to respond to committee reports within four months of tabling. On behalf of the committee, I thank

all witnesses for their assistance to the committee and their significant contributions to this inquiry. We also thank Hansard and broadcasting staff for their work in supporting the committee. I thank the other members of the committee, Mr Werner Gibbings, who has just entered the chamber, and Mr Rattenbury. I commend the report to the Assembly.

Now I will say a few additional words in my capacity as a member of this chamber, particularly focusing on my role as shadow attorney-general. I am really pleased to see some of the recommendations, particularly those that are unashamedly aligned with the commitments of the Canberra Liberals to our ACT community, both during last term and leading up to the ACT election last October. Certainly, from a policy point of view, I say in my role as shadow attorney-general how invested I am and that I am looking forward to the government's response to some of the recommendations, even though I endorse all 28. I am thankful for all of them. I put out an extra challenge to the government in its policy considerations to expand opportunities for restorative justice, which is recommendation 1.

We have a strained legal and justice system. We need to find ways to keep people away from criminal behaviour. What a society that would be! We need to go to the sources of problems within our community that lead individuals in our community—unfortunately often from a young age—to adopt criminal behaviour. That is not good for them and it is not good for our community. As I have said in this place a few times, I do not believe any child growing up in our community, at whatever age you want to pick—at the age when they think about the key question: “What is my life for?”—thinks, “I can't wait to be a criminal. I can't wait to hurt people. I can't wait to steal their property.” I do not think a child has that as a driving thought in their life. We are all adults here. We know what can happen in the lives of those in our community, including, but for the grace of God, many of us. We want to see a community where people are steered away from criminal and harmful behaviour. That is something I really hope the government turns its mind to strongly.

I will now get to some detail. The electronic monitoring of offenders on bail is something that I know the committee I chaired last term addressed several times. We are still waiting for the government to act on this. We have seen some messages coming out of government saying “Yes; sure. We'll do that,” but we have yet to see action. That would actually provide an opportunity for the community to feel safer with someone out there who may have committed a harmful or damaging crime. We will know they are being watched. In fact, a condition of them being on bail may well be: “You will be watched and monitored because we have a level of concern about you and your potential behaviour. You can be out in the community, under supervision and under close monitoring.” That is what electronic monitoring provides. I hope the government gets serious and actually delivers on this one.

The incarceration rate of Aboriginal and Torres Strait Islander people in the ACT is horribly high. It touches on my earlier comments about needing to find ways to work with our Indigenous community: “What is happening? What can we do more to support you so that children, young people and adults in your community are not engaged in behaviour that is both harmful to them and harmful to the community?”

Recommendation 8—to more effectively combat knife crime. I was pleased to bring to the Assembly—although it was not acceptable at the time—Jack's Law amendments,

to allow our police to use electronic wands to monitor whether someone is carrying a dangerous metal or sharp instrument. We have seen tragic circumstances in the past couple of years, both at Bondi Junction and at the ANU. Knife crime is unfortunately on the rise. We need to give police the equipment they deserve for their own safety, as well as the safety of our community. Electronic wand options need to be considered by this government.

Recommendation 13 goes to something I tried to move through this Assembly last term. We have a human rights complaints process, where someone can go to the Human Rights Commission; but if conciliation on the human rights complaint is not successful, they are left with only a Supreme Court option. I was pleased to ask on behalf of the Canberra Liberals, “Why doesn’t the government allow a complainant to take the next step to the tribunal—an informal and much less expensive forum for resolving their human rights complaint?” as it is with other review options, like discrimination complaints. Unfortunately, the government has blocked that one consistently. I am glad to see the committee united in their call on the government to find a way and actually agree to allow people with unresolved human rights complaints to go from the Human Rights Commission to ACAT, as they can with many other things. That is a real gap in policy. I still do not understand the government’s logic on that one.

I now go to some practical assistance, including increasing maintenance and expanding the Director of Public Prosecution’s Witness Assistance Service. It is such an important service. We have heard directly how important it is. We want the government to commit to that and support it. That is a recommendation of the committee.

Recommendation 26 goes to hiring additional prosecutors. We need our justice system to be less strained. For the sake of someone who is accused, moving them quickly through the justice system is actually good for them, not just for the resourcing of our justice system.

Finally, recommendation 28 is similar to restorative justice principles—to expand opportunities to ensure that young people can keep on a pathway of education when they are in Bimberi and not cut them off from options that help them find a fulfilling and satisfying path in life.

I will close in my capacity as shadow attorney-general. I am really pleased with the recommendations in this report. I have emphasised a few that were very explicitly addressed by the Canberra Liberals. We will continue to press them to the government. I look forward to the government’s response.

Question resolved in the affirmative.

Public Accounts and Administration—Standing Committee Report 2

MR MILLIGAN (Yerrabi) (11.02): I present the following report:

Public Accounts and Administration—Standing Committee—Report 2—*Inquiry into Annual and Financial Reports 2023-24*, dated 7 May 2025, together with a copy of the extracts of the relevant minutes of proceedings.

I move:

That the report be noted.

I thank committee members for their contribution to this report, which includes 14 recommendations. The committee is certainly looking forward to the government's response to those 14 recommendations and encourages them to adopt all 14. I commend the report to the Assembly.

MS CARRICK (Murrumbidgee) (11.03): While I am the deputy chair of the Standing Committee on Public Accounts and Administration, I rise to speak on the inquiry into annual and financial reports as an Independent member for Murrumbidgee. I wish to talk about the principle that lies at the heart of our Standing Committee on Public Accounts and Administration: accountability. It means that those entrusted with power will act in the public interest and that their actions will be open to scrutiny, challenge and improvement.

The Financial Management Act 1996 further reinforces this duty. It mandates that our budget be guided by responsible fiscal management, equitable service delivery and ecologically sustainable development. But, to truly deliver on these objectives, we must ensure that our decisions are informed by accurate, district-level data that reflects the lived experiences of all ACT residents.

The committee's recommendations are clear: improve data collection at the district level to inform decision-making; improve program reporting from the budget papers to the annual reports to track program expenditure; identify lead agencies to report cross-directorate initiatives; transparency in our debt structure, including a breakdown of interest-only versus principle and interest repayments; and ensure that our taxation and debt collection practices are fair, with reasonable interest rates.

Budget management is important so we can spend government revenue on our community, not on interest to service the large growing debt. In 2011-12, the territory did not have net debt. However, by 2027-28, it is forecast to be \$12.8 billion. The 2027-28 forecast for territory borrowings is \$19.8 billion, with the interest forecast to be \$886 million. This interest is more than double the 2023-24 interest of \$402 million. Over the next few years, the interest forecast increases by nearly 20 per cent each year.

This trend is not sustainable. The borrowings are influenced by the investment in infrastructure and cash liquidity provisions to meet day-to-day and medium-term financial obligations. This means the 2024-25 operating deficit of \$972 million is primarily being financed by debt. I would also like to note that, in 2027-28, our interest payment, as a percentage of our own source taxation revenue, will be 26 per cent. The interest that we pay on the debt is nine per cent of the total revenue we get, including from the commonwealth.

I look forward to scrutinising the 2025-26 budget that is due in June.

Question resolved in the affirmative.

Environment Legislation Amendment Bill 2025

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

Title read by Clerk.

MS ORR (Yerrabi—Minister for Aboriginal and Torres Strait Islander Affairs, Minister for Climate Change, Environment, Energy and Water, Minister for Disability, Carers and Community Services and Minister for Seniors and Veterans) (11.06):
I move:

That this bill be agreed to in principle.

I am pleased to present the Environment Legislation Amendment Bill 2025 to the Assembly. The bill makes statute law revision amendments to ACT legislation within the portfolio responsibility of the Environment, Planning and Sustainable Development Directorate, which I will refer to as “the directorate” from here on.

This bill makes changes under guidelines for the technical amendments program approved by the government. The bill is part of the government’s regular program of omnibus amendment bills that make minor policy and technical amendments to the statute book. They are generally insufficiently important to justify the presentation of separate legislation in each case but, conversely, are generally inappropriate to make as editorial amendments in the process of republishing legislation under the Legislation Act 2001.

The government is committed to ensuring ACT legislation is kept up to date and easier to find, read and understand. A well-maintained statute book greatly enhances access to ACT legislation. This bill contains minor policy and technical amendments to 10 pieces of legislation, including the Biosecurity Act 2023, the Commissioner for Sustainability and the Environment Act 1993, the Energy Efficiency (Cost of Living) Improvement Act 2012, the Fisheries Act 2000 and the Nature Conservation Act 2014.

I will outline the provisions of the bill. The Biosecurity (National Livestock Identification System) Regulation 2025 and the Biosecurity Regulation 2025 commenced in April this year. Both regulations contain a provision that enables the regulation and any statutory instrument under the regulation to apply, adopt or incorporate a law, instrument or standard in force from time to time. The regulations also have provision to disapply section 47 of the Legislation Act 2001. This disapplication allows the regulations to apply, adopt or incorporate a law, instrument or standard without the requirement to make that law, instrument or standard a notifiable instrument.

The bill is relocating those provisions from the regulations to the Biosecurity Act 2023. By transferring these provisions into the Biosecurity Act, the relevant provisions in each of the regulations will be removed to minimise unnecessary duplication. The intention is to allow relevant laws, standards or instruments in other jurisdictions under similar biosecurity frameworks to be incorporated, applied or adopted in the ACT.

This increases the territory's ability to be responsive and flexible in addressing biosecurity incidents and supports consistency across states and territories to address any potential or imminent biosecurity threat. There is also a transitional provision to provide clarity that any law, standard or other instrument applied, adopted or incorporated under the regulations will be taken as being applied, adopted or incorporated under the Biosecurity Act. There are also some minor consequential amendments to the regulations.

Regarding amendments to the Commissioner for Sustainability and the Environment Act 1993, this bill changes the timing of the government response to the *State of the environment* report. Section 19 of the Commissioner for the Sustainability and the Environment Act 1993 provides that the minister must present a government response to the *State of the environment* report within six months from receiving that report. With the timing of the reporting period, this means the minister often receives the *State of the environment* report in December; hence, the government loses approximately a month of productive work time to develop a response to the *State of the environment* report due to the Christmas and New Year period. This bill is slightly adjusting the timeframe by requiring the government response to be provided within six months from the tabling of the *State of the environment* report in the Legislative Assembly.

Regarding amendments to the Energy Efficiency (Cost of Living) Improvement Act 2012, the bill inserts a provision into section 25 of the Energy Efficiency (Cost of Living) Improvement Act 2012 to enable codes of practice made under that act to apply, adopt or incorporate laws, Australian standards or other instruments enforced from time to time. This provision will enable laws, standards or instruments that are relevant to ensuring electricity retailers comply with the act to be utilised within a code of practice. The bill also inserts a provision to disapply sections 47(5) and 47(6) of the Legislation Act. Disapplication removes the requirement to notify from the legislation register any laws, standards or instruments that are applied, adopted or incorporated. This disapplication clause will allow a consistent approach to the incorporation of laws, standards and instruments.

Regarding amendments to the Fisheries Act 2000, the bill corrects a drafting error by replacing the term "waste manager" with the term "director-general" in section 72H of the Fisheries Act 2000. Section 72H currently incorrectly identifies the waste manager, a statutory officer created by the Waste Management and Resource Recovery Act 2016 who has no functions under the Fisheries Act, as the person who may undertake certain activities in relation to seized things under the Fisheries Act. The director-general responsible for administration of the Fisheries Act is the correct person for this kind of function, as a person with senior oversight of the enforcement functions of the act. There is also a minor amendment to update a reference to repealed legislation.

Regarding amendments to the Nature Conservation Act 2014, the Biosecurity Act 2023 will commence on 15 May 2025, and, under that act, the minister may make biosecurity emergency declarations or biosecurity control declarations in the event of a biosecurity incident. There is the potential that these declarations may improve directions that involve a person committing an offence under the Nature Conservation Act 2014. This bill inserts new provisions into section 153 of the Nature Conservation Act to provide exemptions to offences in chapter 6, if a person is acting under a biosecurity emergency declaration or a biosecurity control declaration made under the Biosecurity Act.

The bill also redrafts section 325 of the Nature Conservation Act. Section 235 enables a conservation officer to direct a person to leave the reserve if the conservation officer believes, on reasonable grounds, that a person is: (a) in the reserve; and (b) has acted in an offensive way, is creating a public nuisance or has committed an offence against the act. The bill merely redrafts the current provision so that a conservation officer may direct a person to leave the reserve if: (a) the person is in a reserve; and (b) the conservation officer believes, on reasonable grounds, the person has acted in an offensive way, is creating a public nuisance or has committed an offence against the act. This newest amendment removes the element of being in a reserve, so it becomes a question of fact and is no longer linked to the reasonable belief of the conservation officer enforcing the Nature Conservation Act.

Regarding amendments to the Lakes Act 1976, the Lakes Act 1976 includes cross-references to the Lakes Ordinance 1976 of the commonwealth, which is no longer in force. The Lakes Ordinance 1976 was replaced by the Australian Capital Territory National Land (Lakes) Ordinance 2022 by the commonwealth. The Lakes Act 1976 is also being updated to reflect that the New South Wales Roads and Maritime Services has been replaced by Transport for NSW. The acronym adopted in the ACT legislation is the same used in the Transport Administration Act 1988, which is New South Wales legislation.

The bill also makes minor amendments to the National Environment Protection Council Act 1994 and the Water Efficiency Labelling and Standards (ACT) Act 2015, to update wording to align with current drafting practices and contemporise references to commonwealth and New South Wales legislation.

In summary, this bill makes amendments that increase the clarity and transparency of a number of provisions in the Environment, Planning and Sustainable Development Directorate's portfolio legislation and ensures that the statute book remains clear and fit for purpose.

I commend the bill to the Assembly.

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

Short-Term Rental Accommodation Levy Bill 2025

Debate resumed from 20 March 2025, on motion by **Mr Steel**:

That this bill be agreed to in principle.

MR COCKS (Murrumbidgee) (11.15): Let me be very clear right from the start today: the Canberra Liberals do not support this new rental tax, because that is all this is. It is the Treasurer's new tax to try and top-up revenue in a broken budget—nothing else. While some in this place will try to claim that the Treasurer's new tax has some sort of relationship to a social policy objective, that is not what this is.

There are times when taxes can form part of genuine reform, or they can address a specific issue where levies are tied to clear outcomes: targeted, justified and proportionate. The original introduction of a fire and emergency services levy as part

of a broader reform to the funding structure to fire and emergency services was this sort of process, but that is not what this is.

No matter the claims, this bill is not about improving housing affordability. It is certainly not about supporting renters or first-home buyers. It is not even about really improving the regulation of the short-term rental market in a meaningful way. I wish it were about fixing housing and rental affordability and rental availability. I am in the process now of trying to find a rental myself. Members, just in case you did not take every other constituent seriously when they raised these issues, let me tell you firsthand: trying to find a rental property that is suitable for a family at a reasonable price in Canberra is abominably difficult. I genuinely wish this government was serious about actually fixing affordability and availability, but this bill is about one thing—and one thing only—it is just about trying to top-up a broken budget.

Let us look at what the legislation does. This legislation imposes a five per cent tax on short-term accommodation bookings, less than 28 days, made through platforms like Airbnb and Stayz. It makes booking platforms liable for collecting and remitting this tax and introduces a raft of new compliance obligations for providers—including registration, recordkeeping and quarterly reporting to the ACT Revenue Office. These obligations get passed on to all of the other people involved in the process, and all of this extra activity is focused on just one thing: making sure the government get just a little bit, just a little bit, of extra money. It is not going to fix the budget, but they could do with the top-up.

Now, let us be clear. This is not a tax just on multinational operators. The cost and burden will fall squarely on small, local providers, whether it is Canberrans renting out a room to help cover the mortgage, retirees supplementing their income with an extra small room out the back or families trying to manage modest investment properties. It does not stop there. The costs will also be passed on to consumers. It is going to make short stays more expensive for visitors, workers and local families needing temporary accommodation. This tax hits ordinary people on both sides of the booking, those trying to earn a little bit extra and trying to get by and those just trying to afford an affordable place to stay. No matter who the government says it is charging, the costs fall squarely on providers and consumers. This new tax is expensive, it is complicated and it is unnecessary. So why would the government impose it?

The government admits that this levy will have only a very modest impact—I think those were the Treasurer's words—on the availability of long-term rentals. Short-term rentals account for less than one per cent of Canberra's housing market: not the housing stock, the housing market. This tax is not going to magically make more houses available for long-term rent. The government knows this, the Treasurer knows it, and just last year, the government was busily saying that there was no need to regulate the short-term rental industry, because the industry were not significantly impacting housing supply.

This is a government that already receives record revenue from rates, fees and land taxes; a government with a track record of using taxes to look like it is acting on issues; and a government that does so in full knowledge that those taxes rarely actually solve the problems that it claims. Now, I expect the Treasurer will once again point out that Tasmania has introduced a levy on short-term rentals. He might not explain that

particular approach is quite different to what he is taking here in the ACT—for example, just as one part of it, the revenue from the Tasmanian levy goes 100 per cent to supporting first home buyers. The Tasmanian levy has a direct and measurable policy objective, and it is not just about topping up the broken budget. The Treasurer's tax? No. Straight to consolidated revenue: just a budget top-up.

And let me just say this. It is not just us who are talking about this problem. The government wants us to think that it has consulted widely on this tax. It wants us to think that everyone is wildly in support. But you know, that is not what I am hearing, and that is not actually the questions the government was asking when it consulted. I have spoken to industry groups, local hosts and platform representatives, and their message is clearly not what the government seems to claim. All of them seem to agree that this bill will hurt smaller operators and consumers the most. They are not opposed to reform. A lot of them support clearer rules, fair registration and meaningful data collection. What they cannot support is a tax that burdens them unfairly with no clarity, no support, no corresponding benefit to the market or to the community and no guarantee that it is going to stay at the level that the Treasurer sets today.

I also want to point out what this bill does not do. It does not improve safety standards; it makes no impact on safety. It does not help renters access affordable homes. It does not simplify the rental framework. It does not make it easier for providers to rent their homes long term. It simply extracts more from Canberrans and gives nothing back in return. In doing so, what it does is highlight that actually the government has lost control of its budget, and it is going to take any opportunity it finds, to try and extract more from the community. How in good conscience could I—how could we, as the Canberra Liberals—support a new tax that has no policy benefit? It has no support from stakeholders, no meaningful housing outcomes and no plan for where the money will go. That is not good governance. It is certainly not sound economics. Canberrans are already doing it tough. They are paying more in rates, more in fees, more at the supermarket. They are looking to this government for leadership, and all they are getting is an extra tax with a healthy dose of spin. This is not a short-term levy. It is a short-sighted measure to try and plug the holes in this government's sinking financial ship. The Canberra Liberals cannot support this bill.

MS CASTLEY (Yerrabi—Leader of the Opposition) (11.25): I would like to rise to reflect Mr Cocks's earlier comments. The Canberra Liberals will not be supporting this bill. Rather than focusing on the technicalities of the bill or the levy, I thought it would be worth reminding members of the broader context. Since Andrew Barr took the reins, ACT government revenue has increased by an average of 5.7 per cent per year. Now, that is a lot. It means that the average tax bill for a Canberra family has doubled under Andrew Barr, but that has not been enough. In the same period, government spending is up 7.1 per cent a year. It does not sound like much difference, but, as anyone with a mortgage would know, every percentage point counts.

If you were paying \$1,000 in taxes in 2013, you would be paying almost \$2,000 today, but the ACT government would be spending more than \$2,300. The difference between what you pay and what the government spends is not tax paid by your neighbours or your employees. It is made up with more government debt. That is why, under Andrew Barr, ACT government debt has increased from less than \$2 billion to almost \$15 billion—\$15 billion in debt! That works out to be around \$80,000 per household.

And the government have not stopped spending. Their own forecast is for debt to grow another \$5 billion over the next three years, meaning that your household's share will increase to \$100,000!

This is a debt that we have to repay sooner or later, and, until we do, we have to pay interest on that debt. Today, more than \$1 in every five that you pay in ACT government rates and taxes goes towards interest payments. That is \$1 in every \$5 that cannot be used for schools, hospitals, community services or transport projects. In a few years, that will grow to \$1 in \$4. More than \$850 million a year will be diverted away from services and towards servicing the interest on Labor's debt. This is why Labor are desperate for new sources of income. This is why they are looking at every single opportunity they can to find ways to raise your rates and to tax you more, and that is the context for this bill today, as Mr Cocks has pointed out. It imposes a new tax on Airbnb and other short-term accommodation services.

Now, in the minister's own words, this tax will not do anything to promote more housing supply, and the budget review shows that the tax will not raise a lot of revenue, perhaps \$4 million a year. But the bill will have a significant impact on the supply of short-term accommodation services. It will raise costs for those who own units and provide them for short-term rentals. Where they can, they will pass this cost on to consumers, mostly families with children who want to stay together in a unit rather than being spread across hotel rooms. They will bear some of the costs themselves, which will reduce the return for their investment. This will reduce the number of units available in the local market—maybe a little, maybe a lot; the international evidence is mixed—but there is a cost and someone will bear it.

So it is worth thinking about who really bears the cost of this new tax. It is not the global platforms who provide these services, and it is not the corporates, who will shift their investments to other jurisdictions. It is not even the mum and dad investors who took a chance on buying a unit and offered it for rent. No. It will be the families who rely on Airbnb for affordable short-term accommodation while travelling.

Now, you could argue that the tax is a reasonable impost; that the budget position means we need to be creative and look at new opportunities to raise revenue regardless of the efficiency or equity concerns; and I suppose the Labor government has made this decision. But it is a pretty appalling state of affairs when a government turns its back on families which make up the majority of the community, when it decides that it is not enough to hike their rates year after year but also decides to go after them for travelling together as a family. It is a particularly strange choice as the burden will fall primarily on families travelling to the ACT. These are the ones that we are trying to attract with Floriade, with major events, with subsidies for sports and aviation. We spend millions of dollars a year to try and attract these families to visit Canberra, and then we push them away by making local accommodation more expensive.

It is a baffling and inconsistent decision by a government that does not know what it is doing, and it is the inevitable outcome of a government that has lived beyond its means for too long—a government that lacks financial discipline and spends more than it earns every single year for more than a decade, and a government that has increased debt to a completely unsustainable level and does not know how to get itself out of trouble. Until the government develops some financial discipline, it will keep spending more.

It will keep growing the debt; it will keep wasting money on interest payments; and it will keep seeking out more and more desperate ways to raise revenue until the voters finally say they have had enough and ask someone else to form government.

That is the path we are on. It is the path to a fiscal calamity. It is possible the new Treasurer will surprise us on budget night and we will see a bold new plan to get the territory back on track. I doubt we will, but I hope I am wrong, because the families I know—the families who have their home in the suburbs, who have mortgages, who have been left to face the cost-of-living crisis without support—need something better, and they deserve something better. They deserve a better government and a better Canberra.

MR RATTENBURY (Kurrajong) (11.31): The ACT Greens will be supporting this bill today, but I do have a few comments to make about it. The legislation to regulate short-term rentals, as I said publicly at the time when it came out, does fall far short of addressing the housing crisis facing Canberrans. To be fair, the minister was pretty up-front about that in his introductory speech, where he did describe the legislation as primarily focused on revenue raising. The Greens went to the election calling for stronger action, with options such as limiting short-term rentals to the home you live in. If you actually think about the original model of Airbnb and like things, it was about making the most of spare rooms, your granny flat and the like. Since then, it has become a very different proposition.

In terms of trying to address the increase in properties being used for short-term rental accommodation, this step is quite insufficient. A small levy will fail to increase the number of affordable homes available to long-term renters and it will fail to raise enough revenue to make a meaningful impact on the budget bottom line. In this housing crisis, the government needs to do everything it can to ensure every member of our community has access to a stable and affordable home.

The Greens are not opposed to the levy per se. I just think we need to see it for what it is. We actually have a housing issue we need to deal with in the territory, and that is why we think we need to look at additional options.

The number of short-stay rentals in the ACT is an interesting discussion, and I think it is concerning. Over time, I have seen various figures, and I am not going to place the dates on all of them, because some of them are sitting in cabinet papers. But I have seen figures in the last couple of years where the estimate was 800 properties, then it became 1,100 properties and, when I asked that question on notice in December 2024, it had become 1,500 properties. Over the course probably of just the last term of government we have seen a very significant increase in the number of short-term rental accommodation properties that are being used in that sector in the ACT. Those are 1,500 properties that are not available for people who live in this city, for residents of Canberra.

I heard Mr Cocks talk about the need for the tourism sector, and I am on board for that to some extent, but we have hotels. We have a range of accommodation providers. What we are actually struggling with is rentals for people who live in this city, people who do jobs in the city, particularly people who are in various service industries, who are most impacted by the shortage of rentals in this sector and the affordability of those rentals. That is the issue that we are concerned about. I also hear that the figures say

that 1,500 homes is less than one per cent of the number of residential properties in our city. Well, that also may be true, but I reckon most renters out there would be pretty happy to see some fair proportion of 1,500 rentals come back into the rental market rather than the short-term rental accommodation sector. That is the issue that we are concerned about.

Now, there is a fair debate to be had about what is the best policy response. Around the country and around the world, we are seeing a range of different policy responses to the issue of short-term rental accommodation, so I am not here today to say there is a definitive one. But I am here to say that there is more work that needs to be done in this space. This levy, as the Treasurer was very clear about in his introductory speech, is not designed to comprehensively address that question. The Treasurer observed that he believed there would be a modest impact on the supply of rentals. It would be interesting to try to quantify what a modest impact is; I am not sure. I think that there is more work we can do in this space.

It is important to note that this levy does not apply to hosted accommodation where the occupant of the property lists a single room and resides in the property with the guests, and that is certainly consistent with the approach that we took to the election. It also does not apply to accommodation booked directly to the property owner. Hotels, motels, serviced apartments, caravan parks, camping grounds and hostels are also excluded from the levy. I think this goes to the issues around the tourism sector, as all of those traditional forms of tourism accommodation are exempt.

So the sum of all that is that we will be supporting this legislation today because it does provide some opportunities to raise revenue. But I do not think this levy raises enough revenue where the government can then start to, for example, more seriously invest in public housing. So let us be honest about what the levy is and is not. With those few remarks, we indicate our support for the bill.

MR STEEL (Murrumbidgee—Treasurer, Minister for Planning and Sustainable Development, Minister for Heritage and Minister for Transport) (11.37), in reply: I am pleased to rise to support the Short-Term Rental Accommodation Levy Bill 2025, and I thank members for their contributions.

This bill will raise revenue to support essential services that the government provides for Canberrans, including health, education, transport, tourism and housing. During the debate, it has been clear that, particularly, the opposition have a different view about this. Our government has clearly stated and, through the 2024-25 budget process, provided a range of commitments to deliver important services for Canberrans, and there needs to be a sustainable revenue source to deliver those.

We appreciate that the opposition has a different view about that, that they do not believe that there are services that should be delivered for Canberrans, and they should outline what those are to Canberrans. I think the election on Saturday has given us a pretty clear indication of what the community expects. They do expect healthcare services to be delivered that can be relied on by the community. They do expect us to take action on things like housing. All of these things have an expenditure impact on the budget, and they need to be funded through sustainable revenue sources.

We outlined a new one of those in the last budget, and we have undertaken consultation on the implementation of that levy, which has led to the bill today. The government is seeking to strike a fair balance in respect of the types of accommodation that are within the scope of the levy. The government consulted on the implementation of the levy with industry and incorporated feedback into the design of the bill. There is a strong focus on simplicity, for the ease of implementation, administration and compliance.

The levy is imposed on booking service providers who make, arrange or facilitate short-term rental accommodation bookings in the ACT from 1 July 2025. The levy is imposed at the rate of five per cent of the consideration for a booking on bookings of not more than 28 days made on or after 1 July 2025. If the booking is for 28 days or more, the levy will not apply to those bookings.

A booking service provider is a service that makes, arranges or facilitates the making of short-term rental accommodation bookings. The bill provides that the booking service providers have an obligation to register, lodge quarterly returns and pay the levy to the Commissioner for ACT Revenue within 30 days after the end of the quarter. Booking service providers will be required to provide general identifying information to the Commissioner for ACT Revenue to register for the levy. This will include the legal entity's name, Australian business number and/or Australian company number and contact details of a person authorised to act for or on behalf of the booking service provider, as outlined in the explanatory statement. The information required is minimal and sensible for tax administration and will be consistent with what is required for the Betting Operations Tax.

A booking service provider does not include a referral service or direct bookings with the owner or occupier of the rental accommodation. The provisions prevent double taxation in respect of the same booking. For simplicity, the bill also provides an extensive list of exempt accommodation not subject to the levy, rather than relying on the Australian Taxation Office's definition of "commercial residential premises" within the GST act. Exempt accommodation includes hotels, motels and serviced apartment complexes. Crucial accommodation services, such as housing support, accommodation for homeless people, or alcohol and drug addiction services, are also exempt.

The bill does not include hosted accommodation. An example of hosted accommodation is where a bedroom within a home is available for short-term rental and the owner resides in the home with the guest during the stay. "Hosted accommodation" is a term that is understood within the industry, and booking service providers have existing information to determine whether the short-term rental is hosted or un-hosted.

By excluding hosted accommodation from the levy, owners of short-term rentals are not required to provide a principal place of residence declaration to booking service providers. This in turn reduces the number of declarations booking service providers administer and retain for the purposes of the levy. Owners of short-term rentals have minimal obligations under the bill. They only need to make a declaration to booking service providers if their accommodation is exempt accommodation. The requirement to provide a declaration is to ensure booking service providers have an appropriate

mechanism to identify and remove bookings of excluded accommodation from their quarterly returns and levy calculations.

Turning to matters of integrity of tax administration, there is a regulation-making power in clause 22 of the bill. Regulation-making powers under section 44 of the Legislation Act 2001 allow for any matter to be prescribed by regulation that is necessary or convenient to give effect to the bill. While this may appear broad at first glance, the provisions are to ensure the effective operation of the principal provisions of the bill. In all other instances, regulations may only be made as required or permitted to be prescribed by the bill.

The bill will prescribe certain matters for which regulations may be made, in clauses 7, 8 and 9, and focuses on prescribing matters to be excluded from the scope of the levy, such as expanding the definition of hosted accommodation, exempt accommodation, or what is not a booking service. Another measure of integrity for the administration of the levy is that the bill includes an amendment to the Taxation Administration Act 1999 to ensure that appropriate measures are in place for taxpayer secrecy and administration of the levy as a tax law.

I commend the bill to the Assembly and I thank members who are voting in favour of it today. This will help to provide a sustainable revenue source to fund the services that Canberrans rely on—health, education, community services, tourism and events—that make Canberra a great place to live.

Question put:

That the bill be agreed to in principle.

The Assembly voted—

Ayes 15

Noes 8

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

Question resolved in the affirmative.

Bill agreed to in principle.

Leave granted to dispense with the detail stage.

Bill agreed to.

Sitting suspended from 11.48 am to 2 pm.

Questions without notice**Light rail—economic analysis**

MS CASTLEY: My question is to the Chief Minister. The government recently withheld production of a document called “Capital Metro—full business case addendum—Russell extension”, claiming it would disclose the deliberations of cabinet in relation to future budget decisions. Chief Minister, is the government actively considering extending light rail to Russell?

MR BARR: I cannot reveal cabinet deliberations, for obvious reasons, so I will have to conclude my answer at that point.

MS CASTLEY: Can the Chief Minister confirm that the Russell extension would cost at least \$400 million, delay the line to Woden and fail to provide taxpayers with value for money?

MR BARR: I cannot confirm any of those. The proposal to extend the line to Russell was part of consideration of stage 1 of the project. It is not currently actively under consideration, but it could well be in the future.

MR HANSON: Chief Minister, what is the point of withholding this document, given the government does not, surely, rely on decade-old business cases and that the document will be released in January regardless, under the 10-year rule?

MR BARR: I have claimed executive privilege on advice in relation to matters contained within that document. It is due for release in the fullness of time, but at this point we have claimed executive privilege on it.

Light rail—economic analysis

MS CASTLEY: My question is to the Chief Minister. The government was recently forced to publish the business case for light rail stage 2A in full. That business case showed a positive benefit-cost ratio for the project, but only with the inclusion of “wider economic benefits”. The unreliability of WEBs has led the Australian Transport Assessment and Planning Guidelines to specifically preclude their use, other than as supplementary data, and their use by the ACT government has been criticised by the Auditor-General. Chief Minister, do you accept the expert advice to exclude WEBs in the headline results and decision-making?

MR BARR: I know a variety of views and assumptions are made around benefit-cost ratios. Another factor to consider is that there is a prevailing view that the discount rate should be seven per cent rather than five per cent, for example, which considerably alters those benefit-cost ratios. There is always going to be professional argument around what should and should not be included. I would make the observation that not every project needs to have a positive BCR in order to have benefit for the community beyond economic benefit. The wider economic benefits, social benefits and environmental benefits of infrastructure should be in any government’s consideration.

MS CASTLEY: Chief Minister, what is the point of spending millions of dollars in preparing business cases if the result depends on inputs that are known to be unreliable?

MR BARR: The one final number in a BCR does not determine whether a project goes ahead. Business cases cover more than just that point, Ms Castley; that is necessarily the case. They need to examine wider economic benefits, social benefits and environmental benefits. It is also important to note, particularly in relation to light rail, that we are now building on an existing network. The important observation for all of the light rail critics is that further extensions build on the existing business case and the existing improvements that have already been delivered by earlier stages of the network. If you want to mount a case against a project, you can, of course, seek to cherry-pick the one particular extension that may not have a strong BCR, but it needs to be taken holistically. In the instance of light rail, it is not that we are proposing Civic to Commonwealth Park; it is, in fact, Gungahlin to Commonwealth Park. And it is not that we would be proposing Civic to Woden; it would be Gungahlin to Woden.

These are all important considerations when the government weighs up infrastructure projects. I note that the BCR on many road and highway projects would not be particularly strong either, but there is obviously a need to, for example, facilitate land release for housing and to address congestion and things like that when we make investments in road infrastructure. It always strikes me that public transport investments seem to be the ones that are singled out for this sort of questioning.

MR COCKS: Chief Minister, will you table a list of major projects undertaken by your government showing whether each stacked up without relying on WEBs?

MR BARR: I am not sure that I am in a position to do that. I would need to consider the volume of work that would be required to do that. But the government stands by its infrastructure program. We stand by the fact that we have done work over more than a decade to provide a long-term pipeline of infrastructure. I note that, over successive elections, the Liberal Party have essentially copied our projects. We have not always agreed on which ones should be prioritised, but they have gone to elections endorsing projects that we have put forward. Why? Because we have done the work.

Light rail—economic analysis

MS CASTLEY: My question is to the Minister for Transport. Can the minister confirm that the government's own business case for light rail stage 2A advised the project would cost \$268 million and create just \$102 million in benefits, for a net loss to the taxpayer of \$166 million?

MR STEEL: I thank the opposition leader for her question. She is asking this question as if this information is new, when in fact it was released years ago by the government to the Auditor-General as part of the Auditor-General's performance review of the light rail stage 2A business case. So this is not new information that the opposition is bringing to the chamber today. The information has been released in relation to that business case.

Of course, as the Chief Minister has said, we are not just building light rail from Alinga Street station through to Commonwealth Park, we are building light rail from Gungahlin to Woden. This is one part of a broader extension to our network, and we will build on that with further extensions to the line in coming decades as well. This is critical transport infrastructure for a growing city.

We made the decision years ago to invest in light rail stage 2A. Obviously at the point the decision was made a significant amount of the COVID-19 pandemic occurred and there were impacts on the construction sector which did change the result of the original estimates in the business case, from when the business case was considered to when we went into procurement and signed a contract with Canberra Metro for stage 2A. That is why, with stage 2B of light rail, we are taking a different approach, which is to undertake the planning work and the design for light rail stage 2B before we consider the business case, so that at the point we make the decision and consider a business case on stage 2B, the scope of the project will be known, the cost will be more certain and we will be in a better place to then go into a procurement process.

MS CASTLEY: Can the minister confirm the same business case estimates that stage 2B will cost \$905 million and create just \$649 million in benefits, for a net loss to the taxpayer of \$256 million?

MR STEEL: I thank the member for her question. The business case, as it is, has been released, but the fact is that, as I have just mentioned in the previous answer, construction costs have changed and will need to be updated based on current infrastructure and construction cost conditions in the market. We will test the market as well, as part of achieving value for money for this project, and we will consider the business case for stage 2B once it has been developed. It has not yet been fully developed.

MR COCKS: Minister, given your comments about the age of those forecasts, is the ACT on track to lose \$815 million from these projects or do you have new information suggesting the losses will be even larger?

MR STEEL: We have always said that stage 2A of light rail is part of a broader plan for extension of the network from Gungahlin to Woden. So stage 2A cannot be seen in isolation from the rest of the line, neither can the extension from the city through to Woden. It is part of an extension of an existing line. There will be people who are travelling, in terms of the transport benefits, from Gungahlin through to Deakin to access employment and to access services, particularly in the healthcare sector in that area. There will be multiple different benefits in terms of land use. Something that the opposition has been denying for years is the land use benefits of light rail, because it attracts people to use public transport in a way that buses never have in this city and cities around the world, but it also, of course, supports more housing: 6,000 new homes have been built along stage 1 alone and there are more to come. We are examining the land use benefits as part of the development of the Southern Gateway Planning and Design Framework, which will help to inform the business case for stage 2B of light rail as well.

Ms Castley: Point of order.

MR SPEAKER: On a point of order, if we could stop the clock. Ms Castley?

Ms Castley: On relevance. We asked: is the ACT on track to lose \$815 million, not the benefits of light rail.

MR SPEAKER: I think the minister has addressed the question because he has indicated that it is impossible to consider an amount on its own without considering the whole project. Mr Steel, if you have anything to conclude?

MR STEEL: No, I am finished, thank you.

Transport Canberra—MyWay+

MS CASTLEY: My question is to the Minister for Transport. In the last sitting week, you said the government had foregone around \$4 million in fare revenue as a result of the MyWay+ validators not being fully functional. When does the government expect the validators to be fully functional and how much revenue will be foregone, in total, as a result of this fiasco?

MR STEEL: I thank the member for her question, and I want to be absolutely clear that the government made a decision, right from the get-go—and we were very clear with the community about this, and the opposition leader is aware of this, because I have provided an answer to this effect before—that we were not going to fit out all of the buses with the new hardware, because a particular cohort of buses were going to be retired anyway. It would not have made a cent—in the economic sense—to invest in putting the hardware on those buses when they were about to be retired and that hardware would then have to be removed. The revenue collected on them would not have necessarily been more than the amount that it would have cost to fit them to the buses. So, yes, there are some buses on the network that do not have the MyWay+ system installed.

The opposition has also said that we should have massively delayed the rollout of MyWay+ by months and months and months. That would have had a significant impact on revenue—much more than the very small delay that I put in place in November of two weeks—

Ms Castley: Point of order. I have a couple of points. I believe the minister is debating. It is not about new functionality; I am asking about the validators that exist. When will they be fully functional?

MR SPEAKER: So your point of order is on relevance.

Ms Castley: Yes. The point of order is on relevance.

MR SPEAKER: I think it is a fair point of order. Can you be directly relevant to the question?

MR STEEL: I am happy to come back. In terms of the buses that were planned to be fitted out with the MyWay+ hardware—not the ones that were going to be retired—I will come back with some information for the member to confirm the rollout of those.

But the point is that there is a group of buses that will never be fitted out with the hardware. That decision was made early on, and it was the right decision to make.

MS CASTLEY: What options were available to the government to avoid missing out on millions on dollars in fare revenue, and why were they not taken?

MR STEEL: I thank the member for her question. I think I have actually addressed that in the earlier question. We looked at what the cost would be of fitting out those buses that were going to be retired anyway, and we made the decision based on the fact that it would cost a significant amount to fit those out and the revenue, for a very short period while they were still in operation prior to retirement, would not necessarily have made that stack up.

So, yes, there will be some buses for a period of time that do not have that. But the worst possible outcome for a customer of Transport Canberra is that they will get a free ride on those buses.

Ms Castley: Mr Speaker, I am not asking about the buses that do not have the validators. I am asking about the validators that are not functioning correctly. I ask the minister to be direct.

MR SPEAKER: I don't know whether there has been a misunderstanding. Mr Steel, do you have any more to add?

MR STEEL: I thank the member for her question. I will come back in relation to the validators. But significant fixes were put in place very early on in relation to the validators and whether they were accepting MyWay fares. That was addressed as a matter of priority. It is now functioning at a very high-level right across the network. We are now expecting that MyWay+ will be attracting more people onto public transport. Over time, it has reduced barriers to using public transport. Of course, over time, we have to see a positive impact on the revenue that Transport Canberra sees as we see more passengers using the system.

MR COCKS: Other than the \$80 million contract and the \$4 million in foregone revenue, what other financial costs has the MyWay+ rollout had on the ACT government?

MR STEEL: Well, it is a \$64 million contract over 10 years with NEC to deliver that. There have been some revenue impacts, of course, when we had the hard switchover under the single-phase approach with NEC Australia that occurred between September and November.

This is a system that we hope will improve public transport patronage. We are already seeing very good transport patronage numbers in the data that we are receiving. Obviously, transport patronage is highly seasonal. We need to compare months this year to months last year to get a sense of that. We will not have the full year until November to be able to compare those figures. We are still in a transitional phase at the moment. We do know that we have taken an educative approach, not a hard compliance approach, that will change over time—

Mr Cocks: I have a point of order. This question was very clearly about costs to the ACT and the budget, not about patronage or the complexities of particular revenues.

MR SPEAKER: I think they are all related to the answer that Mr Steel is giving. Do you have any more to offer, Mr Steel?

MR STEEL: I answered with the contract amount and also referenced the fact that there was a period where there were reduced fares. I have been clear about that financial impact.

Night-time economy—small businesses

MR EMERSON: My question is to the Minister for the Night-Time Economy. Minister, over the past two weeks we have seen yet another Canberra nightclub announce its closure—Cube, which for some years was the only gay and lesbian nightclub in the capital. Another venue received last-minute advice this week of a road closure this weekend that will prevent it from opening at all—one of the last thriving venues in the Sydney and Melbourne buildings. When the business reached out to inquire as to what support might be available, they received an email with a list of supports that included advice on how to close your business. Minister, do you accept that we face a night-time economy crisis? What are you doing to prevent further closures?

MS CHEYNE: I appreciate that the businesses that Mr Emerson is talking about, in particular, relate to businesses along London Circuit and are particularly in relation to the Sydney and Melbourne buildings. To the broader question about whether I believe our night-time economy is in crisis, no. I acknowledge that there have actually been plenty of new venues opening, including everything from restaurants to what I think is a nightclub right near where I live. So we do need to look at the night-time economy as a whole across the city.

In relation to the issues that Mr Emerson has raised about the Sydney and Melbourne buildings, this government is very aware of the impacts that the road closures are having on businesses, and we are working through that. There is support coming. I would note that there is a business advice service. It has many elements to it, including that it can support businesses that may be looking to close. But it is not advising businesses necessarily to close. I cannot comment on Cube's circumstances. But I suspect that, if Cube has closed, it may have had issues for a little longer than a road being closed for two or three weeks.

MR EMERSON: Minister, are you supportive of a venue in the heart of the city that is heavily reliant on weekend trade receiving such late notice of a road closure and being told that the weekend was chosen specifically to avoid disruptions? Are you supportive of this practice?

MS CHEYNE: Of course not. I think that we should be giving as much notice as possible. I would point to other disruptions across our city—the Monaro Highway is a particularly good example as is the Molonglo River bridge—where we have been giving as much notice as we possibly can so that other arrangements can be made. I appreciate that these are major arterial roads, and I believe Mr Emerson is referring to a lane—if I am correct. I do not know all the circumstances in relation to this. I do not know if the advice came through late as a mistake or something arose at the last minute. I do

appreciate that that is problematic, and I know that Minister Steel is aware of this as well. But, to answer your question: no, I do not support short notice being given to businesses.

Sport and recreation—Tuggeranong ice skating facility

MS CARRICK: Mr Speaker, my question is to the minister for sports and rec, and it is about the ice rink. Stephen Campbell from Canberra Brave unexpectedly announced that he is moving the ice hockey games to the AIS for the rest of the 2025 season. Do you hold any concerns that moving the Canberra Brave games to the AIS Arena will put at risk the development of the new two-sheet-ice facility in Tuggeranong?

MS BERRY: I thank Ms Carrick for the question and her interest in the new ice rink facility to be built at Tuggeranong. It is my understanding that that commitment still stands. The ACT government has made a commitment of \$16.25 million and has identified land. Cruachan and Pelligra are working on their joint venture agreement, and I am hoping that I will have some more information about that agreement soon. But at this point in time I have not had any information that would suggest that there is a change in the direction. That commitment still stands.

MS CARRICK: What are your backup plans for an ice rink on the south side if the Tuggeranong facility does not proceed?

MS BERRY: Well, there does not need to be a backup plan because, as far as I am aware, that ice rink facility will continue to be built. That is a commitment that the ACT government made, and that is a commitment that I understand Cruachan and Pelligra are still committed to.

MR COCKS: Minister, have you had any conversations with Geocon about expanding and upgrading the existing ice rink in Woden to meet the needs of the ice sports community?

MS BERRY: No.

Transport Canberra—MyWay+

MR BRADDOCK: My question is to the Minister for Transport.

Minister, the NEC security log recorded an incident involving unauthorised access of people's data via the MyWay+ system in December last year. On 13 March this year, the Environment, Planning, Transport and City Services Standing Committee published further evidence about this unauthorised access. On 18, 19 and 27 March, and on 8 and 9 April, you assured the community that there had been no data breaches and insisted that these were only "vulnerabilities". But on 10 April, in parliament, you finally acknowledged that data breaches had in fact occurred and that people's full names and addresses had been accessed. Yesterday, in the chamber, you "corrected the record" about these breaches, informing the public of new information, including the severity of the breach, now involving, in some cases, partial credit card details. Given the information about this incident was available to the government in December, and that it was again raised via the committee in March, why did it take you, as the responsible

minster, until April, almost four months later, to start asking questions and determine that it was in fact a breach?

MR STEEL: I thank the member for his question. As he is aware, Transport Canberra, working with NEC, were not able to verify that until they had further information, and until the investigation had progressed. I then provided updates to the Assembly, and now in multiple sitting weeks, since that investigation has occurred, and have provided what information I did have.

Once that information was verified, based on the further evidence that had been provided to Transport Canberra and NEC, we were able to inspect the logs and verify that there had been personal identified information that had been seen, be it in a different number than what had previously been recognised, in relation to one of the incidents, and steps were taken as soon as possible to notify the data breach and the people affected were informed about that breach. I provided a comprehensive update on the investigation yesterday, and I refer the member to the *Hansard*.

MR BRADDOCK: Minister, why were you not proactively asking questions of NEC and Transport Canberra about the security aspects of the rollout?

MR STEEL: We were asking questions about that when it was brought to our attention. Often, that was not direct; that was through the Australian Cyber Security Centre, who then brought it to the ACT government's attention, and that of our own cyber security centre, then, obviously, through the committee at the committee hearings that were undertaken. Of course, we sought further information from the committee in relation to that evidence, to make sure that we had the information that could assist the investigation. That investigation is now in its concluding phase. I provided an update about that yesterday, and made sure that everyone was updated about the status of that and the actions that the ACT government and NEC have been taking.

MR RATTENBURY: Minister, given the latest information and backtracking, how can you expect the community to have confidence that you know what is going on with the rollout of this system and be sure that their data is secure?

MR STEEL: As soon as those vulnerabilities were brought to the attention of Transport Canberra and NEC, they were immediately rectified and closed down.

Public and social housing—solar panels and household batteries

MS TOUGH: My question is to the Minister for Homes and New Suburbs. Minister, late last year the ACT government announced a solar panel program for social housing. How many public housing homes are set to benefit from this, and when will work start?

MS BERRY: I thank Ms Tough for her interest in this very important initiative. Up to 7,500 social housing properties will benefit from the ACT government's project to install rooftop solar panels and batteries at suitable public housing properties. While some social housing properties will not be able to have solar panels installed because of factors like the orientation of the house, shade over the roof or the size of the rooftop, by setting up the program as a virtual power plant model, energy generated from homes will be fed back into the grid and the savings can be shared across all households. This really is a

fantastic project, and it was made possible thanks to \$12.9 million in funding from the commonwealth government. Procurement for feasibility assessment work is already underway, with panels and batteries set to start being installed next financial year.

MS TOUGH: Minister, what other sustainability or climate readiness measures is the ACT government putting in place for public housing tenants?

MS BERRY: The investment in solar panels and virtual power plants for public housing builds on the work the ACT government has already been doing to replace gas appliances and upgrade insulation in public housing homes. More than 5,000 public housing homes and low-income households will benefit from the government's Home Energy Support program. At the end of March, 2,230 properties had already received ceiling insulation upgrades and over 1,000 properties had been electrified. The ACT government has invested \$28 million in this project, alongside \$7.2 million in support from the Commonwealth government. This just goes to show the Labor government's commitment to renewable energy and climate readiness and our focus on ensuring that everyone benefits from the transition to net zero.

MR WERNER-GIBBINGS: Minister, given the cost-of-living situation, how much will these initiatives save tenants?

MS BERRY: I am happy to report that our research shows that ceiling insulation upgrades are expected to provide around \$8,000 worth of benefits across the life of the ceiling insulation. Homes receiving electrification upgrades, where three gas appliances are replaced with electric ones, are expected to save around \$735 a year in energy bills, and that will have a significant impact on the people living in public housing in the ACT.

Planning—Block 402—environmental protection

MISS NUTTALL: My question is to the Minister for Planning. Minister, the urban growth boundary motion by my colleague Ms Clay highlights the protection of Blewitt's Block which includes Block 402 Stromlo. The Australian National University has a Crown lease over Block 402. Earlier this year, during annual reports, the directorate advised that it had not yet had any discussions with the ANU about Block 402. Could you please provide me with an update on whether there have been any discussions between EPSDD and the ANU?

MR STEEL: I will take that on notice and provide some further information to the Assembly.

MISS NUTTALL: Has the Conservator of Flora and Fauna had any recent discussions with the ANU about undertaking studies to designate Block 402 as a nature reserve, given that the ANU has a land management agreement over Block 402?

MR STEEL: I thank the member for her question. I have had conversations with the conservator in relation to the block, which the ACT government and myself identified in the Statement of Planning Priorities as being a block that we would like to protect in the future. There will be work underway. We have always said that Block 402 does form part of the broader western edge of Canberra, where there are environmental

studies being undertaken to look at the environmental values of the area which will help to inform that future work to protect this area of Canberra. Because this is a leased block, we do need to have those conversations with the ANU about what that means for their block, so I will provide some further information to the Assembly as I noted in the answer to the first question.

MS CLAY: Minister, if discussions have not yet commenced with the ANU, can you tell us when you are planning for those discussions to commence?

MR STEEL: Yes, I will do that on notice.

Justice—regulatory prosecutions

MR COCKS: My question is to the Minister for City and Government Services. Minister, you appeared to be taken by surprise by the Director of Public Prosecution's advice that they would no longer take on referrals of regulatory matters, including those from Access Canberra. When did you personally become aware that the Director of Public Prosecutions had insufficient resources to continue taking on regulatory prosecutions for the government and would no longer take on new referrals from Access Canberra?

MS CHEYNE: I reject the commentary and the question. I do not think I appeared to be surprised at all, actually, because I had met with the DPP at the beginning of the year and we had talked about the best use of resources and the quite heavy weight of regulatory matters on her workforce, especially in light of some criminal matters which are increasingly complex and require a lot of effort and a lot of time from her prosecutorial team.

In terms of when I first become aware, it was then. And then there was a formal letter written on, I think, 10 April.

MR COCKS: Minister, what is the current capacity of Access Canberra to prosecute serious regulatory matters, and how many serious prosecutions has Access Canberra handled in the last 12 months?

MS CHEYNE: With regulatory matters, where there has been a dispute of an infringement, they have been sent to the court and then the DPP and her office have ultimately been the prosecutor in these matters. However, Access Canberra does of course provide the brief of evidence to the DPP on what the matter is about. There is a team within Access Canberra that works through those disputes and provides advice to the public about how, if they are disputing a matter, it will be referred to the court and can go to, potentially, a hearing—and what the consequences of that might be.

It is difficult for me to directly answer the question that Mr Cocks is asking, because what we are talking about here is the prosecution of regulatory matters, which has occurred and which is still occurring. There has been a lack of prosecution of serious regulatory matters in terms of Access Canberra's capacity to prosecute regulatory matters in the past. Well, the resources of Access Canberra have been part of that process, but not necessarily the prosecutorial process.

MR CAIN: Minister, how are you unprepared for the cessation of services by the DPP, when the problems of insufficient resources have been raised by multiple directors of public prosecutions since 2012, and you have been responsible for regulatory enforcement since 2023?

MS CHEYNE: First of all, I have been responsible since 2020. The quote about multiple directors raising it since 2012 is from me! I was the one who went back through all the annual reports. So, good one!

This is an issue that multiple directors have raised: the prosecution of regulatory matters takes up a lot of time. And there is the fact that once it is quite near to court—sometimes the night before—someone might go, “I might get a criminal conviction here. Maybe I will pay my fine.” That is a waste of time for everyone. It is a waste of time for the courts, for Access Canberra and for, of course, the DPP, which is preparing for these matters. I am aware of that and the pressures that it has been under. I do not think I was caught on the hop, by any means. In fact, I had already started discussions with Access Canberra about these concerns that had been raised with me by the DPP at the beginning of the year.

Hopefully that answers the question sufficiently.

Justice—regulatory prosecutions

MR COCKS: My question is to the Minister for City and Government Services. Minister, what will it cost to create a full regulation prosecution capacity for Access Canberra?

MS CHEYNE: That is technically a hypothetical at the moment. It is not just Access Canberra that is affected here; there are many regulatory arms across government affected. But Access Canberra, of course, has the lion’s share of regulatory matters. The government is currently working through exactly what that looks like. I would note, in particular, that we have a highly-skilled government solicitor’s office and, indeed, there are many people in that office who have come from the DPP. This is a whole-of-government piece of work that we are undertaking. But matters are still going to be prosecuted now and on 1 July.

MR COCKS: Minister, how will the government pay for the increased burden on regulatory agencies, including Access Canberra? What cuts will you make to achieve those savings?

MS CHEYNE: Increased costs on regulatory agencies potentially is a hypothetical. We need to see if there are some ways that we might be able to streamline our services better and how we might be able to engage across government better. Ultimately, I think the best use of taxpayer dollars is not necessarily for the DPP to be chasing fines that ultimately are going to be paid the night before the court appearance but to be working on the most important matters for this territory.

MR CAIN: Minister, what matters will no longer be subject to prosecution because the government cannot afford to pay to prosecute infringements?

MS CHEYNE: None.

ACT Ministerial Advisory Council on Women

MR RATTENBURY: My question is to Minister Paterson. It has now been more than six months since the ACT election. Has the women's advisory council met since the election?

DR PATERSON: I will take that on notice, thank you.

MR RATTENBURY: Has the Domestic Violence Prevention Council met since the election?

DR PATERSON: I will take that on notice as well.

MISS NUTTALL: Are there any ministerial advisory councils or other advisory councils that have not met since the election?

DR PATERSON: In all of my portfolios or within domestic and family violence?

Members interjecting—

DR PATERSON: I will go away and take on notice to come back to the Assembly with the details of those two ministerial council meetings and whether they have occurred. There is a lot of work going on in that space, so I want to get the right facts for the Assembly.

Mr Cocks: Point of order on relevance: the minister was asked about any councils, and she has just taken on notice only the first two she was asked about.

MR SPEAKER: My understanding, Dr Paterson, is you have taken all of the questions on notice?

Dr Paterson: I can take all of them; that is fine. Yes.

Public housing—Growing and Renewing Public Housing Program

MR CAIN: My question is to the Minister for Homes and New Suburbs. The Growing and Renewing Public Housing Program is a complex capital works program with a budget of \$867 million. Considering the size and complexity of this program, Minister, why did Housing ACT fail to undertake simple probity management arrangements, including not undertaking a probity risk assessment, not developing a probity plan, and not engaging an independent probity adviser or auditor, as highlighted in the recent Auditor-General's report?

MS BERRY: Mr Cain will know that the ACT government will respond to the Auditor-General's report in full in the appropriate time frame. Once that report has been responded to, that will become public; then we can respond more fully to the questions that Mr Cain might have on that issue.

MR CAIN: Minister, did you personally know about the inefficiencies and incompetencies of the asset assessment panel prior to the release of the Auditor-General's report; if so, why didn't you do anything about it?

MS BERRY: It would not be appropriate for me to respond to anything that is in the Auditor-General's report until the ACT government provides a fulsome response in due course.

MR MILLIGAN: Minister, why is probity management not a priority for agencies under your administration?

MS BERRY: I reject the premise of that question and refer Mr Milligan to my previous answers.

Public housing—maintenance

MR CAIN: My question is again to the Minister for Homes and New Suburbs. Minister, Housing ACT tenant Ms Tracey Milczarek was reported in the *Canberra Times* on 24 April bringing attention to ongoing and long-ignored maintenance requests for her Housing ACT property, including a leaking roof and mouldy walls and tiles. Minister, why is the ACT Labor government so poor at delivering basic maintenance to vulnerable Canberrans in public housing?

MS BERRY: Whilst I will not speak in detail on any individual matters, I will say that Housing ACT and the ACT government are absolutely committed to making sure that public housing properties are safe, secure and well maintained. It is one of reasons the ACT government is looking at insourcing public housing maintenance programs, to ensure that we can have closer control over the maintenance program that is provided to public housing properties in the ACT. A matter raised with my office by a public housing tenant about maintenance or anything to do with public housing is taken seriously. The directorate takes it seriously and we respond as required.

MR CAIN: Minister, why should vulnerable Canberrans have any faith or confidence in ACT public housing and you as minister when the standard waitlist time is 62 months and current tenants have maintenance requests ignored?

Mr Cocks interjecting—

MS BERRY: I will ignore the interjection by Mr Cocks. He is providing input to a question that has been asked by another member of this place. Of course, if Mr Cocks wants to raise any issues with me, he can do that via email and we would be very happy to respond. With regard to the question from Mr Cain, we have over 20,000 tenants in our public housing properties, and the number is growing, and our Growing and Renewing Public Housing Program is designed to actually improve the condition of public housing in the ACT. At the completion of the program, over 20 per cent of our properties will be new, well-maintained and sustainable properties. We still have some of the oldest stock in the country, and that means that required maintenance can be complex. The ACT government and Housing ACT take it very seriously, and that is why we are committed to working towards phasing in the Total Facilities Management contract, which I understand is supported by everyone in this place. If it is not supported

by the Canberra Liberals, that is fine. We think that it will lead to better outcomes for public housing tenants.

MS BARRY: Minister, how do you honestly not feel ashamed about the state of public housing in the ACT at the moment?

MS BERRY: Seriously! I absolutely pay very serious attention to my portfolio responsibilities and to public housing tenants. I have shown, time and time again, my commitment to public housing—

Mr Hanson interjecting—

MS BERRY: and public housing tenants.

Mr Hanson interjecting—

MS BERRY: I absolutely reject the premise of the question.

Opposition members interjecting—

MS BERRY: I absolutely reject the premise of the question.

Mr Cocks: Kids' toys are being thrown out because they are in such bad condition.

MS BERRY: Mr Speaker, there are constant interruptions. You might not hear them from up there, but the interjections are interrupting my ability to answer the question in silence, which I am entitled to do.

MR SPEAKER: Members, the minister has a minute left if she wishes to take it up. Could you let her answer, please.

MS BERRY: Thank you. I have rejected the premise of the question.

Planning and development—Fadden Pond

MR WERNER-GIBBINGS: My question is to the Minister for Planning and Sustainable Development. Minister, many Fadden residents in my electorate of Brindabella are extremely concerned about a recent development application to build a telecommunications tower and facility next to Fadden Pond and within 40 metres of some residents' front doors. Can you provide an update on the assessment of the development application?

MR STEEL: I thank Mr Werner-Gibbings for his question. I am aware that he has been actively engaging with his community, including doorknocking and organising a community meeting, which I understand had around 85 residents gather to discuss the matter.

On 11 March 2025, a development application was lodged with the independent Territory Planning Authority in relation to block 14, section 401, Fadden. The DA has proposed a 25-metre high telecommunications monopole and associated works within

an area of unleased land. The DA was publicly notified on 9 April and 134 representations were received. I appreciate Mr Werner-Gibbings guiding concerned residents to appropriate channels and providing information on how to make representations to the independent Territory Planning Authority as part of that notification period. The proposal has also been referred to entities for advice, including ICON Water, Evoenergy, the Conservator of Flora and Fauna, the Environment Protection Authority and Transport Canberra and City Services. The authority will now consider all representations and entity advice received in accordance with the requirements of the Territory Plan and the Planning Act 2023 prior to making a decision.

MR WERNER-GIBBINGS: Minister, as you mentioned, residents have made more than 130 cogent representations to the Territory Planning Authority—

Mr Cocks: Point of order.

MR SPEAKER: Preamble?

Mr Cocks: Preamble.

MR SPEAKER: It is a preamble. If you could get straight to the question.

MR WERNER-GIBBINGS: What will the TPA be considering during their assessment of the development application?

MR STEEL: I thank Mr Werner-Gibbings for his supplementary question. The Territory Planning Authority will consider all of those representations against the statutory criteria for this DA. The suitability of the proposed development in the context of the site and its surrounds is part of what the authority must consider in making its decision. Part 7.6 of the Planning Act specifically requires the decision-maker, being the independent authority, to consider any representations made during the public notification period, and advice given by a referral entity, being ICON Water, Evoenergy, TCCS or the conservator, for example, in deciding development applications. In accordance with the act, any matters raised in the representations will be considered by the authority in its assessment.

MS TOUGH: Minister, when will representors learn the outcome of the development application?

MR STEEL: I thank Ms Tough for her question. The legislative timeframe for the authority to consider the application is 45 working days, noting that it is a standard DA which has received representations, and based on the lodgement date, the due date for the DA is currently 16 May 2025. However, it should be noted that the Planning Act does include provisions that could extend this time and also allows the authority to make a decision beyond the timeframe. The authority will determine the application once all legislative requirements have been fully considered. Given the authority is an independent body assessing the DA, I am not in a position to comment on the potential outcome or exactly when the authority may determine the application, but I look forward to updating the members.

Midwifery—freestanding birth centre

MS CLAY: My question is to the Minister for Health. Minister, I was delighted to attend the Australian College of Midwives Oration and International Day of the Midwife celebration last night and was really pleased to see you there too.

Our midwives are doing amazing work and that speech highlighted to me why we need to work harder to support choices that allow women and birthing people to give birth at home or in a freestanding birth centre rather than a hospital. I spoke to midwives last night who have been advocating for a freestanding birth centre for Canberra for over 40 years. I am pleased with the government's previous commitment to the freestanding birth centre and am keen to follow through.

Minister, can you provide us with an update on where the planning for the new freestanding birth centre is up to and when you will release the early design and feasibility report?

MS STEPHEN-SMITH: I thank Ms Clay for the question. It was indeed wonderful to attend the Australian College of Midwives Oration last night and to have the opportunity to talk to some of the midwives there.

I can provide an update for Ms Clay. As she is aware, this work is being done in the context of the development of the new northside hospital. In that context, a feasibility study was conducted in 2024, which has been informing the consideration of a new birth centre as part of the new northside hospital development. The feasibility study was delivered in collaboration with the Maternity in Focus team, who are working towards implementing the ACT Public Maternity System Plan 2022-2032 and on improving maternity services for women and pregnant people and their families.

The Health Directorate established a working group of subject matter experts to develop a statement of requirements and engaged a consultant to undertake this work. As Ms Clay has indicated, this work has been completed. It was in fact completed in October 2024, and it was then considered by the territory Health Infrastructure Executive Steering Committee. It was also considered as part of clinical services planning for the new northside hospital.

I have very recently been briefed on this work and am working with the Health Directorate towards release of that report. But that is only the start, and I would clarify for Ms Clay that it is about feasibility; it is not about design.

MS CLAY: Given that the government has announced the early delivery partner for the hospital, how will stakeholders be involved going forward in the next stage, so that the freestanding birth centre will be co-designed and midwife led?

MS STEPHEN-SMITH: That will be part of my conversation on the brief that I have received from the health directorate. I have specifically asked to talk to them about next steps and setting up a co-design process. I want to assure both midwives and consumers who are interested in this process that it will be around co-design.

Ms Clay has spoken only about a freestanding birth centre, but part of the work of the feasibility study was to understand the options around standalone on the hospital campus or freestanding. As Ms Clay would be aware from the discussion paper, the work that was done was to understand the pros and cons of each of those different models in the context of the ACT health environment and the development of the new hospital.

That is the stage that we will have reached when we release the feasibility study. We will have a better idea of those pros and cons and the stakeholder views about that. Then we would move towards the design process from there, and again there is a commitment to co-design through that.

MISS NUTTALL: How will the Friends of the Birth Centres be consulted going forward in the next stages?

MS STEPHEN-SMITH: As I say, I am very keen to ensure that we do include stakeholders, including consumers and midwives. I know the Friends of the Birth Centres includes both consumers and midwives and people who are passionate about birth centre models.

Mr Barr: Mr Speaker, can all further questions please be placed on the notice paper?

Supplementary answer to a question without notice ACT Ministerial Advisory Council on Women

DR PATERSON: I have some details for Mr Rattenbury and Miss Nuttall. There has been one meeting of the Ministerial Advisory Council for Women since the election on 18 March. The current term of that council ended on 18 April, so there have been no further meetings since. The office is currently working on a review of the Advisory Council for Women's terms of reference before opening recruitment for a new council.

The Domestic Violence Prevention Council has not yet met since the election. The legislation that creates this council does not mandate a minimum number of meetings and the current terms of reference do not stipulate meeting frequency. The Aboriginal and Torres Strait Islander Expert Reference Group that sits under that committee have a meeting this week and they have been working through some work. I will also come back to the chamber with the JACS portfolios and the ministerial councils associated with them.

Alexander Maconochie Centre—Aboriginal and Torres Strait Islander detainees

MR EMERSON (Kurrajong) (2.56): I move:

That this Assembly:

(1) notes that:

- (a) public confidence in the criminal justice system is vital, including in relation to the culturally safe treatment of Aboriginal people in detention at the Alexander Maconochie Centre (AMC);

- (b) the ACT has the largest Indigenous incarceration gap in Australia;
 - (c) three Aboriginal detainees recently died in the AMC in a six-month period;
 - (d) the 2025 Healthy Prison Review, the Jumbunna review of the over-representation of Aboriginal people in the ACT criminal justice system, and coronial inquests into individual deaths in custody are currently underway; and
 - (e) notwithstanding the above, recent deaths in custody raise serious concerns that require targeted and thorough examination to ensure systemic improvements for Aboriginal detainees and their families;
- (2) further notes the ACT Government's responsibility to ensure that the:
- (a) conditions, treatment and care of Aboriginal detainees at the AMC are fair, humane and culturally safe;
 - (b) policies, procedures and practices of the AMC align with best practice for the prevention of deaths in custody and the protection of detainees' rights; and
 - (c) ACT's criminal justice system works effectively in genuine partnership with the Aboriginal community-controlled sector to ensure the safety and dignity of Aboriginal detainees;
- (3) calls on the ACT Government to establish a Board of Inquiry into the treatment of Aboriginal detainees at the AMC, particularly in relation to deaths in custody, including within its terms of reference the investigation of:
- (a) the circumstances surrounding deaths in custody of Aboriginal people at the AMC, including:
 - (i) the adequacy and cultural safety of health care and mental health support provided before and during custody;
 - (ii) the response of corrections staff to medical or psychological distress; and
 - (iii) any systemic failures or contributing factors that may have led to deaths in custody;
 - (b) the treatment and experiences of Aboriginal detainees at the AMC, including the:
 - (i) adequacy of cultural safety policies and their implementation;
 - (ii) availability and effectiveness of rehabilitative, educational and cultural programs; and
 - (iii) use of force, isolation or other restrictive practices;
 - (c) whether any corrections officers or other staff have failed to act in accordance with their duties in relation to:
 - (i) the care, custody, wellbeing and cultural safety of Aboriginal detainees;
 - (ii) the handling of medical, psychological or emergency incidents; and
 - (iii) compliance with policies and procedures designed to prevent harm to detainees;
 - (d) the adequacy of oversight mechanisms, complaints processes and accountability structures in ensuring the humane, fair and culturally safe treatment of Aboriginal detainees; and

- (e) the ability of external organisations to advocate for and support Aboriginal detainees, including the ACT Human Rights Commission, NSW/ACT Aboriginal Legal Services, ACT Legal Aid Commission, ACT community legal centres, Aboriginal community-controlled organisations (including peak bodies), the ACT Aboriginal and Torres Strait Islander Elected Body, and other relevant organisations; and
- (4) further calls on the ACT Government to table the Board's report in the Assembly within 12 months.

I would like to start by acknowledging the presence of some special guests in the gallery who will be joining us today: Narelle King, Charlie Murphy and Tanya Hall. These mothers are here because their sons have been utterly failed by our criminal justice system. No mother expects to see her son incarcerated and no mother should ever receive a phone call saying her son, still a young man, has died in prison. But that is exactly the experience these women have been through. They are here because they do not want any more members of their community to find themselves on the other end of that tragic, gut-wrenching, unimaginable phone call.

I also acknowledge other family members and interested parties, including Winnunga's relentless CEO Julie Tongs, who have supported the families for many years and are here hoping to witness the passage of this motion. I would also like to acknowledge former Chief Minister Jon Stanhope, who spends time at Winnunga and, in establishing the Alexander Maconochie Centre, said, "It would be a physical manifestation of an important philosophical conviction; namely, to rehabilitate prisoners and uphold their human rights."

Alexander Maconochie was a penal reformer who revolutionised the treatment of prisoners in the 19th century, based on the belief that the purpose of imprisonment should not be vindictive punishment but reform of the inmate. Those in the gallery today, and many others across our community, are rightly asking: what is happening in the Alexander Maconochie Centre, in the AMC? Why is it that the ACT has the highest Indigenous recidivism rate in the country? Why does Australia's most progressive jurisdiction have Australia's largest Indigenous incarceration gap? Aboriginal and Torres Strait Islander people in our community are asking those of us in this chamber, "Why am I 22.7 times more likely to be incarcerated than you?" Worse, they are asking why their people continue to die in custody; three deaths of Aboriginal detainees within six months; two young men in their thirties. "Why us?" they are asking. "Why always our people?"

These questions have gone unanswered for far too long, and they are the impetus for today's motion, which calls on the government to step up and establish a board of inquiry into the treatment of Aboriginal and Torres Strait Islander people in the AMC. In particular, this motion seeks a serious assessment of and response to the circumstances, culture and processes at the AMC that have resulted in the disproportionate and tragic deaths of Aboriginal inmates.

I stand here to give voice to someone who has carried this fight for years, someone who has stood shoulder to shoulder with grieving families, demanded answers and refused to look away. I speak on behalf of Joe Hedger, a respected community leader and a

titles advocate for justice. Joe is here with us in the gallery today—just one example of his decades-long commitment to supporting the families who have lost loved ones inside the AMC. These are his words:

We have been here too many times. We have written the letters, met with politicians, marched the streets. And still, our people are dying. You may think you understand. But you don't. Not really. Because if even for a moment you turned your mind to what this actually feels like, if you allowed yourself to imagine that it was your child, your sibling, your partner who died behind bars, maybe then you'd comprehend why this pain is unbearable. We cry, we rage, we bury our loved ones and then, too often, we walk into this place to find indifference. That indifference is killing us too.

We are not asking for another review. We are demanding a full, independent Board of Inquiry. Something with real power. Something that looks beyond the surface. Something that forces this government and this Assembly to confront the truth, no matter how uncomfortable. This is not about tearing down the system. It is about building one that values First Nations lives. That treats people in custody as human beings. That ensures no family has to receive that call ever again.

The ACT is small. One prison. One government. There is no excuse for this level of failure. No excuse for this silence. If these deaths were happening in our schools, in our hospitals, in our workplaces, there would be outrage. There would be action. But these deaths happen in prison. And they happen to First Nations people. And so, they are met with delay, denial and a disturbing quiet.

Let me say this clearly: The next death will not be a surprise. It will be a consequence. And every day we do nothing, we get closer to that moment. This Assembly has a choice to make. Not a political one, a moral one. Because this is beyond politics. It should not matter what side of the chamber you sit on. What matters is whether you are brave enough to act.

Thank you, Joe.

Narelle is here as a grieving parent. She is the mother of Steven Freeman, an Aboriginal man who passed away in the AMC of the age of 25. These are her words.

My son Steven passed away in the AMC in 2016, less than a year after he was bashed in custody after only being there for three hours. I am here to shed some light on what everyone likes to ignore when it comes to the prison system. This month, I lost my son nine years ago. And to this day, me and my family still wonder what really happened, how Steven was handled and treated while locked up.

And because of the loss we have endured, it has impacted all of us and left us broken with a hole in our heart. We still never got the chance to learn the real truth. Steven was not just an inmate, he was my son, a brother, a father. He was important to us and to a lot of other people.

I also want to let everyone know what my grandson Keith has had to deal with while in prison. Keith told us he had to give CPR to his cellmate Howie, who was a close family friend and a big support to him. Keith said he asked the guards for help, and they instead made him try to save Howie's life, knowing full well he

does not have the training. After that traumatic experience when Howie died, Keith said he was then moved to the same cell that his uncle, my son Steven, died in.

This incident has had a big impact and toll on Keith's mental health and wellbeing. Keith has dealt with a lot of death and loss throughout his life, but watching my grandson deal with this and the impact that it has had on him was completely different. This has completely broken my grandson. And he is still trying to recover from it.

Thank you, Narelle. Members may have seen Keith's story recounted recently in the *Canberra Times*.

When the AMC opened in 2008, it was touted as the first prison in Australia to be human rights compliant. But, after the death of 25-year-old Steven in 2016, the Moss review found that the claims so commonly made about the AMC being human rights compliant cannot be made in good faith. Since then, things seem only to have worsened. I am told that, over the weekend, a young Aboriginal inmate was hospitalised after a serious assault and that, two weeks ago, an Aboriginal father and son were assaulted and stabbed. Families are asking: will these Aboriginal men make it out alive? Local First Nations advocates have been calling for the government to take this issue seriously for decades, and today we have an opportunity to hear those calls.

The government will mention, I am sure, the Jumbunna review of the over-representation of Aboriginal and Torres Strait Islander people in our criminal justice system that is due to report soon. I look forward to receiving the report and the government's immediate commitment to implement its recommendations. But today we are here to demand more: to ask not just why so many Aboriginal people are ending up in Canberra's prison, but what is happening to them when they get there. This is a crisis, and it needs to be treated like one.

It is evidence of a failure to ensure that corrections facilities provide safe, let alone culturally safe, conditions for Aboriginal inmates; a failure to ensure that staff are appropriately trained and required to work in a culturally competent manner; a failure to ensure that racism and discrimination does not taint the conditions, treatment and care that Aboriginal inmates are entitled to; a failure to ensure that culturally safe,

responsive health and mental health care is available to Aboriginal people at the AMC; and a failure to ensure that medical, psychological and emergency incidents are taken seriously and treated urgently with cultural safety.

Addressing these values requires a systemic disruption to the way things are being done at the AMC. Aboriginal inmates are not being rehabilitated; they are being traumatised and damaged, both physically and psychologically. This is a crisis that will not be resolved unless all of us in this place acknowledge the seriousness of this situation and make a firm commitment to change. Investing in a powerful, well-resourced, incisive board of inquiry is the necessary first step in making that commitment, with a promise of systemic reform that is based on the findings and recommendations of that inquiry.

I thank all members for their consideration of this motion and for the multiple conversations that have occurred in an attempt to facilitate its passage today. On behalf

of those here in the gallery and others watching on from home, I commend this motion to the Assembly.

MS BARRY (Ginninderra) (3.05): I want to start by thanking the members of the community who are here present today. It shows that this is a really serious issue that the community takes seriously, and we should be taking it seriously as well. I thank Mr Emerson for bringing forward this call by members of the First Nations community for a board of inquiry. I also note that Mr Emerson will support the government's amendment that would defer the commencement of this inquiry. The Canberra Liberals believe that being committed to progressing the interests of Aboriginal and Torres Strait Islander communities should be a priority, and to that effect, we will be supporting this motion as amended.

This motion calls for a review of the criminal justice system, with a particular focus on the outcomes for Aboriginal and Torres Strait Islander communities at the AMC. This call originates from members of the Aboriginal and Torres Strait Islander communities who have long been concerned about the treatment of First Nations community members at the AMC. This call follows the recent sad passing of two First Nations community members at the AMC, and I send my condolences to the families who are present here in the gallery. Those matters are subject to a coronial investigation, so I will not discuss any of them in detail.

For First Nations people, the death of a community member in a detention facility raises the very dark spectre of past injustice and mistreatment. This call by the First Nations community for a board of inquiry resonates with the report into the independent review of over-representation of First Nations people in the criminal justice system, which identifies individual and systemic racism in the ACT. That report quoted an individual as saying that the "ACT is a very government-run state, and it has a very biased and racial government and services, and it trickles down into everywhere. The bias that they still have on our young men, women, and not only our youths, but also that bias transcends, and it is huge still"—or words to that effect.

This call by the First Nations community for a board of inquiry comes at a time when our progress on our official Closing the Gap target continues to be poor, with progress slow and regressing. This call by the First Nations community for a board of inquiry comes at a time when commitments made over a decade ago to the First Nations people in relation to the Boomanulla Oval and the Ngunnawal Bush Healing Farm are still in progress. This call by the First Nations community for a board of inquiry comes at a time when we know that the vast majority of Canberrans seek progress on Aboriginal and Torres Strait Islander community concerns. The time is right for action.

Sadly, the perceptions of our First Nations people are that really nothing has changed. First Nations communities continue to be over-represented in our criminal justice system, our prison system. Their life expectancy and their quality-of-life outcomes significantly lag compared to the rest of the community. It must be so hard to feel part of the broader Australian community while these issues remain inadequately addressed.

The government has now been in place for 24 years. The treatment of Aboriginal and Torres Strait Islander people in Canberra must be seen as a reflection of Labor's values.

I, like many Canberrans, think that we must draw the line in the sand and say enough is enough. It is time for a serious rethink and a reset of the treatment of First Nations people. I encourage the government, in undertaking its board of inquiry, to consult widely with the community to ensure that they are involved in the design and in the conduct of the inquiry. The terms of reference should be broad enough that it does not leave any stone unturned, and the board of inquiry should be resourced so that it can conduct a thorough review in a timely manner.

I say to the government: if you are serious about shifting the dial on the treatment of our First Nations people, now is the time for action. It is disappointing that the government has decided to delay the commencement of the inquiry.

DR PATERSON (Murrumbidgee—Minister for Police, Fire and Emergency Services, Minister for Women, Minister for the Prevention of Family and Domestic Violence, Minister for Corrections and Minister for Gaming Reform) (3.10): I rise to speak in support of Mr Emerson's motion calling for an establishment of a board of inquiry regarding the treatment of Aboriginal and Torres Strait Islander detainees in the Alexander Maconochie Centre; otherwise known as the AMC.

I want to start by acknowledging the traditional custodians on whose land we meet today and pay my respects to Elders past, present and emerging. I want to recognise Aboriginal and Torres Strait Islander people here in the chamber and your continuing connection to this land and this country. I acknowledge that this land has never been ceded and always was and always will be Aboriginal land.

I would like to acknowledge Julie Tongs, who is in the chamber. Julie, your unwavering advocacy for our local community, for your community, I have deep respect for. Julie and I spoke on the phone on Monday evening. I am not here to play platitudes with Julie. As I said to you, I am very aware that I am one of a long line of non-Indigenous corrections ministers that have given platitudes and failed to deliver change. I am not going to try to persuade you or the Aboriginal community here in Canberra that I care any more than anyone else or that I am committed to change more than anyone else. For me, it is about action, and I will be judged on the actions that the government takes. I hear your calls for action and accountability.

I would also like to recognise Joe Hedger—we only met this past week—and thank him for his ongoing advocacy. I look forward to working with you to progress this work.

I want to put strongly on the record to all the families, non-Indigenous and Indigenous, of those who have died in the custody of AMC since it opened that I am deeply sorry. I can only imagine how disempowering and distressing it would be to not be able to contact, to touch or to interact with your loved one—your son, your mother, your husband, your uncle—and to find out, through unofficial channels, that they have died is distressing to think about, let alone having a personal experience of.

I want to publicly acknowledge the stigma that families may experience when a loved one dies in custody. That can be profound and complex. Families can experience judgement, blame or indifference to their family member's death rather than compassion, and that is devastating in itself. If a detainee dies in custody, there is also

an automatic coronial process. This is a drawn out, years-long, process of inquiry, public commentary and scrutiny. I am all for working for prompt and transparent investigations.

As Mr Emerson said, there are families in the chamber today from the Aboriginal and Torres Strait Islander community whose family member has died whilst in AMC. I want to pay my respects to you and to say that I am so sorry that your loved one lost their life in our correctional facility. I understand that when your loved one enters an ACT government's custody that there is an expectation of duty of care; that there will be rehabilitation and a healing process; and that your loved one, in most circumstances, will leave the facility. From my perspective as minister, that is a minimum expectation, and I acknowledge that this has not been your experience—in fact, the direct opposite.

It is a national indictment and an indictment on our jurisdiction that Aboriginal and Torres Strait Islander people are disproportionately incarcerated in prisons around Australia and here in Canberra. The ABS data shows that Aboriginal and Torres Strait Islander people make up less than two per cent of the general population in the ACT, but at least—and it fluctuates—22 per cent of the detainee population.

The Productivity Commission's report on government services this year shows that the ACT has the highest level of Indigenous over-representation compared to other jurisdictions. The report found that there was a 12 per cent reduction in incarcerated Aboriginal and Torres Strait Islander people from 2017-18 to last year, while there was a 33 per cent reduction in incarcerated non-Indigenous people in the same period. This demonstrates that, while incarceration rates decreased for Aboriginal and Torres Strait Islander people, the rates for the non-Indigenous population decreased even further. This has increased the disparity, with Aboriginal and Torres Strait Islander people now being 22.7 times more likely than a non-Indigenous person in Canberra to be imprisoned on any given day, which is also well above the national ratio. In terms of recidivism, the report on government services shows that Aboriginal and Torres Strait Islander adults continue to be 1.4 times more likely than non-Indigenous adults to return to custody within two years and 1.3 times as likely to return to custody within two years.

The ACT government has set an ACT target to reduce the rate of incarceration of Aboriginal and Torres Strait Islander adults to achieve parity with the incarceration rate of non-Indigenous people by 2031 as part of addressing outcome 10 of the National Agreement on Closing the Gap. The national target for this outcome is that, by 2031, the rate of incarcerated First Nations adults across Australia will be reduced by at least 15 per cent. The ACT government acknowledges that these targets are not on track to be met in the ACT or nationally. For the record, there have been 15 deaths in the AMC since 2008. Five of those deaths have been Aboriginal and Torres Strait Islander people. This reflects the rate of over-representation in the AMC population.

I want to read a few introductory paragraphs from the royal commission report from the inquiry into Aboriginal deaths in custody, which began in 1987. I will take some excerpts from the report:

But a major reason for Aboriginal deaths in custody remains: the grossly disproportionate rates at which Aboriginal people are taken into custody, of the

order of more than twenty times the rate for non-Aboriginals (and that is still the status quo around Australia and in the ACT). Something can be done to reduce this rate by law reform and changes in policing strategies.

However, there are issues underlying the alienation of Aboriginal people and their continuing conflict with the law which cannot be solved by police and Aboriginal people alone. The key is to be found in the hearts and minds of all Australians. It lies in the recognition of the Aboriginal people as a distinct people, the indigenous people of Australia who were cruelly dispossessed of their land and until recent times denied respect as human beings and the opportunity to re-establish themselves on an equal basis.

We are near some 30 years on from that report. The findings of the royal commission spoke to systemic disadvantage and institutional racism having contributed to the disproportionate rates of imprisonment and deaths in custody. Further, in the words of the South Australian commissioner on the royal commission, Elliot Johnston:

The whole thrust of this report is directed towards empowerment of Aboriginal societies on the basis of their deeply held desire, their demonstrated capacity, their democratic right to exercise, according to circumstances, maximum control over their lives and that of their communities ... Such empowerment requires that the broader society, on the one hand, makes material assistance available to make good past deprivations, and on the other hand approach the relationship with the Aboriginal society on the basis of the principles of self-determination.

Some 30-something years on, there is still so much to be done by government agencies to enable and support self-determination. I recognise that we cannot progress self-determination and real change without taking accountability for the experiences of injustice and the lack of safety that Aboriginal and Torres Strait Islander people experience in engagement with our system.

There has not been truth-telling in the ACT. There has never been an established shared understanding between our Aboriginal and Torres Strait Islander community and the state. Thirty years on from the royal commission, with countless other reports and inquiries conducted nationally and here in the ACT all recommending similar things, the disproportionate incarceration of Aboriginal and Torres Strait Islander people remains the same. To address this, in 2024 the ACT government commissioned the Jumbunna Institute to review the over-representation of First Nations people in the ACT justice system. The review's first report was released in September last year and highlighted the positive impact the ACT government programs had secured.

The Jumbunna Institute consulted widely and worked closely with First Nations people in the ACT to ensure a comprehensive and impartial review process. The review will culminate in a final report, due to be released in the next couple of months, which will contain findings and recommendations for measures to address the over-representation of Aboriginal and Torres Strait Islander people across our entire justice system. The Jumbunna report is a significant piece of work, led by a First Nations team who are subject matter experts and have consulted widely with the Aboriginal community here in Canberra.

The report focuses significantly on AMC, along with a raft of other government agencies. I believe it would be highly problematic not to consider that report or consult

with the community in relation to recommendations of proceeding to establish another process, which is why I have brought an amendment to the chamber. This amendment will ensure that the Jumbunna report can be released and considered prior to the establishment of a separate board of inquiry. The amendment itself asks for a report back by September. The government is supportive of progressing this, and these months will give us some time to consider the Jumbunna recommendations and work with the community around what an inquiry process should look like and its parameters.

I understand the urgency that Ms Tongs and families feel to progress this work. I am committed to acting in a timely manner, but there does need to be some work put in here. Otherwise, we are simply perpetuating the systemic racism that we are also committed to addressing.

In the meantime, as we do this work, the safety and wellbeing of detainees are a paramount concern for this government, and I have been committed to ensuring appropriate oversight, accountability and ongoing systemic improvements. I will continue to work closely with the various independent oversight agencies that are established, including the ACT Custodial Inspector, the ACT Human Rights Commission, the ACT Ombudsman and the Official Visitors. I have considered the recent Inspector of Custodial Services report and acknowledge their work, and we will respond to the Assembly with a formal response. I look forward to receiving the 2025 Healthy Prisons Report, and I meet regularly with the territory's Official Visitors. All of these mechanisms are important channels for me to understand what is happening on the ground in AMC, as are my discussions with current and former detainees and in the community, and I welcome those discussions.

I will also be in contact over the coming weeks with the commissioner, staff and officers at AMC and the CPSU to work with them to support them through this process. I would like to put on the record and emphasise my commitment to supporting staff and officers at the AMC. They have one of the most difficult jobs in this community.

Importantly, there are seven current inquiries relating to deaths in custody that are still pending with the ACT Coroner's Office. Resolution of these matters should occur quickly and effectively. The government intends to write to the coroner to understand what will be required to expedite these processes, both to provide closure and certainty to families and to ensure timely advice to government about systemic issues that may have contributed to these deaths. It is important that this dialogue commence prior to the establishment of the separate inquiry. I am therefore introducing these amendments, circulated in my name, to ensure that meaningful change can occur as quickly and effectively as possible through consideration of the recommendations of the Jumbunna report and the coronial inquests and to allow time for the government to work with the community in relation to the inquiry process.

To the members of the Aboriginal and Torres Strait Islander community who have lost loved ones at AMC, I would very much like to meet with you and to listen to your story and to your family's experience. However, I understand the significant power imbalance of my position and I understand the perpetuation of systemic racism through our justice and parliamentary systems. I am in your hands in terms of how you would like to engage, if at all, as we work through to address the issues in our correctional system. I move the amendment circulated in my name:

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

- “(3) calls on the ACT Government to work with the ACT Coroner’s Court to expedite the coronial inquests into deaths in custody which have not yet concluded so that any relevant findings can be taken into account; and
- (4) noting the impending release of the Jumbunna Institute report, further calls on the ACT Government to:
- (a) respond to its recommendations as a matter of urgency;
 - (b) commence a Board of Inquiry to thoroughly investigate:
 - (i) the existence of any systemic issues surrounding deaths in custody of Aboriginal people at the AMC, including:
 - (A) the adequacy and cultural safety of health care and mental health support provided before and during custody;
 - (B) the response of corrections staff to medical or psychological distress; and
 - (C) any systemic failures or contributing factors that may have led to deaths in custody;
 - (ii) the treatment and experiences of Aboriginal detainees at the AMC, including:
 - (A) the adequacy of cultural safety policies and their implementation;
 - (B) the availability and effectiveness of rehabilitative, educational and cultural programs; and
 - (C) the use of force, isolation or other restrictive practices;
 - (iii) whether any corrections officers or other staff have failed to act in accordance with their duties in relation to:
 - (A) the care, custody, wellbeing and cultural safety of Aboriginal detainees;
 - (B) the handling of medical, psychological or emergency incidents; and
 - (C) compliance with policies and procedures designed to prevent harm to detainees;
 - (iv) the adequacy of oversight mechanisms, complaints processes and accountability structures in ensuring the humane, fair and culturally safe treatment of Aboriginal detainees;
 - (v) the ability of external organisations to advocate for and support Aboriginal detainees, including the ACT Human Rights Commission, NSW/ACT Aboriginal Legal Services, ACT Legal Aid Commission, ACT community legal centres, Aboriginal community-controlled organisations (including peak bodies), the ACT Aboriginal and Torres Strait Islander Elected Body, and other relevant organisations; and
 - (vi) any other relevant matter from the Jumbunna Institute or coronial inquest findings; and

- (c) report back to the Assembly on the last sitting day of September 2025 with the date that the inquiry will commence and the date on which it will provide its report and any other relevant information.”.

MR RATTENBURY (Kurrajong) (3.25): I would like to begin my remarks this afternoon by acknowledging the families, friends and supporters who have gathered in the Assembly today and those who are watching proceedings on the Assembly live stream. I especially acknowledge Ms Narelle Kelly, who is with us today. I appreciate some of you might hold significant personal distrust in institutions like the Assembly, and so I am grateful that you are here. I am also holding space for the First Nations men and women across Australia who have died in police or corrections custody, including those who have passed in the Alexander Maconochie Centre. Any death in custody is a tragedy for the person who passes, for their loved ones who are separated from them at the time of their passing and for those who are detained alongside them.

The fact that Aboriginal and Torres Strait Islander people are still over-represented in our criminal justice system is a national disgrace. Like Senator Patrick Dodson said:

The vicious cycle remains the same. Indigenous people are more likely to come to the attention of the police. Indigenous people who come to the attention of the police are more likely to be arrested and charged. Indigenous people who are charged are more likely to go to court. Indigenous people who appear in court are more likely to go to jail ... The statistics speak for themselves and the cold hard fact remains an indictment on all of us.

Like the Royal Commission into Aboriginal Deaths in Custody found over 30 years ago, Aboriginal people are equally likely as their non-Indigenous counterparts to die while in custody, but the damning truth is that Aboriginal people are far more likely to end up in police custody in the first place.

The Greens will be supporting this motion today. I would like to thank Mr Emerson for bringing it and to the First Nations leaders for their advocacy on it. First Nations deaths in custody is an important conversation, and now is the time for us to have it again here.

Since I commissioned the Jumbunna Institute’s independent review into the over-representation of First Nations people in the ACT criminal justice system in a previous Assembly, we have seen a disbanding of the ACT Law Reform and Sentencing Advisory Council, an independent advisory body intended to provide expert advice and community viewpoints into issues of sentencing and law reform. I have heard from stakeholders that other programs, like Yeddung Mura’s Intensive Case Management and New Beginning program, or the ICAN program, are at risk of losing their funding. This program is intended to support Aboriginal and Torres Strait Islander detainees with multiple incarceration episodes, with individualised support from the end stages of incarceration through to release and beyond. These are concerning developments, and they underline the fact that, if we are going to make a material difference in this space, we need committed and sustained funding to resource these sorts of processes.

Over a period of time, Julie Tongs has called for a wide-ranging royal commission into the experience of Canberra’s First Nations community. As is a matter of public record,

I have had some reservations about this proposal. I was concerned that it would replicate previous work and would be too broad to produce effective outcomes. That is why I worked with colleagues in the former government to initiate the Jumbunna Institute's review. The title of that inquiry is largely self-explanatory, but the clear intent was to reduce the rate of incarceration of First Nations people in the ACT. It is my firm view that the best way to keep Aboriginal people safe is actually to make sure they never go to jail in the first place. With regard to a royal commission or a board of inquiry, the motion today focuses more narrowly on First Nations deaths in custody and the treatment of First Nations people in the AMC. Our view, as the Greens, is that it provides a focus that can have an important impact, and we clearly need a focus on the AMC.

In recent times, we have had the Integrity Commissioner hand down a report that looked at cultural issues in the AMC off the back of the falsification of records. We have had, most concerningly, three people who identified as Aboriginal or Torres Strait Islander die in custody in the ACT over the past six months. Another Aboriginal man transferred from the AMC died in a New South Wales prison in August 2023. While any death in custody is concerning, this is occurring at an alarmingly high rate that does not show signs of abating, and we must be willing to re-examine matters, because the work we have done thus far has not been enough given that these matters are still occurring. Sunshine, of course, is the best disinfectant. There is nothing more fetid than corruption, which I hope is not found; but, if it is, then we have a duty to air it out and expose that wrongdoing openly and transparently.

In the ACT, as is in the rest of Australia, disadvantaged groups, including Aboriginal and Torres Strait Islander people, people with mental health conditions, people with disability and people experiencing multiple and complex disadvantage are imprisoned at a rate that is exceedingly high. Reflecting the devastating national picture, the ACT disproportionately incarcerates Aboriginal and Torres Strait Islander people. Despite having the lowest general imprisonment rate in Australia overall, which is a positive, the ACT has the greatest level of over-representation in Australia. Aboriginal and Torres Strait Islander people make up 2.1 per cent of the ACT population, yet comprise 27.2 per cent of the prison population. As is well-known, this is higher than the national average.

The Productivity Commission notes that between six and 15 young people aged 10 to 17 years have been in detention in the ACT on an average night since 2014-15. In 2022-23, Aboriginal and Torres Strait Islander children between the ages of 10 and 17 made up 26 per cent of the youth prison population. The ACT incarcerates First Nations children at 14.2 times the rate of non-Indigenous children. The work I did to raise the minimum age of criminal responsibility, in partnership with colleagues in this place, resulted in one of the most impactful legislations we have seen in the territory. No longer can Canberra's most vulnerable children be locked up at 12, and soon 14 years of age, with few exceptions.

I have always supported justice reinvestment and know the importance of investing in strengthening communities so that people live well there and do not find themselves in custody. It has been over 30 years since the Royal Commission into Aboriginal deaths in custody. Although governments across Australia accepted almost all of the royal commission's recommendations, many key actions have still not been implemented. The Australian Law Reform Commission's 2017 *Pathways to justice* report evaluated

and summarised the implementation of the recommendations of the Royal Commission's report and provided a clear direction for governments to improve justice system outcomes. Many of the underlying systemic issues that the royal commission and the Law Reform Commission identified as the causes of the disproportionate rate by which state and territory governments incarcerate First Nations people have still not been addressed, including by the ACT.

The Jumbunna report stage 1 found that the ACT government has not fully or effectively implemented all of the Law Reform Commission's recommendations, for reasons including ongoing issues of racism, including systemic racism. Aboriginal and Torres Strait Islander participation and leadership in all stages of implementation, including monitoring and evaluation, of measures designed to reduce over-representation need to be increased, alongside proper funding and resourcing for Aboriginal and Torres Strait Islander community-controlled programs and services. While I look forward to the final stage of the report for a path forward, there is nothing to stop us starting to act on those matters now.

I know quite well that a board of inquiry can be a very difficult process, but I am still motivated to support calls for it on this matter. Boards of inquiry are expensive, they take time, and the implementation of their findings depends on the government of the day. However, in the absence of a commitment from the government that they could allocate money that would otherwise be allocated to the board of inquiry, this is something that I think can make a material difference. That is why the Greens are today supporting this proposal.

I also foreshadow that any recommendations made by a board of inquiry need to have their implementation adequately funded. This cannot be another report to add to the pile of other reports, with their recommendations left to gather dust because to implement them would be too difficult or require too much money. To do anything less than fully implement all findings quickly would render reference to any of those findings somewhat hollow.

In closing, thank you to the people who have communicated with me and my office about your views over the past few days. There is clearly strong community support for the transparency and the difficult work of this process. I would like to thank the dedicated stakeholders who I have worked with for many years across the First Nations justice space, some of whom are here today. Thank you for sharing your stories, your resilience and your unrelenting commitment to improve the lives of your people and to spur generational change. You do not need me or anyone else in this place to tell you that your anger, frustration and feelings of loss are justified.

I must correct myself—to my somewhat significant discomfort—and note Narelle King in the gallery. I am sorry I misspoke at the beginning of my remarks.

I acknowledge that the losses of your loved ones will be in no way made lighter by any review. There is nothing that the government or the Assembly can say that can heal the hurt you unfairly carry. However, it is my hope that a board of inquiry can hear your experience and bring to light the issues in the prison. A prison sentence should not be a death sentence.

MS CARRICK (Murrumbidgee) (3.35): I also rise today in support of this motion and in support of the families and communities in the chamber and across the region. Treatment of Aboriginal people in our criminal justice system is not just a matter of policy; it is a matter of justice, of humanity and of truth.

We must begin by acknowledging the painful reality that the ACT has the largest Indigenous incarceration gap in the country. That is not a statistic we can ignore. This is a call to action. In just six months, three Aboriginal people have tragically died in custody in the AMC, and I also wish to add my condolences to the families. These are not isolated incidents; they are part of a broader, systemic failure that demands our full attention. While reviews and inquests are underway—the Healthy Prison Review, the Jumbunna Review and coronial investigations—we cannot wait passively. These deaths raise serious and immediate concerns. We owe it to the families, to the community and to every Aboriginal person in detention to ensure that their treatment is fair, humane and culturally safe.

This Assembly must lead. I am very pleased that Mr Emerson brought forward this motion and that all parties will agree to a board of inquiry—a thorough independent investigation into the treatment of Aboriginal detainees at the AMC. This inquiry must examine the circumstances of deaths in custody, the adequacy of health and mental health care, the cultural safety policies and the conduct of corrections staff. It must also assess whether our oversight mechanisms are truly protecting the rights and dignity of Aboriginal people. Importantly, this inquiry must be shaped in partnership with Aboriginal community-controlled organisations, because justice cannot be done for Aboriginal people; it must be done with them.

Public confidence in our justice system depends on our willingness to confront uncomfortable truths, to act with courage and to ensure that no-one, no matter their background, is treated as less than human. I urge all members of this Assembly to support funding to be made available in the June budget. Let us honour the lives lost by ensuring that no more are needlessly taken.

MS ORR (Yerrabi—Minister for Aboriginal and Torres Strait Islander Affairs, Minister for Climate Change, Environment, Energy and Water, Minister for Disability, Carers and Community Services and Minister for Seniors and Veterans) (3.39): I would like to acknowledge the Ngunnawal people as the traditional custodians of the land that we are here on today and recognise any other people or families with connection to the lands of the ACT and region, and I pay my respects to all Aboriginal and Torres Strait Islander people attending the Legislative Assembly today.

I would also like to acknowledge the importance and the significance of the issues raised in Mr Emerson’s motion. I particularly acknowledge the grief and the pain of the families, friends and communities of those who have died while in custody. I acknowledge those here in this Assembly today who have had to experience this grief. I would also like to acknowledge the chair of the ACT Aboriginal and Torres Strait Islander Elected Body, Mr Maurice Walker, and any other members of the Elected Body present here today.

Yesterday, a prominent and important voice in our community asked publicly, “Are the lives of our people worth less? Is a sentence at the AMC meant to come with the risk

of never coming home?” The answer is no. Aboriginal lives are not worth less, and no custodial sentence for any person should ever result in a life lost. To the community, I say: we hear your call for scrutiny and for action, we hear your frustrations with the pace of change and the need for accountability, and we are committed as a government to driving change that prevents the further loss of any Aboriginal or Torres Strait Islander person in custody.

It is for this reason that the ACT government seeks to amend the motion to reflect the work already in progress and to secure the change we all wish to see. This important work—which we do not wish to defer and the amendments allow us to finalise—is not intended to diminish the pain or the calls for action and accountability of those here today, but rather to ensure that the learnings from these processes can form part of the wider response. The call for a board of inquiry reflects the importance that people in the Aboriginal and Torres Strait Islander community place on addressing the causes of deaths in custody.

In closing my remarks, please let me assure those present here today that we have heard your calls. We know things need to change so that nobody else has to feel the pain that you have experienced.

MS CHEYNE (Ginninderra—Manager of Government Business, Attorney-General, Minister for Human Rights, Minister for City and Government Services and Minister for the Night-Time Economy) (3.42): I, too, wish to acknowledge the traditional custodians of the land on which we are all here today, and pay my respects to elders past, present and emerging. I extend that respect to each and every Aboriginal and Torres Strait Islander person who is here today and acknowledge that this land was never ceded.

I, too, am and always will be sorry. I am sorry for the trauma, the racism, the dispossession and the disempowerment that you live with every day, and the harm that colonial structures have created and continue to perpetuate. I am also distinctly alive to the fact that this parliament itself is a colonial structure, speaking about another colonial structure in detention and incarceration. I acknowledge that this place may feel unsafe for many people who are here today, and I thank you for being here in spite of that.

I am also uncomfortable speaking today because I do not want to give any impression that I know better or care more, and because the royal commission’s key recommendation, that governments must let go of controls, rings so loudly in my head. I want to get out of the way. But within the structures that we have, I acknowledge that Mr Emerson has been, and we here today are being, led by the Aboriginal and Torres Strait Islander community in this ask. I also acknowledge that many people have been calling for this for some time and the response from those in this place has been, “We know better.” That ends today.

There are two aspects to the amendment that Minister Paterson has circulated that I wish to speak to. They are technical in nature, but I owe it to everyone to explain why they are—what the reasoning is behind them. I acknowledge that, in talking about these, I am also referencing areas where there is harm, hurt and loss. I apologise sincerely and unreservedly if there is any part of what I say next which is indelicate.

I greatly appreciate the genuine engagement that Mr Emerson has afforded us and his understanding of the relevance of some other work that is underway, together with coronial inquests, which will inform this important board of inquiry. Again, I acknowledge that there are people here today who are hurting and who have lost loved ones, and I echo Minister Paterson's remarks about the ongoing devastation and loss.

While coronial inquests are individual in nature, it is important that those of us in this place note that there are extra requirements that the coroner must consider when holding an inquest into a death in custody. The coroner must include, in the record of the proceedings of the inquest, findings about the quality of care, treatment and supervision of the deceased that, in the opinion of the coroner, contributed to the cause of death. These findings may be particularly relevant for any board of inquiry to take into account, particularly in identifying any systemic issues.

Further, the legislation that establishes the board of inquiry provides that its hearings must be held in public unless the board is satisfied that it is desirable not to do so, usually due to confidential evidence. Public hearings while a coronial inquest is before the courts creates issues. I do not think any one of us here would want to be hamstrung by issues, ranging from the potential to prejudice an inquest to limiting reporting on those hearings.

These are not outcomes that we want; and, for this reason, Minister Paterson and I will be seeking to work with the Coroner's Court to expedite those inquests. I also acknowledge that the time between every question that is asked of loved ones who are hurting is re-traumatising in and of itself and, to the extent possible, we want to ensure that these processes align and are dealt with quickly, to give closure and to give effect to change.

I also want to acknowledge that the Jumbunna report and its recommendations are due; they are imminent. It is extensive, and I know that many people who are here today have been thoroughly part of that process. It took too long; it took too long to start. With the work that Jumbunna has done, it has not taken too long; in fact, the reason that it has not been delivered yet is because they have told us that the community said, "We want some more time; we need more time." Of course, we want to be led, and not think we know better.

We said that we would set this up in 2021, and it was not established until February 2024. That was too long. I know that the report will include recommendations that we will be hearing, in some cases, for the nth time. I want to reflect briefly that one of those will be about including relevant information about a person's aboriginality in any application for bail, and for the court to have consideration of this and regard to this.

We have been called on to do this for some time. I am embarrassed that we have not. I acknowledge that not including it within the framework that our decision-makers use in granting bail has directly affected the numbers of Aboriginal and Torres Strait Islander people who are on remand, and that sits so uncomfortably with me. There is a discussion paper out now about bail reform, and you will read that it says we will amend the act so that this is included as a relevant consideration. I desperately want to hear

more, but I also appreciate that any advocacy or engagement takes its own toll and has its own cost, particularly in reliving relevant trauma in order to provide advice to us.

Even though the Jumbunna report has been a long time coming, it has also been years in the making, and I recognise just how many people have contributed to it. Again, I think it will provide a wealth of information for us as a government. But its whole point in being established in the first place was to review what we had not yet done, from other recommendations and other inquiries. I want to say here, clearly and loudly: with what they recommend, we cannot let this perpetuate so that, five years down the track, we are reviewing what has not been done out of that report. It is not what I will stand for, as Attorney-General. I give my commitment to this place and to the people present that we will engage on the recommendations, and we will work as hard as we can and as quickly as we can to deliver the meaningful action that you have called for.

Thank you, Mr Emerson, again, for engaging in such good faith with us, and we look forward to this difficult but necessary process.

MR EMERSON (Kurrajong) (3.52): I will speak to this amendment and in closing. I wish to thank all members who have engaged with me, with my office and, more importantly, with Aboriginal leaders and other community members in forming a position on this motion. I also thank ANTAR, the ACT Aboriginal and Torres Strait Islander Elected Body and the ACT Council of Social Service for expressing their support for this board of inquiry.

A sincere thank you to Mr Rattenbury and Ms Barry for your early openness to supporting this motion. Thank you, Minister Paterson, for collaborating on what I see as a constructive amendment to ensure this motion could pass with unanimous support today, while acknowledging the work that is already happening in this area and making a commitment to expedite the coronial inquests currently underway that are investigating the recent deaths of Aboriginal people in custody.

I can also understand the government's desire to situate this board of inquiry appropriately in a timeline of relevant work, permitting the sustained ongoing reform that is so desperately needed to improve outcomes for Aboriginal and Torres Strait Islander people in the ACT. I will be supporting the government's amendment for these reasons.

I am also relieved to know that this motion, which commits the government to establish a board of inquiry into this matter, will pass with unanimous support. I firmly believe that, with the commitment of all members of this Assembly, Canberra can be a beacon of hope for Aboriginal and Torres Strait Islander people. It is about time that a call coming from our First Nations community was met with a resounding yes. Still not long after the country said no to your Voice, we in this Assembly can say yes to your voices. When some are saying no to your flag, we can say yes to a future where the gap has actually been closed. While some say no to your rituals, we can say yes to reconciliation, and yes to your right to self-determination—your right not just to survive but to thrive.

Hopefully, you can leave this chamber today knowing that in this place your voices count and will be heard by all of us, regardless of party lines. Of course, as the minister

indicated, we will be judged not on our words but on our actions, so here is to action. Thank you, again, to those who contributed to this motion and to the push to see it passed. Again, thank you to my colleagues in the Assembly for supporting its passage.

Amendment agreed to.

MR ASSISTANT SPEAKER (Mr Cain): Before I put the final question, I want to acknowledge all of the folk in the gallery from our Indigenous and other communities, and I want to thank you and commend you on your respectful behaviour during this debate. I put the question: that the motion, as amended, be agreed to.

Original question, as amended, resolved in the affirmative.

At 3.54 pm, the sitting was suspended until the ringing of the bells.

The bells having been rung, Mr Deputy Speaker resumed the chair at 3.59 pm.

Community sector organisations—funding security

MS BARRY (Ginninderra) (4.01): I seek leave to amend my notice.

Leave granted.

MS BARRY: I move my motion, as amended:

That this Assembly:

(1) notes that:

- (a) the 2025-2026 budget consultation process has commenced;
- (b) many of the pre-budget submissions from community sector organisations identified common themes:
 - (i) the growth in demand and complexities of individuals needing support;
 - (ii) the cost benefits of early interventions;
 - (iii) the challenges of fund raising in a cost-of-living crisis;
 - (iv) government funding not reflecting population level adjustments; and
 - (v) delays in commissioning process and grant funding;

(2) further notes that:

- (a) the current fiscal environment has raised concerns from the sector that their funding may be reduced or that new programs will not be funded;
- (b) sector organisations do not necessarily feel comfortable or may fear negative impacts if they raise their funding concerns either publicly or through political channels;
- (c) while households in the ACT have an above national average annual income, there are significant pockets of disadvantage, particularly among:

- (i) those facing economic inequality;
 - (ii) the disability community;
 - (iii) the Aboriginal and Torres Strait Islander community;
 - (iv) some new migrant and refugee communities;
 - (v) women's medical and support services;
 - (vi) young people, particularly those in out-of-home care;
 - (vii) the LGBTQI+ community; and
 - (viii) those needing access to social housing;
- (c) vulnerable Canberrans are presenting with more complex needs requiring more costly, intensive and sophisticated responses by community sector organisations. If these are not available, vulnerable Canberrans rely on more expensive acute services and responses;
 - (d) there are concerns that transitions between service streams are problematic, requiring vulnerable people to provide their details on multiple occasions and forcing vulnerable people to make short-term decisions about service streams during a time of crisis that can detrimentally impact their long-term eligibility for services;
 - (e) the ACT Government continues to work through the reform agenda arising from the Counting the Costs report with a view to making community sector funding more sustainable; and
 - (f) in line with its election commitment, and in response to the specific ask of the ACTforCommunity Campaign the Government has been considering its position on population indexation which once finalised will be made public prior to the 2025-2026 ACT Budget; and
- (3) calls on the ACT Government to:
- (a) ensure that budget funding decisions reflect a cohesive and balanced strategy to prioritise health and community support programs focused on prevention strategies, to reduce the demand on acute responses and reliance on other government services;
 - (b) ensure that the current budget process has regard to the maintenance of the quality of programs delivered and the sustainability of community organisations over time, such as funding certainty and timely notification to community organisations of funding outcomes;
 - (c) consider how funding decisions can reduce the siloing of service provisions; and
 - (d) continue to work with the community sector to implement the response to the Counting the Costs report.

I want to start by acknowledging all of the community sector members and leaders who are present here today. I understand that some of you had very important things to do; obviously, you are here to show your support and to signal that this is an important issue that you want to see addressed.

My motion does two things. Firstly, it acknowledges the outstanding work of our community sector organisations in supporting vulnerable Canberrans through challenging financial times. Secondly, it provides those opposite with the opportunity

to reflect on their priorities and policy choices leading up to the 2025 budget. As writer and novelist Pearl Buck famously wrote:

The test of a civilisation is in the way that it cares for its helpless members.

Also, former American Vice President Hubert Humphrey said:

The ultimate moral test of any government is the way it treats three groups of its citizens. First, those in the dawn of life—our children. Second, those in the shadows of life—our needy, our sick, our impaired. Third, those in the twilight of life—our elderly.

Former Australian Prime Minister the Hon. Robert Menzies founded the Liberal Party on principles that a free enterprise economy, devoid of any social security relief, “would tend to destroy the weak, impoverish the poor and reduce the dignity of the individual”. We in the Liberal Party believe that governments should provide a welfare safety net to support those in need, while ensuring it does not discourage individual initiative or create dependency. Striking this balance is key to fostering a society that promotes both compassion and self-reliance. Well-designed and properly funded community-centred support programs protect our society and act as a safety valve, diverting individuals who need support away from higher-cost emergency responses down the line.

As I outlined in my maiden speech to this Assembly, the government is failing Canberrans with its policies. A so-called progressive government would not have 37 per cent of its population needing to access food relief. It would not be satisfied with social housing waitlists that force people into rough sleep or make them vulnerable to exploitation. And the list goes on, Mr Deputy Speaker.

Clearly, our system is under considerable stress. Attempts at reform by this government, like the commissioning process, do not appear to meet the lofty expectations set for them, with lengthy delays in decision-making and extensive and unnecessary red tape.

I agree with the ACT Council of Social Service that investment in non-government community services is urgently needed to secure a sustainable sector that continues to underpin Canberra’s high quality of life. It is far better for the individual, and for society generally, that we have local community supports that can address issues early, rather than allowing individuals and families to fall through the cracks, which often results in the need for far more costly emergency responses. Properly funded and accessible community sector supports save money and contribute to the development of a cohesive society.

It is no surprise that we have some of the wealthiest people in the country. While this is a good thing, as we all want to live in a prosperous society, the often unseen consequence is that the wealth increases the buying capacity for all Canberrans. The problem then is that, for those that are less fortunate, it tends to lead to pockets of poverty, particularly among vulnerable populations.

There are intergenerational impacts of disadvantage. Children growing up in families broken by disadvantage are more likely to end up facing similar disadvantage. We need

policies and funding to end intergenerational poverty cycles. We need to challenge and change the system which sees support to community organisations simply as a cost that government must bear. We need to rethink the purposes and structures that we currently have in place which provide minimal support, generally too late, and which leave no alternatives to perpetual, lifelong welfare dependency.

The budget process gives the government an opportunity to review and reflect. The decisions it makes and the way it directs its limited funding will reflect its priorities and define its character.

Many of our social welfare and community organisations have written to government, providing pre-budget submissions that set out their concerns and priorities. Concerningly, a common issue is the viability of community sector organisations. They are struggling with increased demand from the cost-of-living crisis, population growth, and the increasing complexity and needs of those seeking support. These challenges come at a time when the capacity for the community to make donations is reduced, and when governments are struggling with huge debt burdens.

ACTCOSS identified valuing the community sector as one of its five key priority areas for budget consideration, noting:

Although the Government acknowledges underfunding, most services have yet to see new investment.

As a result, the system risks market failure, leaving vulnerable Canberrans without essential supports.

It is important that where government provides funding, the commitment has regard to actual demand. For example, having capped grants that are oversubscribed results in unmet demand, or forces community organisations to “spread the Vegemite thinner”.

The viability of community organisations is not just about the amount of grant funding. Uncertainty is toxic for any organisation. Certainty of funding streams is needed so that community organisations can plan for the longer term, and it would reduce staffing turnover and increase job satisfaction, resulting in better outcomes for those accessing services.

Creating this uncertainty is unnecessary and counterproductive. Uncertainty can lead to anxiety and mental health issues for people needing support. Putting slavish adherence to a budget cycle ahead of the impacts of uncertainty on vulnerable communities risks undermining the efforts we have made.

I recently met with youth representatives of the Barnardos foyer, who described the profound stress and anxiety faced by young people supported by the program, who are still waiting for confirmation that their support will continue after the budget. For young people who have faced such significant struggles and who have finally found their community, the uncertainty is cruel and unfair. A loss of support would be devastating. It is important for the community sector that the government provides clear policy direction and a road map for change.

Providing support to community organisations should be an apolitical goal, supported across the chamber. From my discussions with members across the chamber in negotiating on the motion, I have heard strong support for the great work that the community sector does.

Again, in its pre-budget submission, ACTCOSS also identified strengthening direct government investment in social housing and homelessness services and alleviating cost-of-living pressures as two key priorities. Addressing the challenges of homelessness and housing is fundamental to responding to the ultimate moral test faced by government.

The challenge is stark in Canberra, a high-cost city with an acknowledged shortfall in housing and construction. All Canberrans worry about the cost of living, but for those in the fifth quintile, Canberra is simply unaffordable. Many Canberrans are living from payday to payday, and an unexpected bill can trigger a crisis that can lead to homelessness.

In that context, the announcement that the government will end the Rent Relief program has come as a shock to many. While the program was established as a temporary COVID measure, Care ACT advises in their pre-budget submission that “the fund forms an important part of the ACT government’s efforts to address the rising cost of living and prevent households from falling into entrenched and permanent financial hardship or poverty”.

Sometimes good ideas emerge from a crisis. The Rent Relief program has already saved over 1,000 Canberrans from likely homelessness. That is over 1,000 families assisted to remain in their homes. Over 1,000 families potentially have been saved from intergenerational poverty by engaging with Care ACT financial services to turn their lives around. What an incredible impact and outcome from a small investment of \$240,000.

I am astounded that this program has been identified as one that may be cut. It is a program that exemplifies the Liberal approach to welfare support, in that it provides support early, it is temporary, and it is targeted to avoid a crisis. How many of those families would otherwise have been forced into higher cost crisis response services or more expensive social housing options? I would particularly ask the government to reconsider its decision on that scheme.

I would also note the importance of financial counselling provided by Care ACT, particularly for domestic and family violence victims. I know that Care ACT is seeking funding to support the continuation of that program. We on this side consider that service to be important and call on the government to pay close attention to that call.

Finally, I would like to acknowledge the work of ACTCOSS and ANTAR, and their calls for priority to be given to supporting self-determination of Aboriginal and Torres Strait Islander people. I was glad to see Mr Emerson’s motion passed in this Assembly. It is a step in the right direction, and I hope that the government will follow through on its commitments.

The outcomes for Aboriginal and Torres Strait Islander people in the ACT continue to be poor across most of the Closing the Gap targets. I have been highly motivated by my dealings with Aboriginal and Torres Strait Islander community organisations, who are deeply aware of the history and issues affecting their communities. I have been even more motivated by the fact that these communities are not dwelling on the past but are looking to take responsibility for finding and implementing better solutions to those entrenched problems. Whether it is creative solutions for health care or innovative suggestions from the Secretariat of National Aboriginal and Islander Child Care regarding changes to the way out-of-home care is managed, I hear a strong desire to be empowered to make changes for the better.

Clearly, for the Aboriginal and Torres Strait Islander community, the current arrangements are not working. The Closing the Gap targets are not closing. Surely, it is time to try something different. I would encourage the government to consider sensible and considered suggestions from the Elected Body, ANTAR and ACTCOSS, and empower Aboriginal and Torres Strait Islander organisations to make the changes that are necessary to shift the dial. An important first step would be to announce a road map for the transfer of Boomanulla Oval and Ngunnawal Bush Healing Farm to community control. These transfers would demonstrate our commitment to our First Nations community.

The other issue that my motion seeks to address is the perception in the community sector about retribution. I have had conversations with the minister, and she has said, “This is not coming from my office.” I am pleased to hear that, and I am looking forward to her commitment in her statement to the Assembly today that this is definitely not occurring.

I have heard reservations from community sector organisations, who fear that speaking out or raising issues may lead to elimination of their funding. I hope that is not what is happening, because that is certainly not the way that we would run things.

My motion invites the government to draw a line in the sand and make a clear, unequivocal commitment to the community sector that raising concerns in any form is okay and would not impact their access to funding arrangements. I commend my motion to the Assembly.

MS ORR (Yerrabi—Minister for Aboriginal and Torres Strait Islander Affairs, Minister for Climate Change, Environment, Energy and Water, Minister for Disability, Carers and Community Services and Minister for Seniors and Veterans) (4.15): This is arguably a bit of a unique time to be having the debate of this motion. The government is in the middle of the budget process that is giving consideration to a wide range of views expressed from across the Canberra community broadly on the priorities and the needs that should be attended to. These stakeholders extend far and wide and organisations and beyond organisations in receipt of ACT government funding. I think it is fair to say that balancing and consideration of all the requests extends widely and is quite large and complicated.

Government, as part of its budgeting process, invites engagement. In this process every year through budget outlook briefings, receiving and considering community budget

submissions and communication with ministers directly in their portfolio areas, we receive a high level of engagement in these processes from community service sector organisations. If the interest and engagement in these processes is anything to go by, it demonstrates that the sector is confidently and loudly articulating its views and its understanding of the needs of the people in the ACT and the communities that it serves, and making its case on funding and funding sustainability.

Noting that I do not entirely agree with all the comments that Ms Barry has made regarding this, I can certainly appreciate that some people might not always feel comfortable coming forward and putting themselves out there when they are asking for funding. For anyone who is uncertain—and for clarity's sake—nothing in the budget development and consultation process links sector advocacy to funding decision outcomes, and certainly not in any punitive way.

Funding arrangements can change for a variety of reasons. I acknowledge that future funding sources that are reliant on upcoming budget decisions can involve a period of waiting and uncertainty for the outcomes. This is true for government agencies waiting on budget outcomes; for businesses and enterprises waiting for an indication of future policy settings and investment decisions; and for individuals and families who want to know how government budget decisions will affect their household.

I recognise that community organisations are often managing complex revenue streams, with sources of funding from the commonwealth government, the ACT government, donors and sponsors and fee-for-service offers, and the timing of changes often is not aligned with their preferred planning cycles. We have been pleased, through some commissioning processes—not all but some, to date—to be able to extend the contract period for service provision for many organisations. This goes some way to reducing these uncertainties over the longer term, but they are never completely eliminated, and there is still a little bit of work to do.

As the budget as a whole must be considered and approved by cabinet before its final release, some of the assurance I have heard from stakeholders in our community that they would like to hear, and I am sure would appreciate hearing, cannot be provided at this exact moment during this debate. But this government took a range of commitments to the 2024 election around community sector reform that we view as things that can be deliverable and are realistic to deliver in a shorter period of time. Those are the things that we will continue to work through while we also consider our budgetary processes. So that change is coming.

These commitments reflect the continuation of work in progress on sector sustainability. They speak to the desire of government to renew the agreed understanding of its relationship with the community services sector and to reflect and adapt the commissioning approach to NGO-delivered health and community services, inclusive of feedback on how it has progressed to date. We agreed to the primary and unique call from the ACT for a community campaign to consider the appropriateness of population indexation on community sector funding. So work towards all of these commitments is in train.

The government values the work that the community-based organisations do to deliver health and community services, and the ACT government values its community service

partners. This government is engaged right now in one of its primary responsibilities. As I have mentioned, it is balancing and understanding the priorities over a very wide range of views as we work through the budget process. This process involves considering not only what the priorities are but also how they are balanced against competing claims and the unfortunate, some might say, reality that governments do not have infinite financial resources. This work is particularly important.

It is almost always assured that, as we work through the priorities, someone in our Canberra community will feel disappointed that something important to them is not prioritised in the way they would like. But this does not mean that it was not considered and it does not mean that the idea or the proposal has no merit. I am committed to work to ensure that, where the ACT government and the budget commit resources, we do so for maximum impact and effect in addressing the community need.

I have met with many advocates and community groups, as I know a number of my colleagues and a number of the members in this place have, and I have heard of the challenges that are faced and the unmet needs that people have seen out there. I must say that I have definitely experienced some very frank assessments of the experience of commissioning. I am actually quite grateful for that, because that is the kind of feedback we need to move through to the next round.

I am committed to progressing the policy work and the settings that are necessary to ensure that sustainable services to our community are delivered. This includes maintaining open dialogue with community broadly, the community services sector and its peak bodies and advocates, as we continue to review, refine and update our settings to ensure that the right priorities and needs are given appropriate attention and resourcing. I have heard that the long haul of reform and change is tiring, but I ask you to hang in there, because this work is not achieved once and then set in stone. It is iterative. It is somewhat imperfect, not by design, but just by nature, and constantly evolving, because that is the nature of changing needs in the wider community that we serve.

The government will continue to progress work on the appropriateness of population indexation for community sector funding, and it will be releasing the report that it has got to advise on that, and we will continue to progress the work, following the *Counting the costs* report and the Sector Sustainability Project. We will continue to review the commissioning approach to ensure it achieves its purpose most effectively, and we will work with the community sector to review and update the social compact that describes a shared understanding of the relationship between government and the parts of a civil society, in particular, that it funds to deliver health and community services that advance wellbeing for the Canberra community.

I am pleased to support the amended motion that has been put forward. I dare say, we will be having quite a few chats with the sector as we continue to progress through the budget period but also the larger reform work there is to do.

MR EMERSON (Kurrajong) (4.22): I rise in support of Ms Barry's motion, as amended, and I thank her for her passionate advocacy for local community sector organisations. Adequacy of funding for community organisations was the subject of my very first election commitment. It is embedded in the supply and confidence agreement

I signed with the government, where I sought and received the commitment to improve support for vulnerable community members by ensuring sector funding accounts for a growth in population, salaries in the sector and complexity of need.

I spoke in my inaugural speech about the privilege we have as members of this Assembly—I am still getting used to people calling me Mr Emerson—and how our voices and decisions should reflect those without the same privilege; those short of all the privileges most of us have enjoyed and continue to enjoy, often without even realising it. So it should come as no surprise that I intend to be relentless—I think yesterday Mr Parton might have said “noble”—about community funding matters that I consider are unfair and unreasonable.

The ACT government has been clear about the dismal budget outlook. So, when the government frequently speaks of deficit and constraint, can we really expect community service providers to feel anything other than worry and distress in the lead-up to this next budget? How are members of our community sector expected to be reassured as to whether their funding will be retained in the coming year? How is it reasonable that the overworked, underpaid, underappreciated community organisations have to take time away from providing services to do all that extra administrative work to apply for funding while also preparing for the worst, looking at who they will stand down from their teams and how they might reduce their service offering in the six days they have between the budget and the new financial year?

Certainly for the young people homed at the Our Place Youth Foyer in Braddon from whom we have all heard, the prospect of waiting to see if their funding will be extended in the next seven weeks is terrifying. I quote one of the current young residents:

I am terrified that if I lose the support and stability I have found at Our Place, all my progress will unravel.

Not knowing if you have a place to live is scary for anyone, but for young people who have already experienced homelessness the prospect of facing it again is terrifying. I first encountered the Youth Foyer during the election campaign last August, where Minister Berry, other candidates and I heard a young man talk about his first night in the Youth Foyer. This, he said, was the first night in his life that he had gone to sleep feeling safe.

We heard a lot during question time yesterday about how the government cannot really do anything willy-nilly ahead of the budget, yet somehow they were able to access over \$200 million in funding to prop up the overdrawn health budget. This budget must surely bring us to the reckoning of what might be done to address some of the causes that lead to this excess burden on the health system. Much of the services provided by our community organisations are an obvious preventative investment that saves on downstream costs.

The Women’s Legal Centre supports women and transgender people through their legal matters, and it is also awaiting a decision on its funding from 1 July. The centre has historically struggled to obtain funding that meets the growing need. Forty per cent of their funding comes from the ACT government; 31 per cent must be fought for every

year. Legal services funding should not be considered an expense; it is an upstream investment that helps a range of vulnerable people to better their circumstances, including providing help for women and their children to leave unsafe situations before they are driven to crisis. If women are supported to navigate the legal system to secure protection and plan safe exits, this often avoids the need for expensive emergency health care or crisis accommodation. If we are serious about breaking cycles of homelessness, then how can we be cavalier about funding the services that intervene early?

There has been a 50 per cent increase in the number of women seeking assistance of the Women's Legal Centre, presumably due to the ACT government's campaign to increase awareness of support available for women experiencing coercive control. While I wholeheartedly agree with the intent of this campaign and the boosts of funding that have been provided to organisations like the YWCA, Canberra Rape Crisis Centre and the Domestic Violence Crisis Service, I cannot help but feel this campaign's offer of help may be an empty promise when other critical services, like the Women's Legal Centre, do not receive funding increases to meet the newly-generated need.

Canberra Community Law, another organisation sweating out the next seven weeks until the budget, has experienced a surge in need from a new cohort of low-income people. The call on Canberra Community Law has grown in the last 12 months. In the lead-up to the budget, they have done the math on the staffing reduction if they are not included in this year's budget, and 25 per cent of their staff will need to be stood down.

I am supportive of prudent budget processes, but, if this annual funding uncertainty is normal, then normal clearly is not working. For those relying on certainty, the dehumanisation that can be inherent in administrative processes surely cannot be accepted just because it is normal. Do we really want to find ourselves back here next year with a different set of community organisations in the gallery asking for clarity, for certainty and for processes to give way to a sense of humanity or, better, for processes to be reformed and to be made a little more humane? Why can't contracts be renewed six to 12 months before they expire? It does not seem like an inherent impossibility to me. Short of more funding, certainty of funding could make a significant difference. That is what we have heard time and time again from members of our community sector and the vulnerable Canberrans they support.

I really hope that this motion from Ms Barry helps ensure that those calls are not just heard but actually listened to. I note the minister's comments on organisations not being afraid to speak out. The organisations that are afraid to speak out are unlikely to speak out, and including to the minister. It is a reality of biting the hand that feeds you. So it is often the other members of the Assembly that hear those concerns. I can assure the minister that I have spoken to, and my office have engaged directly with, several organisations who are not part of this speech, because they are afraid of being part of it.

Again, I thank you sincerely, Ms Barry, for bringing this motion today. It is great to see it has the support of the Assembly and I ask the ACT government, both at the political and the bureaucratic level, to please choose a new normal in response to this motion.

MS CARRICK (Murrumbidgee) (4.29): I rise today in support of Ms Barry's motion and thank her for bringing it forward. It brings to light the urgent and growing concerns

of our community sector during the June budget consultation processes. I acknowledge the community sector in the gallery and thank you for engaging with me over recent months about these issues.

Over half the pre-budget submissions have come from community organisations—those on the front lines of care, compassion and crisis response. Their message is clear and consistent: demand is rising, complexity is deepening and the resources to meet these needs are falling short. These organisations are telling us that early intervention works, it saves lives and it saves money; yet they are being told not to expect support in this budget.

They do not need to spend so much time worrying about their budget and their ability to provide the critical services that Canberrans need. While the ACT may boast a high average income, we know that many in our community are struggling: people with disabilities, Aboriginal and Torres Strait Islander families, new migrants, women in need of medical and support services, young people in care, LGBTQI+ people and those without secure housing. These are our neighbours, and they deserve better.

Community organisations are being asked to do more with less, while navigating delays in funding, fragmented service systems and the fear that speaking out could cost them their funding. That is not how a fair and just society operates. This motion calls on the ACT government to do what is right: to prioritise prevention, to ensure funding certainty, to reduce service silos and to guarantee that community organisations are supported and funded to deliver the critical services and ensure that no-one falls through the gaps.

The timing of the budget in June causes funding uncertainty for community organisations. This uncertainty causes staff to leave, which further stresses organisations. We need to look at the timing of the budget and bring it forward. We must restructure it so that much of the interest payment of \$886 million forecast in 2027-28 is returned to the people of Canberra for the services that are desperately needed. We must invest in the community sector, not just because it is a compassionate thing to do but because it is smart. Every dollar spent on early support reduces the burden on our hospitals, our emergency services and our justice system.

I urge the government to provide funding to the community sector in the June budget. We should listen to the voices of those who care for our most vulnerable and commit to acting with fairness. Thank you for bringing this motion forward, Ms Barry.

MR RATTENBURY (Kurrajong) (4.32): I rise today to speak in support of the motion presented by Ms Barry. The Greens have long advocated for the vital work of our community sector. Ms Barry's motion comes at a crunch time, with many organisations being squeezed beyond their coping point.

I would like to thank Ms Barry and her staff for taking a highly collaborative approach to working with the Greens on this, and I know that she, like me, sees the urgency of this motion. As an aside, I had one of those moments last week where I was both delighted and a little crestfallen when Ms Barry came to see me with her draft motion. I was delighted because this is an important issue and it was going to come before the

Assembly, but I was slightly crestfallen because I was metaphorically binning the draft motion we were preparing on exactly the same topic for this week. But the good outcome is that we are here in the Assembly discussing this matter today.

I also want to thank Minister Orr for her engagement and her enthusiasm for this issue. Through a good discussion through this week and a concerted effort today, we have been able to arrive at a position that all the parties can support, and I think that is a positive outcome, given the importance of this sector.

Community sector organisations provide essential services to Canberrans. This work provides many of those facing the most significant economic inequity with vital services. That is why there are a number of points in the Greens' Supply and Confidence Agreement with the Labor Party that directly speak to community services. The first is the review of funding for the community sector prior to the 2025-26 budget and progressing outcomes through future budgets to account for growth in salaries, population and complexity of client need. The second is to work with the community sector towards bringing community sector employee pay and conditions, including superannuation and leave arrangements, more in line with similar work in the public service. The third is to establish a unit in the ACT public service to be the point of contact for the community services sector and continue work to improve sector sustainability. Of course, there is more to do, but I think it reflects the sort of priority we place on this that those key matters that were reflected in our agreement.

The ACT Greens' vision is for Canberra to be a genuinely progressive city where we look out for one another. But many of our fellow Canberrans struggle with inadequate housing and homelessness. Even more lack access to adequate health and mental health services. More public and community housing was central to the Greens' demands in the ACT election and in negotiations with parties following the election. It remains central to our mission as a party and certainly a key driver for me as the Greens leader, because a suitable and safe home is so fundamental to people's ability to get on in life. But, right now, with over 3,000 people on the public housing waiting list and countless others struggling with the reality of these cost-of-living pressures that are upon us at the moment, the reality is that so many people cannot even start to get on.

All this provides the ingredients for a perfect storm, the eye of which has countless individuals working for many excellent organisations seeking to provide assistance to those in need. The ACT Council of Social Service ran a 2023 Community Demand Snapshot, indicating that 67 per cent of community sector organisations reported an increase in demand for their services in 2022, with 69 per cent noting a growing complexity in the needs of service users. Were more recent data available, I have no doubt those figures would be even higher.

The COVID pandemic first began to impact us over five years ago; yet we are still seeing increased need and economic inequity. While initial responses to the crisis offered a level of economic support which reduced inequality—it was remarkable; we increased the rate and people came out of poverty—somehow that got lost in the subsequent years. So, while those initial responses did reduce inequality, the long-term impacts of increased cost of living have benefited the rich at the expense of everybody

else. For those already struggling to get by, the inequality this has led to has only got worse. This explains in part why demand for community services has grown at such a rapid rate.

The ACT government and the ACT community services industry worked with ACTCOSS to commission the University of New South Wales-authored *Counting the costs* report in 2021, which found significant increases in community sector respondents expressing concern with the level of funding for their services. In 2016, 26 per cent of organisational leaders strongly disagreed with the statement, “Funding enables us to meet levels of demand in the ACT.” In 2021, 45 per cent disagreed—an extraordinary growth. Similarly, when asked if funding covers the true cost of delivering services, in 2016, 22 per cent strongly disagreed, with a rise to 47 per cent in 2021—more than double. All reports suggest this need has grown even more acute.

This is a significant issue for the government. The lack of funding means that community services are not able to provide services to Canberrans. It means that government is playing into a perpetual cycle of underfunding that continues to exacerbate the issue. This has caused community services to cut back on administrative costs and focus all funds on frontline services. This is causing systemic issues by reducing essential funds for wages, professional growth and essential administrative, legal, insurance and other costs. All of these are needed to run successful organisations that can adequately serve the needs of their clients.

The extent of underfunding is plain to see when you delve into the figures. In 2009-10, the ACT government funded the community sector with \$130 million for that year—3.6 per cent of the total government budget of \$3.7 billion—and, by 2022-23, at a time when the ACT’s population had increased by 29 per cent, that had declined to 2.5 per cent of an \$8.28 billion budget, a 30 per cent decline in real terms. And remember, that was a time in which the population had increased by 29 per cent. A bit of back-of-the-envelope maths suggests \$62 million in additional funding would have been needed to deliver parity of funding with that year. Some may say that sounds like a lot—and, at one level, it is. But, firstly, when you think about the impact that funding can have, it is not—and, when you look at the overall budget now approaching \$9 billion, it very much puts it in context. That is a budget which now allocates almost \$3 billion to health. That \$62 million can make an extraordinary impact in the context of what it is in our ACT budget.

Underfunding the community sector makes poor economic sense and is undoubtedly a factor in current ACT government budget blowouts in health. We hear time and time again that the golden rule in health, as it is in life, is that prevention is better than cure. If we underfund the community sector not only will people be forced to live without adequate access but many of those people will end up with multiple complex issues in the hospital system, causing unnecessary pain, suffering and, of course, expense.

The community sector, of course, needs to operate together with other services. This is why I welcome the federal government providing more funding for GPs. Consistent pressure from my federal Greens colleagues is working and will deliver results which will provide additional frontline preventative services. But, because of the proposed funding model, in urban areas like Canberra, the federal government’s promise of

90 per cent bulk-billing rates by 2030 does look somewhat unrealistic, and potentially even a failed promise before it has even started. I hope the ACT Labor government can lean heavily on their federal counterparts and really work with them to ensure the ACT gets a good outcome out of this new funding arrangement. And perhaps why stop at 90 per cent? We really should be aiming to make all GP visits free.

But the urgent matter for us is community sector funding right here in the ACT. I want to see urgent action for the sector. This work and the work that community sector organisations provide to the Canberra community are too important to not be acting immediately. Over the last few years, community sector organisations have done significant work to articulate the need for increased funding. They have highlighted a range of areas and mechanisms that would increase funding. These include a revised approach to indexation; increased funding for population-level contract increases; full cost coverage of community organisations, including but not limited to professional development, administration, legal, insurance, and other costs essential to running organisations; and increasing funding to areas of current unmet need. The government has previously promised to provide this—and I quote from the Labor policy platform:

Within the first 6 months of government determine a government position on the appropriateness of applying population growth to indexation for community sector government contracts.

Well, six months has now passed. As the minister has both explained to me personally and remarked on today, the government is doing that work. I am pleased that one of the outcomes of this motion is a commitment—which the minister indicated she already had, but it is now very clear—to release the outcomes of that review work so that all of us can see it.

We are now in a budget preparation phase, and the budget will be the real Litmus test of the government's commitment to support the community sector. What is more, it is critical to our ACT Greens and ACT Labor Confidence and Supply Agreement and critical to agreements made with others in this place. So it is a fundamental commitment of this Assembly, and I hope that today's unanimous support for this motion reflects that. Time is ticking and, with many community organisations facing the end of the financial year with trepidation, not knowing whether their funding will allow them to continue to provide services, it is the most vulnerable Canberrans that will suffer. We must in this place fight for them and ensure the government works faster to support the community sector. The Greens will be pleased to support the motion today.

MS LEE (Kurrajong) (4.42): I rise to speak in support of Ms Barry's motion and thank her for bringing this important topic for debate today. I acknowledge the many members of the community sector who have joined us in the chamber; many of you who I, of course, recognise because I have had the privilege of meeting many of you in my time here.

The community sector is an integral part of the ACT community. It makes a significant and essential contribution to Canberra and its social, emotional and economic wellbeing. They provide vital services in supporting the most vulnerable in our community and are crucial in creating a more resilient and thriving Canberra.

But for too long they have been taken for granted by this ACT government. With the cost of living spiralling over recent years, demand for their services has significantly increased but support for our community sector has not kept up with this growing demand. Over the past year we have heard from a variety of community sector groups that they are experiencing a significant increase in people on wages accessing their services for the very first time. We have also heard from groups that they are seeing requests from people who have previously been supporters or donors.

Roundabout Canberra, an organisation that provides essential baby and children items to families in need, said, “We continued to see families where one or both parents were working, yet it was not enough to cover essentials and they are having to access support for the first time.” Care Financial Counselling has also seen a large increase in people accessing their services, including from people who have never previously had to access support.

The St Vincent de Paul Society has also witnessed an increase in demand for their services. They have spoken about how they are seeing new groups of people seeking assistance for the first time such as mortgage holders, private renters and dual income households, as cost-of-living pressures affect a broader section of society.

Let us take, for example, a great local organisation, Fearless Women, who provide such important support for vulnerable young women. I know Ms Barry sponsored a petition recently to ensure their funding is also ongoing so they can continue to provide that service. We also have Kidsafe, a very much loved Canberra institution dedicated to preventing unintentional injuries to our children, struggling to keep their doors open. Like many other sector organisations, funding has not kept up with demand or spiralling costs, and despite these groups’ repeated appeals to this ACT government, it seems to have fallen on deaf ears.

Of course, these are just a few. There are so many other community organisations that are in the same situation, and I cannot do justice to all of their hard work and their strong advocacy on behalf of the community. Community sector staff are also struggling to keep up with this increased demand. According to the ACT Council of Social Service, community sector staff reported exhaustion, burnout, and difficulties in recruiting and retaining staff. These are serious issues that are undermining the entire sector’s capacity and long-term sustainability.

I was interested to hear Mr Emerson refer to Canberra Community Law because, sadly, some of the concerns that have been raised which are the subject of Ms Barry’s motion are not new. In July 2021, I brought a motion in this Assembly calling on the ACT government to urgently provide funding certainty for Canberra Community Law. This is a community organisation that had been providing free legal services for Canberrans on low incomes for well over 30 years, specialising in public housing, Centrelink, and race and disability discrimination. During that debate, I said:

I bring this motion today because it is my duty to stand up for and be a voice for some of the most vulnerable members of our community and those Canberrans who rely on the services and support that CCL provide. These are the Canberrans that, without the services provided by CCL, will be denied access to justice, will be denied basic but vital legal advice and representation. This vitally important

organisation must get certainty of funding going forward from the ACT government as soon as possible, so that they can keep providing these free and vital services to the most vulnerable members of our community.

I also want to go to some of the contributions that the minister made in this debate. She spoke about how, of course, not everyone can get what they want and that for every organisation that does receive some funding, that another will, of course, miss out. Now, the sector is resilient, it is professional and it respects and understands that of course they are not going to get 100 per cent of what they ask for 100 per cent of the time. But what this government can do to show respect to the sector, to show the sector that it does value the important work that they do, is to deliver transparency when it comes to the decisions they make about funding and show the courtesy of letting the organisations know about their funding proposals so they can actually make some plans within the constraints of an already stretched budget. We have heard from organisations over and over again about how they are left in limbo, that they are not told, sometimes within weeks of their funding actually running out, and they have no idea whether they will be able to continue certain programs and the work they are delivering.

The other thing the minister sought to reassure everyone in the chamber, as well as the community, is that there is no impact on any community organisation, in relation to the decisions that are made about their funding, based on whether they speak up or not. Now, I have no reason to doubt the minister's words on this, but the fact is that the fear is real, the fear is there and it must be addressed. The way the ACT government can do this is to ensure they act in a way that will genuinely assure the community organisations that they are not going to be negatively impacted if they speak up.

The community sector needs to be valued. It needs to have certainty and it needs the investment from government that reflects the important contribution that it makes to our city and to our community. I thank and applaud Ms Barry in bringing this motion for debate today and thank all members from all different political stripes for the genuine and collaborative way in which we have been able to come to an agreement. As shadow minister for community services, Ms Barry has been a passionate advocate for the important work this sector delivers for our community and I am very pleased to stand in support of her motion. I also, once again, thank all members of the community sector for the important work that you do. So many times I think that you are asked to do more and more with less and less, and we know that you keep going. I have heard directly that you keep going because you have no other option, and for that, we thank you.

MS STEPHEN-SMITH (Kurrajong—Minister for Health, Minister for Mental Health, Minister for Finance and Minister for the Public Service) (4.51): I started writing my notes by writing, "I rise briefly," but I fear that I have written six pages of notes. So I may not be as brief as I originally intended, but I do want to speak to this motion today. Firstly, to thank ACTCOSS and the wide range of community sector organisations that are represented in the chamber today and that have engaged with us throughout the budget process, during last year's election campaign and with me in my ministerial roles, and indeed my role as a local member over more than eight years now.

I think there is a point in every budget process where I do need to point out to the media that we receive many community budget submissions, and while each might seem like

a relatively small and reasonable ask, together they do represent significant funding. I do understand how frustrating that line, repeated year on year, is through the budget process, but I also really want to thank those people who do engage in it. I think many organisations will recognise that that work does in fact have an impact over time. This is the process through which significant increases in funding are usually delivered. Indeed, this is the process through which we have delivered an almost 120 per cent increase in mental health community sector contracts and grants between 2019-20 and 2023-24, just to pick one sector. But this is not a perfect process and every year we also need to make early budget decisions to provide advice to our community sector partners whose contracts are due to expire.

As a new member of the Expenditure Review Committee and as finance minister, while I cannot promise that I will be able to fix everything, I can say that this is something that I am very conscious of, having been a minister with human services portfolios for my time in this place. It is something that I will consider throughout the review of government programs as we progress into the next financial year.

A key aim of commissioning was intended to be to provide greater certainty and continuity through longer term contracts or grants. There is an extent to which that has been delivered, but I am the first to say that this whole process has not quite worked out as it was intended. I really thank the community sector again for its engagement and feedback on the commissioning process. It has, however, delivered some really good co-design work and improved funding outcomes, and that is constantly our aim. So I want to again thank those organisations that I have met with to discuss the experience of commissioning and also sector sustainability.

I was pleased to be able to secure improved community sector indexation as an early response to the *Counting the costs* report, as well as some initial funding to develop a more detailed response to the report. I want to thank Susan Helyar for the work that she has done throughout this process, and, again, in partnership with the community and with our government agencies. I was also pleased recently to meet with ACTCOSS to discuss, among other things, the proposal for population-linked additional indexation. I think it is fair to say from everything we have heard today, that an additional 1½ to two per cent indexation is not going to be any kind of silver bullet for the challenges that the community sector is facing, but this was a really productive conversation, and I want to thank Devin Bowles for the really thoughtful, and some might say, “peak academic policy wonk” discussion that we engaged with.

Lastly, the motion and amendment call on the government to consider how funding decisions can reduce the siloing of service provision. This was another intention of the commissioning process; bringing people together, talking about the system and designing the funding in that context. It is, again, fair to say that it has worked better in some sectors than others and we have lessons to learn from both the successes and the not-so-great process outcomes. Anyone who listens to me banging on about almost any policy area will hear me talking about addressing fragmentation and delivering a more integrated system. It is a common refrain that the ACT is a small jurisdiction and if anyone can do it, we can. And yet silos within and across or between organisations and sectors are persistent. I am not a gardener, so I could not come up with a plant analogy for that, but silos will persist and I think we are all aware of that, whatever type of

organisation we work in. I hope, and I will do my best to ensure, that bringing the health and community services directorates together through the machinery of government changes will help to address at least some of the siloing of funding arrangements between those two directorates.

So in conclusion, I do want to thank Ms Barry for bringing this motion to the Assembly. Like everyone who has spoken today, I am glad we have, again, managed to get to an agreed outcome here. Again, I want to thank our community sector organisations, not only for your advocacy and engaging in this debate, but for the work that you and your staff and volunteers do every single day of the year.

MR CAIN (Ginninderra) (4.57): I want to thank Ms Barry, as many have in this place this afternoon, for bringing this motion and also for working in a collegiate manner with the other members of this Assembly to come up with what looks to be an agreed motion. I also want to acknowledge the community representatives in the gallery and thank you for your interest and support, and, more importantly, thank you for what you do for our community. What Ms Barry's motion goes to is to make sure you can continue to do that with confidence and with certainty of the services you provide to Canberrans.

Obviously funding uncertainty is one of the things that we hear often about, and also the notification period is often something that is a challenge to our community organisations. Again, it is on the government to keep clear communication and timely communication with our community organisations, and if something is going to change, the sooner they know, the better.

I do want to thank Ms Barry for bringing this motion, and the speakers this afternoon have covered the field extremely well. I do thank them all for their contribution. In my relatively new portfolio of housing services, I want to touch on one particular organisation—and, in a way, I speak to my most recent engagement with this important topic of addressing the homelessness situation in our city, and that was the Barnardos Australia event, the national Youth Homelessness Matters Day, which was held last month in Dickson. I am really grateful for an acknowledgement email and a thankful email I received from Barnardos Australia for my attendance and the indication of the support I gave on behalf of the Canberra Liberals for their important projects.

The important project, in particular, that really raises the very issues at the heart of Ms Barry's motion is the fate of the Our Place Youth Foyer. At Barnardos Australia, Our Place Youth Foyer provides not just medium-term accommodation for youth with a homelessness crisis situation, but it provides them access to education, employment pathways and mentoring. So it actually helps our homeless youth take the next step as well, and to find a place of safety and shelter for them, which is so important. I want to thank the organisations represented in the gallery who do that for various parts of our community and I want to thank you for that.

But to actually help people find their next life where they do not need crisis accommodation, where they find a career, where they find a place in the community where they are no longer at risk, I think that is a very, very worthy goal in addition to that immediate support that some of our community need.

I am just going to read from this acknowledging email from Barnardos Australia:

Despite its proven success in preventing long-term homelessness, increasing educational attainment and fostering economic participation, Our Place faces funding uncertainty beyond June 30, 2025. Barnardos has repeatedly sought clarification from Housing ACT over the past six months but has received no concrete assurances regarding contract renewal. The lack of resolution jeopardises this vital service at a time when youth homelessness remains a critical issue in Canberra.

That was late last month. So I do hope the government's support for Ms Barry's motion will translate to immediate notification and immediate support for our crucial community service providers, particularly those providers who address an immediate and critical need such as a person needing shelter, a person needing safety, a person needing the bare essentials of life. I do want to thank Barnardos for sending me this really, I guess, a plea, as well as an acknowledgement. Certainly in my role as shadow housing services minister, I will be making myself available to make sure the government is taking care of these important community providers, to address the needs that they have and, at the very, very least, to respond to them in a timely manner in terms of the support the government is willing to give.

MR STEEL (Murrumbidgee—Treasurer, Minister for Planning and Sustainable Development, Minister for Heritage and Minister for Transport) (5.02): I rise today as Treasurer to discuss the motion brought forward by Ms Barry concerning the 2025-26 budget and the critical role that our community sector plays in the ACT. I was proud to previously work in the community sector prior to coming into the Legislative Assembly. I appreciate the opportunity to discuss the challenges and opportunities that we face in ensuring that our budgetary decisions reflect the needs and aspirations of all Canberrans, particularly the most vulnerable.

I make this point as it is critical for the community to be properly informed of the broad range of calls on the budget. The budget consultation process provides an opportunity for the community to be involved in the budget process. From the business sector to local park groups, veterans, healthcare consumers, environmental groups, researchers, construction sector peaks and even submissions from individuals—calls on the budget are across every part of our society. As an example, I note that more than five per cent of submissions to the process call on government to provide additional support to the screen industry in Canberra, for example.

Ms Barry's motion rightly highlights several pressing issues, issues that occur across the portfolios of government and those specific to the community sector. The government has a longstanding commitment to supporting a robust and sustainable community sector. We understand that these organisations are a key element of our social support system, providing essential services that enhance the wellbeing of our residents. I recognise the work that is being done by Minister Orr with the community sector and will focus my remarks on the ACT budget consultation process and our fiscal position.

The ACT government's budget consultation process is open, engaging and continuous. As set out in the ACT government YourSay page, the government maintains an "always on" approach to submissions, to ensure that timely information is available to

government and recognising the time taken for the development of business cases and consideration of those through the Expenditure Review Committee process of government to develop the annual budget.

In addition to the provision of submissions to the ACT government, the ACT government proactively seeks the views of the community through the 2025-26 budget survey, which took place in February, and, more directly relevant to Ms Barry's motion, through a series of peak body roundtables. These roundtables took place across February and March. In addition to their written submissions, community sector organisations engaged directly with Treasury officials and senior officials across the broader CMTEDD, Community Services Directorate and other relevant government agencies. These sessions, coordinated by ACTCOSS, saw around 50 representatives from Canberra-based community sector organisations engage directly with officials responsible for providing advice to government in the formation of the territory budget. I can advise the Assembly and the community that these consultation processes provide genuine advice to government and I am highly conscious of this input in my role as Treasurer.

As Treasurer, though, I must be mindful of the entirety of calls on the budget, of fiscal responsibility and the burden of revenue measures we place on ratepayers and businesses in Canberra. I reiterate the remarks that I made in handing down the ACT budget review only a few months ago. During the first half of the financial year there has been very significant growth in activity and demand for services in our healthcare system. The level of consumption, combined with increases in the costs of delivery of healthcare services, was not anticipated in the 2024-25 budget.

I will also reiterate the point that was made by the Minister for Health, Minister Stephen-Smith, in this place and in public commentary. While preventing hospital presentations through early intervention is key—the government recognises that—the pressures on our healthcare system are largely driven by patients with unavoidable conditions. So it is important that we continue to invest in our healthcare system in the acute system, as well as continuing to provide investment in allied healthcare services and community sector healthcare services.

While it is good that more Canberrans have been receiving the health care that they need, this has also resulted in significant pressures on the ACT budget. As Treasurer, I am focused on delivering our progressive, practical agenda, as well as ensuring a sustainable financial position so that we can continue to provide the high level of government services that Canberrans enjoy. Responsible fiscal management is the foundation of ensuring we can continue to deliver these services. Our strong economic performance continues to underpin our ability to invest in the community sector but we also need to be upfront that we are in a constrained fiscal environment. We have been upfront to the community about that, including the community sector.

I am disappointed that the Canberra Liberals have taken no lessons away at all from the federal election on the weekend and are continuing their tradition as *Magic Pudding* economists. Just like their underperforming federal counterparts, they will disingenuously back calls for expenditure while proposing tax cuts at the same time.

Just this morning, the Canberra Liberals chose to vote against a revenue measure before the Assembly that would have gone some small way to ensuring that funds are available to support the community sector.

The ACT government remains steadfast in our commitment to supporting a strong and sustainable community sector. We recognise the challenges faced by these organisations and we are taking proactive steps to address them, led by Minister Orr and Minister Stephen-Smith, as well as other ministers who are responsible for community sector organisations and their funding. We will continue to consider those important calls on the budget, as we do every year. We are well into the budget process. I am looking forward to presenting the budget in June and providing further information to the community sector as early as we can, as part of the process to make sure they have the information they need about the investments the government is making in services and the sustainable revenue base to support them.

MR COCKS (Murrumbidgee) (5.09): I will try to be quick. I thank all of our guests in the gallery for persevering through the lengthy debate today. I need to start by commending Ms Barry, as many of us here have today. What not everyone in the gallery will realise is that Ms Barry is not the sort of person who just comes in here and talks about this stuff. Ms Barry is the sort of person who lives it. I know this not only because she came in here and talked about the efforts that she is making through the CEO Sleepout to raise thousands of dollars in that fundraising effort but also because I have sat in my office with Ms Barry as we contended and wrestled with the sense of hopelessness that we get at times when the work that we are trying to do in this place—the work that is reflected by the people in the gallery today—is not backed by the government, and we are fighting hard. Ms Barry is the sort of person who puts not just her time and her words but also her money and her efforts squarely behind helping an individual or an organisation. I have to commend Ms Barry on that front, in exactly the same way as I have to commend every community sector organisation which does exactly the same thing every day. That is at the heart of the community sector's value that we see.

The money that we invest into the community sector tends to return so much more than we see on a balance sheet. We have spoken with the community sector so many times. We have seen the value that people put in and the efforts that people go to, beyond the hours that they spend on a time sheet. People in the community sector, the not-for-profit sector, go out of their way to deliver above and beyond what they are paid to do. One of the major challenges that I really want to focus on—because everyone has spoken so well about the value of this sector and the challenges that it faces—and it is one that we have been hearing about for years, is the fundamental uncertainty that the community sector faces when a contract is about to end and staff need to know that they have a job in a couple of months. That uncertainty undermines the feasibility of the sector—the organisations that are trying to deliver for Canberra. It undermines the capability of those organisations to deliver for the long term. It undermines the confidence that those organisations have and that the community has that we are still going to have those organisations around in a couple of months.

I heard the minister talking about the commissioning process and the great aspirations the government had for how much more certainty that commissioning would provide to community sector organisations; but, disappointingly, the aims and the reality clearly

have not matched up, because it seems that the government has not learned the lessons of the commissioning processes that have been run in places like the federal government or, indeed, internationally. The lessons have been there to learn from day one. We should have been able to see that if you do not have a strong communication process, deep engagement and quick resolution of these sorts of issues, it causes increased uncertainty and increased fear.

There is fear across community sector organisations. There is fear that there could be reprisals if they say the wrong thing. There is fear because they have been given no reason to be confident. There is fear because the government has been pursuing, over a fairly extended period, a commissioning process that is opaque and difficult to navigate at the same time as it has been pursuing an insourcing agenda that has the potential to shift services from the community sector to the government, in a period when the government proved that it was quite willing to penalise organisations that it did not like. If you doubt that, you can just talk to ClubsACT after 2016. Sometimes there have been repercussions for organisations that do not do what the government wants. So it is quite reasonable that the community sector has those fears. I am very pleased to hear different ministers reassure the community sector that that is not going to happen, but I would also encourage them to make sure that their actions match their words.

We had a discussion about silos. There is an acceptance, I guess, by a minister who sees silos as an inevitable reality. At a minimum, I hope that the minister and the government can make sure that those silos are permeable. Let's make sure that those silos have some engagement with the sector and between directorates, because the lack of communication and the lack of certainty has had a direct impact on the sector and the services they provide, which are increasingly stretched.

The gaps in the safety net are becoming wider. It has been a long time without sufficient indexation and a long time that the community sector has tried to cover for the reduced effective funding coming from the government, and it is about time it had some certainty. It deserves to have some certainty. Just because the government has a budget coming up, it does not mean that everyone else can work to their timeframe. It does not mean that people can endure the government's process.

I commend Ms Barry's motion, and I really look forward to seeing some good outcomes from it.

MS CHEYNE (Ginninderra—Manager of Government Business, Attorney-General, Minister for Human Rights, Minister for City and Government Services and Minister for the Night-Time Economy) (5.16): I was not planning to speak and I have written no notes so that I will not go on and on, as I am wont to do. I stand to support, in part, some of the things that Mr Cocks said and in recognition of the many people here who have been waiting some time for this debate to come on. Through you, Mr Speaker: equally, I appreciate that time is now running into caring and other responsibilities, in addition to your jobs, and that many of your roles span 24 hours, for a range of reasons.

I think we all acknowledge that there is, in and of itself, the question of adequate funding. I think I can speak on behalf of all of the government, particularly my cabinet colleagues, that it is something we are alive to every single day. We are also very alive to the value that organisations present, not just in connections and the work that is being

undertaken but also in the “bang for buck”, effectively. We know that what is delivered for what it costs is gobsmacking in some cases.

What sits particularly uncomfortably with me this year is where our budget day falls—six or seven days before the end of the financial year. I appreciate that adequate funding is one thing and certainty is another, and, of course, they overlap. And, when you have uncertainty, that absolutely causes more concern and pressure on how to manage, how to prepare and how to plan for any changes in staffing numbers or whatever it may be. There are some changes that we can implement as a government, as a cabinet, so that we move as far away as possible from the end of the financial year when some of these significant funding decisions are made, especially when they relate to, effectively, organisations’ viability. Certainly, a week before the next financial year is not appropriate. I recognise that it is, in fact, harrowing for organisations and their staff. The people who manage and support staff through their concerns are people in the organisations, not people sitting in the cabinet or the budget committee rooms, however much it is front of mind for us. I acknowledge that today.

Of course, we have the ability to do pre-budget announcements and, for a whole heap of reasons, as Minister Orr noted, we are smack-bang in the middle of the budget process at the moment, but we will look at providing as much certainty as possible. Equally, in talking about that, some decisions have been made, largely by me, about where there simply is no ability to keep sustaining funding. I recognise the impact that has. None of these decisions are made lightly, and I do not take any joy from them either. In some areas within my control, I have at least tried to give as much certainty as possible, even if it is not the outcome that, ultimately, we would all like to see. That has been really driven home in the conversation today.

I thank Ms Barry for her engagement. I know she comes from the sector, is intimately involved and still champions it. It has been important to have this conversation today, and I thank her.

MR BRADDOCK (Yerrabi) (5.21): Like Ms Cheyne, I did not actually intend to talk to this particular item; I just wish to respond to a couple of points that she raised. The timeframe for the budget was actually set by the government. The fact is that these are the very points that I made at the time of the debate about the sitting calendar. The ACT is the last government in Australia to present its budget. It is leaving it as long as possible. It has been stated that this is due to the federal budget, but other states and jurisdictions have been able to progress their budgets in a more timely fashion.

I am really glad to hear that Ms Cheyne acknowledged that the late timing of the budget is having an impact on organisations in Canberra, and I would welcome it if the government wished to move it forward in future years. We would encourage that, particularly as that also gives the estimates committee time to do its job properly and progress through its processes. It would provide for passage of the budget and the continuation of funding for community organisations.

MS BARRY (Ginninderra) (5.22), in reply: It is very pleasing to finally rise to close the debate. I am sure that most people in the gallery want to leave. I hope I will not to take up much time. I again thank the community organisations for their advocacy and for continuing to pursue this very important work. Some of us who have worked in the

community sector wanted to be at the front line to do the work and provide the services. We did not want to be in here having conversations about budget uncertainty. It is really pleasing to hear the government commit to looking into the concerns of the community sector and addressing those concerns.

I particularly thank all members who have engaged in the debate. As a first-timer and in presenting my second substantive motion, it was really interesting to have the conversations. I particularly call out the Leader of the Greens, Mr Rattenbury, for the way that he has engaged with my office, as well as Ms Carrick, Mr Emerson and everybody else who engaged in conversation. I also thank my party room for agreeing that this is absolutely an important motion to bring forward. It speaks to where we are as a party that these issues are very important to us. The issues that we have discussed here are very clear. The needs are rising, the community sector is feeling the pressure, and something needs to be done to address those issues.

I thank everyone who has engaged in the debate. I look forward to very productive outcomes through the budget process. We will be keenly looking at making sure that the government fulfills the commitments it has made today.

Original question resolved in the affirmative.

Statements by members

Heart Week

MR RATTENBURY (Kurrajong) (5.24): I rise today to speak to the importance of Australia's national heart health awareness week, which is held this week. Heart health is an important issue for our community. Heart disease is Australia's leading cause of death, with either a stroke or a heart attack being experienced by someone in Australia every four minutes. However, heart ill-health is something that can be prevented. This term, we have extensively discussed the importance of providing everyone with access to preventative health care. Heart health is yet another example of this.

I recently had the opportunity to meet with the Heart Foundation to speak about their ongoing advocacy for heart health. I was pleased to hear about their work to successfully advocate for the inclusion of a Medicare subsidised heart health check. It allows Canberrans to speak to their GP to understand the risks to their heart's health and what they can do to reduce those risks. A heart health check takes only 20 minutes and has already been used by over 850,000 Australians since 2019. It is something that everyone aged 45 or over in the Canberra community should consider booking.

The Heart Foundation hosts many walking groups around Canberra that anyone can join. They build communities and the health of participants. I sincerely thank the Heart Foundation for their ongoing advocacy and work on these important issues.

Barnardos Australia—Youth Homelessness Matters Day

MR CAIN (Ginninderra) (5.26): I rise to speak about the recent national Youth Homelessness Matters Day event hosted by Barnardos Australia on 16 April, and I note that I made reference to this gathering in the debate on the previous motion. It was held in Dickson as part of the Our Place Youth Foyer program. This event showcased young

people's resilience and advocated for implementing effective strategies to address youth homelessness in the ACT and across Australia.

The event featured first-hand accounts from young people who have experienced hardship and youth homelessness. They shared their lived experience. I was incredibly moved by a number of the powerful stories of lived experience shared by these amazing and resilient young people. These first-hand accounts have stayed with me in the weeks since the event, and I am so grateful for the opportunity to have heard them. In the not-too-distant future, I look forward to catching up with Barnardos to discuss their issues even further. As shadow minister for housing services, it is my honour to be able to learn from the experiences of these young people and advocate on their behalf for better outcomes in solving youth homelessness.

I sincerely thank the organisers of the event at Our Place Youth Foyer and Barnardos Australia and fellow members who were in attendance as well.

International Holocaust Remembrance Day

MS TOUGH (Brindabella) (5.27): Two weeks ago, I had the solemn honour of attending Yom HaShoah, Holocaust Remembrance Day, at the National Jewish Memorial Centre with a number of my Assembly colleagues. It was a powerful and deeply moving ceremony. We paused to honour the six million Jewish people murdered during the Holocaust and reflected on the enduring strength of those who survived. It was also a time to recognise the generations that followed—families who carry with them stories of both profound loss and unbreakable courage.

We reflected on what a world without survivors means and the stories we will never hear. We heard about the lesser-known death camps, the victims who will never be able to share their stories and the people who were murdered and lost to us all. We heard testimonies that were heartbreaking and full of courage—reminders that memory is resistance and remembrance is responsibility. It was a reminder that antisemitism did not end with the Second World War and that our duty to call out hatred, bigotry and denial remains as urgent as ever. I want to say clearly: the responsibility of remembrance does not rest on the Jewish community alone; it is something we must all carry, as citizens, as representatives and as human beings.

I thank the organisers, the survivors, the families and the Jewish community of Canberra for allowing me to stand in solidarity and share in such a sacred moment of remembrance. We must continue to honour the past, not just with words but with actions, vigilance and commitment to justice, because remembrance is not just looking back; it is choosing who we want to be moving forward.

Lesbian Visibility Week

MISS NUTTALL (Brindabella) (5.29): Lesbian Visibility Week was from 21 to 27 April, so I take this opportunity to give a shout-out of solidarity to the lesbian community here and around the world. In giving solidarity to the lesbian community and indeed all women who engage in romantic and sexual relationships with other women, it is important to acknowledge that, in our society, we still often make

heteronormative and patriarchal assumptions about relationships. This hurts the lesbian community and also hurts all of us, particularly other women and those who do not fit the gender binary.

Members will be aware that I speak a lot about queer solidarity in this place, and I will absolutely continue to do so. I know that some wonder why we still have to speak out. Some may even think that lesbian and gay communities achieved equality with the passing of same-sex marriage in 2017, but this complacency is dangerous. Around the world, including close to home, in Queensland, we are seeing a rolling back of queer rights. We see this most clearly in the rolling back of rights for trans and gender-diverse folk, and I strongly take the view that, for queer communities, an injury to one is an injury to all. So let's never be complacent, let's work to continue to support better outcomes for all queer communities and continue to give our unwavering solidarity.

Discussion concluded.

Adjournment

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

That the Assembly do now adjourn.

Anzac Day—commemoration events

MR CAIN (Ginninderra) (5.30): I rise today to reflect on this year's Anzac Day commemorations. I had the honour of joining members of the local West Belconnen community at the dawn service held at O'Dea Place in Holt. In the stillness of the early morning, we came together to remember the service and sacrifice of those who have served. The fact that there was just a handful of us added to the serenity of it all.

Following the ceremony, we shared a traditional gunfire breakfast together as we talked and reflected on the Anzac spirit. It was a pleasure to attend a localised dawn service with residents in Holt. I extend my sincere thanks to John Hogan for his effort in organising such a meaningful service, and to all who participated, including local parish priest Father Tru Nguyen, for their contributions to the morning.

For Anzac Day, going forward, wouldn't it be delightful if our community groups met together in cul-de-sacs, streets and parks, because not everyone would find it convenient to attend the dawn service at the War Memorial. I am looking forward to lots of these sorts of events happening in our community for Anzac Day, going forward.

Later that morning, I attended the Anzac Day Veterans March in front of the War Memorial, along Anzac Parade, which concluded in the War Memorial itself. Hosted by the RSL ACT Branch, the march commenced at 9.30 and was a heartfelt acknowledgement of the contributions of our Australian Defence Force—those who are serving and, in particular, veterans. Following the march, we heard a moving address by Major Angela Uphill. In the afternoon, I was welcomed at the Canberra Services Club in Barton, where I had the privilege of spending time with ADF members and veterans over food and drinks. I did not stay for two-up, but I believe it was a very

enjoyable two-up competition as well. I thank Jon Hunt-Sharman, president of the club, for his invitation and his continued leadership in fostering such a strong and supportive community.

This year marks the 110th anniversary of the Gallipoli landing—a defining chapter in our national story. The courage, perseverance and sacrifice shown by Australian and New Zealand troops in 1915 still resonates with our community deeply today. That Anzac spirit lives on in every generation of Australians who answer the call to serve, including many here in Canberra.

It never fails to inspire me when I see people across the ACT commemorating Anzac Day and proudly wearing their medals, or those of a close family member, on their chest. It is particularly inspiring to see younger members of our community representing family members who have served. Anzac Day is not only a time for remembrance; it is a call to uphold and share the stories of service, sacrifice and mateship—so they are never forgotten—from our past and present service men and women. We owe a lasting debt of gratitude to all who have served. I encourage all Canberrans and, indeed, all Australians to cherish the opportunity to reflect on what Anzac Day provides. I thank all who have served in the ADF and our policing operations. Lest we forget.

Anzac Day—commemoration events

MR BRADDOCK (Yerrabi) (5.34): I would also like to share my reflections on Anzac Day. I had the privilege to join A Chorus of Women's 15th annual Peace Vigil on the eve of Anzac Day. Every year, mindful of the impacts of the wars in the world, including the ongoing unimaginable horrors in the Middle East and Ukraine, the group recommits to their purpose: "We gather as night falls to reflect on all those who have been, or are being, impacted by armed conflicts, on our shores and beyond. We welcome all comers and join together in the breadth of our diversity to connect with each other in our shared humanity. We mindfully share our individual and collective longings for enduring peace. We sing up peace."

Whilst each of us has our own unique talents here, I do not count singing to be amongst mine, but I do appreciate the opportunity to join those who possess more talent than me in raising our voices to the stars in the sky and calling for a better world—to reimagine peace in a war-torn world; to reimagine our country's commemoration of war. This reimagination is important.

I also attended the Anzac Day dawn service at the War Memorial. I always find it a moving and solemn event. But I strongly dislike the War Memorial's movement away from its core function, which is as a shrine of remembrance, with the Tomb of the Unknown Soldier, and a roll of honour of over 103,000 Australians who made the ultimate sacrifice during conflict. We need to remember that that is its solemn role; it is not to become a militaristic technology theme park. That is not remembrance. Also, remembrance is not professional sporting teams entertaining the crowds with a game. Remembrance is about taking a moment, deep down in your soul, to recall, to reflect, to empathise and to feel what it is to be human in the face of the horrors of war.

International Day of the Midwife

MS STEPHEN-SMITH (Kurrajong—Minister for Health, Minister for Mental Health, Minister for Finance and Minister for the Public Service) (5.36): Yesterday we celebrated the International Day of the Midwife. The actual day was Monday, 5 May, but we celebrated yesterday evening with the ACT Branch of the Australian College of Midwives. This year's theme is: "Midwives: critical in every crisis". Michelle Thinius, who recently retired from active midwife duty in the ACT public system, gave the oration. She took us on a journey from early 2020, a time of bushfires, hailstorm and the start of the first global pandemic in a century, through to the lifting of the COVID-19 pandemic declaration in 2023. It is easy to forget that this was only just over two years ago, while the pandemic itself lasted three years.

Michelle's oration not only detailed the enormous commitment and creativity of our midwives during this incredibly challenging period—the physical and mental toll, the occupational violence that our midwives experienced during this time from stressed out consumers, and the stress that they themselves experienced in a constantly changing environment—but it reminded us of the ongoing impact on the profession and the wider community of COVID-19—the burnout, the trauma and the resulting decisions that so many made to move away from midwifery, which then resulted in staffing shortages and even more pressure on the incredible midwives who remain in our public system. Of course, as a system, we are doing everything we can to recruit and support those fantastic midwives.

There was also hope and optimism. Michelle talked about what an incredibly fulfilling career midwifery is and the incredible camaraderie and compassion that midwives have for one another, as well as for the women and families that they walk alongside in their birthing journey.

It is always lovely to catch up with the College of Midwives and the midwives themselves. They are so passionate about what they do, but they are also highly skilled professionals who advocate strongly for their profession and for the expansion of continuity of midwifery care, which is, of course, something that we are committed to delivering.

Tomorrow evening we will celebrate our nurses and midwives with the ACT Nurses and Midwives Excellence Awards, and on Monday, 12 May we will celebrate International Nurses Day. The theme for that event is: "Our Nurses. Our Future. Caring for nurses strengthens economies".

As a government, we have delivered a number of changes that support our nurses and midwives: delivering phase 1 of ratios; a more than \$86 million investment in the 2024-25 budget to commence the nation-leading rollout of phase 2 of ratios, including midwife-to-patient ratios and counting the baby; ongoing support for the Nurses and Midwives Towards a Safer Culture project; undergraduate student of nursing and midwifery positions at Canberra Health Services; expanded scope of practice at our walk-in centres, which are nurse-led, of course; and delivering additional professional development and training initiatives through the last enterprise agreement to support

our passionate nurses and midwives to continue developing their skills, knowledge and research. We have had a record number of new graduate nurses and midwives joining Canberra Health Services this year, with even more new graduate nurses joining our teams just this week.

In this term of government, we have committed to continuing to work with our nurses and midwives, including to legislate positive practice environment standards; introduce legislative changes that will enable nurse practitioners to work to their scope of practice; deliver a workforce plan for nursing and a workforce plan for midwifery; support more advanced practice nurse and midwife positions; and introduce advance practice mental health nurses in our walk-in centres. Our largest commitment is hiring 800 more health workers, because we understand that our health system is only as good as the workers we support to deliver exceptional care to Canberrans every day.

Scouts ACT—Anzac Day commemoration

MISS NUTTALL (Brindabella) (5.41): On 25 April, at the crack of dawn, I had the immense privilege of attending Scouts ACT's Anzac Day dawn service at the Lake Tuggeranong Sea Scouts hall. Susan, from Melba scouts, explained that these services started during COVID as a way to commemorate and mourn the loss of soldiers when families could not attend the dawn service at the War Memorial. Since then, the event, organised by both the Melba and Tuggeranong scouts, has blossomed year on year into an event for our whole community.

It was pretty brisk at 5 am, and pitch black when we all turned up. There was time to walk the lake of the field of paper and 3D printed poppies, interspersed with pictures in loving memory of family members who have served and passed in armed conflicts.

The flag party arrived from the inky blackness of the lake and, as the morning fog rolled in, speakers addressed the gathering. We watched the War Memorial service, streamed live on a TV that, in true scouts fashion, had been fashioned from a sheet and expertly rigged at right angles.

At the conclusion of the stream, Scouts ACT held their own ceremony, and we heard wonderful speeches, not least from my colleague Mr Werner-Gibbings and from the MP for Bean, Mr Dave Smith. Their sincere and rousing words were complemented nicely by the warbles of magpies and by the disgruntled morning honks of the purple swamp hens. It was a very Australian occasion.

My colleague Ms Morris and I then had the privilege of following the joeys, the cubs, the scouts, the venturers, the rovers, the leaders, Mr Werner-Gibbings and Mr Smith in laying wreaths. Traditionally, each scout group makes their own wreaths, and there were some pretty stunning contributions. My favourite was one that was made out of wing nuts. It was pretty heavy to carry.

We topped it all off, combating the bone-deep chill of the fog that had set in by that point, with sausage sandwiches and egg and bacon rolls.

I am really grateful to Scouts ACT for inviting us to be part of such a poignant ceremony, and I am quite keen to come back next year.

Multiple sclerosis—fundraising event

MS TOUGH (Brindabella) (5.43): On Sunday, I had the pleasure of joining more than 500 Canberrans at Rond Terrace for the MS Walk Run + Roll—a vibrant, moving and deeply inspiring event that brings our community together to raise awareness and funds for Australians living with multiple sclerosis.

Every year, this event grows, not just in size but in spirit, and this year was no exception. From the early morning energy to the last footsteps across the finish line, you could feel the strength, purpose and solidarity in the air. It was not just about raising funds, although we did that, too, with over \$87,000 raised across 75 teams; it was about reminding those living with MS that they are seen, supported and never alone.

MS affects more than 33,000 Australians, and one in three of us knows someone directly impacted. Walk Run + Roll is a reminder that, whether you move on foot, by wheelchair or with a pram, this event is for everyone. It is about community showing up in all forms, and every step forward counts.

It was especially touching to see a member of my staff, Alex Gillespie, walking proudly alongside his Oma, Liezel, and their whole team. That image—multiple generations walking together—truly embodied the strength and love that carries this event forward each year. The look on the face of Liesl, who has MS, when she crossed that finish line was one of just pure joy. It was a wonderful moment to witness that whole team cross the line.

I also want to give a well-earned shout-out to my colleague Mr Speaker, who ran 10 kilometres in under an hour, which was not bad for a particularly cold Sunday morning. His energy, like that of so many others, lifted the spirits of everyone on the course. It was good to see him at the finish line.

The runners and walkers were not the only stars on the day. I want to thank the cheer squads, the volunteers, the event organisers, the support crews and, yes, the people who, like me, stood on the sidelines waving pom-poms with great enthusiasm. This event is not just for those on the track; it is for everyone who lifts one another to get to the finish line.

One of the most powerful moments came when we heard from Bronwyn Saunders, an MS ambassador and passionate advocate. Bronwyn was diagnosed with MS in 2003. Both her mother and sister live with the condition. Yet, despite those challenges, she has never stopped pushing forward. She has even fulfilled her dream of becoming a published author. Her children's book, *Diprotodon: A Megafauna Journey*, is just one example of her creativity and determination. She is hoping to publish a second book soon.

Bronwyn's story reminded us all that MS is unpredictable. It can be invisible. But what is never invisible is the courage of those living with it and the communities that rally around them. Bronwyn even gave us a few pom-poms, and we joined her at the finish line, cheering people on as they crossed, including Mr Speaker, a member of Mr Werner-Gibbings' staff, who was also on the run, and countless others who ran, rolled and walked five or 10 kilometres.

Events like this are a beautiful demonstration of solidarity in action. Whether you were one of the 500-plus people who took part on Sunday, or one of the many who donated, volunteered or cheered from the sidelines, you were part of something bigger, something powerful. In Canberra, we do not just talk about compassion; we show up for it. We walk, we run, we roll and we cheer, because we believe in building a future that is fairer, healthier and more inclusive for everyone.

I want to sincerely thank MS Plus, the organisers, the volunteers and every family that continues to show up. Your dedication fuels research, and I was lucky enough to meet one of the researchers from the John Curtin School of Medical Research, who was there on Sunday, talking about her research and what she has been able to achieve. The dedication expands services and ensures that no-one faces MS alone.

Together, we are pushing for a future free from MS; and, together, I truly believe that we will get there.

International Day of the Midwife

MS CLAY (Ginninderra) (5.47): Last night I had the absolute pleasure of attending the ACT branch of the Australian College of Midwives International Day of the Midwife celebration. Midwife Michelle Thinius spoke on this year's theme of "Midwives: critical in every crisis", giving a timeline of just how critical midwives were during each stage of the COVID pandemic from 2020 to 2023.

I cannot believe that it was the start of the pandemic five years ago; it still feels like it was just yesterday. We heard harrowing stories of midwives being the only support for labouring women, as their support people were restricted from coming into the hospital. We heard about siblings who were not able to meet their new baby siblings in NICU for months, because only the parents were allowed to visit, and then only one at a time. The birth centre in the hospital at one point was being used as a COVID-positive birth suite, going deeply against the grain of de-medicalised birth that the birth centre promotes.

We heard about the strength and ingenuity of midwives having to work around the restrictions, in order to be with women at a time when they could not really be with women. They had to combine face-to-face time, and they were limited to 15-minute windows, so they got really clever. They would call the woman from outside her house and start the consult. They would put on their PPE on the front lawns, they would go into the house and do their 15-minute face-to-face PPE consult. They would come out, doff all the gear and then they would call the woman again from the car. It was pretty tough.

We heard about a lot of the difficulties for midwives during that time. This happened to all of our medical and emergency service workers. I think I had blocked out the stories. There were people wearing PPE all day and getting pressure sores from it, and people trying to practise with their patients and not feeling like they were able to.

There were also a lot of funny stories. Every time I hang out with the midwives, it is a good time. They are so funny. Michelle told us about how she was doing online education with students. Students graduated during this time. It is a pretty practical

course. They managed to do this online. She was teaching a particularly practical procedure—I will not go into the details in the chamber—when her two little kids walked in and her son said, “Eww, what’s that?” Her daughter went, “Cool!” Everybody just lost it. That was how our student midwives learned during that time.

It was really clear that our midwives are still recovering from three incredibly difficult years of trauma, working through the pandemic and the several years of instability that they have had since then. They are amazing people. I am so privileged to have got to know some of them over the past few years, and I am so grateful for the work that our midwives do.

I would also like to congratulate Alice Cotter on being awarded the Rhodanthe Lipsett Midwifery Award, which recognises an outstanding midwife in the ACT. Well done.

Sport and recreation—winter sports

MR WERNER-GIBBINGS (Brindabella) (5.50): I rise today to share a story with you. It is a story that I have often been told—a sad and painful story, apparently. It is a story about a mother who took her younger son to Waramanga Oval on a bleak and freezing Saturday morning in 1988 to watch her older son play a game of association football for the mighty Weston Creek Under 7s Brown. By half-time, she was crying with the fierce cold. My brother’s snivels had greenly solidified on his cheeks and I, already living up to the brand that has defined my sporting efforts for 36 years, had not scored a goal. But, for the *Hansard*, Mr Speaker, I had a lovely time.

That is a long introduction, but it serves as a warning and a celebration. The crisp air is setting in, the days are shortening, Jack Frost is checking his morning schedule, and Canberra’s 2025 winter community sports season has begun.

While some sports kicked off this year before Easter, for me, it was always the first weekend in May when I had to be ready for my first junior soccer game of the season for Weston Creek, Rugby League for the Woden Valley Rams, or Aussie Rules for the Weston Creek Wildcats.

However, in contrast to my mother’s not-forgotten experience, these days, an early May beginning generally delivers weather that is—quoting any ex-player pundit worth their salt—“perfect for footy”. And that is how it was on the election day just passed. Sure, it was a concerning four degrees at 8 am on the way to Wanniasa ovals, but it warmed quickly into a glorious Canberra morning.

The ovals seethed with young footballers. Whistles blew. The barbecue hummed. This was an already pleasant community experience that will be taken to the next level when the ACT government delivers its election commitment to expand and improve the parking experience around the ovals and upgrade the change rooms from the current 1978 state to facilities that are far more welcoming and female friendly.

Results-wise, my younger son’s Tuggeranong Valley Under 14s mixed got the “W” against Marist Sky, while my daughter’s doughty Tuggeranong United Under 7s girls Dolphins team—coached positively but with the potentially problematic ignorance of the nuances of soccer of someone who has only played two years of football for Weston

Creek Under 7s and 8s nearly 40 years ago—got the win. My daughter, as per usual, paying scant attention to Werner-Gibbings traditions, scored two goals. The Weston Creek Wildcats Masters Aussie Rules team, in the first game of our push for four ACT Masters comp flags in a row, put Woden Blues to the sword.

Canberra is a sporting city. According to my laptop's preferred artificial intelligence program, 86 per cent of Canberrans engaged in some form of sport or physical activity in the past 12 months, whether as players, parents and participants, or volunteer coaches, officials and orange preparers. Programs and policies like the CBR Next Move strategy, the Sport and Recreation Investment Scheme, the ACT Academy of Sport, the Community Sports Facilities Program, the aquatic and leisure facilities and the sport integrity and coaching programs amply demonstrate the ACT government's track record of commitment to making and creating accessible and inclusive sporting opportunities for everyone in the ACT.

To paraphrase the great Italian coach Arrigo Sacchi, of all the unimportant things in life, sport is the most important. I think community sport is one of the most important unimportant things in Canberra, for reasons beyond the competition and enjoyment, the thrills and the camaraderie. For me, community sport is an essential community glue. Every weekend, Libby and I get to chat with people from all over Tuggeranong with whom we do not share a street or even a suburb, but with whom we do share an electorate and a team. With those shared interests becoming friendships, for a couple of hours every weekend, every winter, or a few more hours in summer, if it is cricket, we can share ideas and chew over issues. It is a wonderful way of increasing a circle of friends.

Get your gloves, your scarves, your beanies and your sunglasses, and get ready to play up and play up, and play the games during Canberra's 2025 winter, all as part of something colder but bigger—movement, and a grassroots movement—that strengthens our community, promotes wellbeing and makes Canberra a vibrant sporting city.

Question resolved in the affirmative.

The Assembly adjourned at 5.53 pm.