



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

**DAILY HANSARD**

Edited proof transcript

4 February 2025

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

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**Tuesday, 4 February 2025**

**MR SPEAKER** (Mr Parton) (10.00): Members:

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

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.

## **Legislative Assembly—ministerial staff—update**

Pursuant to standing order 213A and the resolution of the Assembly of 5 December 2024, the Clerk presented the following correspondence:

Ministerial staffing spending—Paper—Order to table—Copy of statement of response from the ACT Chief Minister—Total ACT Executive staffing expenditure for each ministerial office for the last five years and the current financial year, dated 19 December 2024.

## **Petition**

*The following petition was lodged for presentation:*

### **Roads—Mawson—petition 45-24**

*By Ms Davidson, from 9 residents:*

To the Speaker and Members of the Legislative Assembly

The following residents of the ACT draw the attention of the Assembly that Year 8 students at Melrose High School have noticed that crossing Mawson Place (the street in between 7-11 and Dominos at the Mawson shops) is really frustrating and dangerous.

Many students from Melrose and Marist cross this street after school. As well as students, many people cross this street over the course of the day, whether it is elderly people out for a coffee, or people who work in any of those shops, and just people out for some fresh air.

Putting a pedestrian crossing right near here would increase safety for not only students, but also for the overall community.

Your petitioners, therefore, request the Assembly to add a new pedestrian crossing at Mawson shops, between Mawson Place and the main shopping district, right in front of the Italian Continental Bakery.

*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.*

## **Ministerial responses**

The following responses to petitions have been lodged:

### **Waste—Mugga Lane Resource Management Centre—petition 27-24**

By **Ms Cheyne**, Minister for Minister for City and Government Services, dated 26 November 2024, in response to a petition lodged by Ms Lawder on 27 August 2024 concerning adverse odours from the Mugga Lane Resource Management Centre.

*The response read as follows:*

Dear Mr Duncan

Thank you for your letter concerning petition E-PET-027-24 regarding Mugga Lane Landfill Concerns.

The petition tabled by former member for Brindabella, Ms Nicole Lawder draws the attention of the Assembly that since 2015, residents of certain Tuggeranong suburbs have been intermittently affected by the odour emanating from the Mugga Lane Resource Management facility. The petition calls on the ACT Government to:

- thoroughly investigate this issue and take appropriate action in response to the complaints;
- seek effective and immediate solutions to mitigate the adverse effects of the odour from the Mugga Lane Resource Management facility on the community; and
- notify residents in nearby suburbs ahead of time when works or changes take place at the facility which may have any impact at all on odour. As well as notify residents why the works are required, how long any impact might persist, and avenues for them to complain.

Some recent complaints have been attributed to the phytocapping trial area preparatory works currently being undertaken at the Mugga Lane Landfill. Preparatory site works for a phytocapping trial commenced in September 2023.

To reduce odour generation during these works the added landfill waste is progressively covered with soil (so that only a limited area is exposed at any time) and the cell is covered at the end of each day. Works are required to be undertaken Monday to Friday and only when there is low wind and no rain.

To improve communication with residents, there are a number of project pages on the City Services website which are updated regularly to better inform members

of the public about any scheduled works and the status of current works that may emit odours at the Mugga Lane Resource Management Centre (MLRMC). Letterbox drops were delivered to residents March and June 2024. A factsheet and explainer video were also created to provide detailed information about the phytocap trial preparatory works. These resources are available on the phytocapping project page on the City Services website at [www.cityservices.act.gov.au/Infrastructure-Projects/tuggeranong/mugga-lane-landfill-rehabilitation](http://www.cityservices.act.gov.au/Infrastructure-Projects/tuggeranong/mugga-lane-landfill-rehabilitation).

Odours from solid waste management facilities are caused by the breakdown of organic material. Landfill facilities are not zero emitters of odour and under certain climatic conditions, odour will be detected beyond the MLRMC boundary. There are a number of operations undertaken within MLRMC which have the potential to emit odours, including everyday landfilling activities, mulching and processing of organic material or trenching work for the capture of landfill gas. Relevant operations are conducted under strict Environmental Authorisations (EAs), tailored conditions set by the ACT Environment Protection Authority (EPA) under which the activity is to be undertaken. EA odour controls include ceasing activities during periods of unfavourable weather (e.g. during high wind periods where the risk of odour transmission is increased) and ensuring any processed or exposed waste is covered as soon as possible during operational activities, with no landfill waste left exposed overnight. The size of the active tip face is also required to be no larger than 30mx30m. Odour complaints are investigated by the EPA.

Rehabilitation of ACT landfills is a mandatory requirement under the *Environmental Protection Act 1997* and a strategic commitment of the ACT Government. The Mugga Lane Landfill operates under EA 0375. This EA requires any landfill cell approved after 5 March 2012 to have a certain type of cap built over it—called a phytocap—once the cell reaches end of life. The phytocap process uses native plants, shrubs, grasses and trees to cap the cell. This means it is more environmentally friendly, requires less maintenance and is more durable to extreme weather and a changing climate. It is designed to minimise leachate generation by reducing water infiltration into the buried waste and to mitigate greenhouse emissions and odour.

More than a third of the ACT's household red bin contents (37 per cent) is food waste, which currently goes to landfill and contributes to greenhouse gas emissions and odour generation in the landfill. To support the reduction of food ending up in landfill, the ACT Government has introduced a FOGO collection pilot. This pilot services 6,450 households in Belconnen, Bruce, Cook and Macquarie and selected apartments and townhouses in Tuggeranong and helps participants recycle food scraps along with garden waste in their lime green lidded bin. The pilot will test the FOGO service before it is rolled out to the wider Canberra community.

To enable to city wide roll out of FOGO and strengthen Canberra's circular economy, the ACT Government is by investing in a large-scale Food Organics and Garden Organics (FOGO) facility. Once complete, the reduction of organics placed into the landfill will further help to reduce odorous organic material in landfill. In conjunction with efforts to reduce organic material in landfill, the Mugga Lane Landfill has one of the largest landfill gas capture and processing systems in Australia. By capturing harmful gases before they escape into the atmosphere, the overall odour emitted from the landfill is minimised and the biogas can be used to generate energy. An expansion project currently underway

will augment the existing landfill gas to energy plant's capacity to generate approx. 50,000 Megawatt hours of dispatchable energy and provide enough electricity to power up to 10,800 homes in the ACT each year.

Odour monitoring is undertaken quarterly at the Mugga Lane Landfill, the green waste processing facility, and at the Hume Materials Recovery Facility. The most recent surveys in September 2024 found that odour intensities emitting from the MLRMC ranged from 'very weak' to 'weak' in the proximity of existing residential areas (including Macarthur, Fadden, and Chisholm). This finding is consistent with the results of the previous round of odour monitoring in June 2024. Additional surveys conducted by the EPA in response to complaints have not detected any unacceptable odour in the surrounding residential areas. ACT NoWaste continues to work with the EPA and the contractors to investigate improved odour mitigation options and minimise potential odour impacts on the community.

Thank you for raising this matter. I trust this information is of assistance.

### **Children and young people—voting age—petition 15-24**

By **Dr Paterson**, Acting Attorney-General, dated 17 December 2024, in response to a petition lodged by Mr Pettersson on 5 September 2024 concerning lowering the voting age to 16 for ACT elections.

*The response read as follows:*

Dear Clerk

Thank you for your letter, addressed to Mr Chris Steel in his former capacity as Special Minister of State, concerning petition E-PET-015-24 regarding lowering the voting age to 16 for ACT elections and lodged by Mr Michael Pettersson MLA. I am responding in my capacity as Acting Attorney-General with administrative responsibility for the *Electoral Act 1992*.

I apologise for the slight delay in providing this response to you, which has been caused by the ACT Government caretaker period during which time the government could not consider the petition.

The issue of lowering the voting age in the ACT has been the subject of much discussion in the Territory and other Australian jurisdictions for many years. The Standing Committee on Justice and Community Safety's *Inquiry into the 2020 ACT Election and Electoral Act* considered lowering the voting age as part of its terms of reference. In its report, the Committee recommended that the voting age be retained at 18 years on the basis that there were current barriers to lowering the voting age, including the interaction between the Electoral Act and Commonwealth legislation, and the entrenched provisions of the *Proportional Representation (Hare-Clark) Entrenchment Act 1994*.

While it was suggested to the Committee that a creative legislative work-around might establish people aged 16 and 17 years a special category of voter, and enable them to choose to vote in Territory elections on a voluntary basis, the Committee was of the view that this would gradually erode community support for compulsory voting.

In December 2021, a Private Members' Bill, the Electoral Amendment Bill 2021, was presented to the ACT Legislative Assembly which proposed lowering the voting age for Territory elections from 18 to 16 years. The Bill was subsequently referred to the Standing Committee on Justice and Community Safety. In January 2022, a Government Submission was provided to the Chair of the Standing Committee which also highlighted a range of legal and practical considerations arising from the proposal, including importantly, that the Bill would expose young people aged under 18 years to criminal offences and penalties. As you would be aware, the Bill was not passed by the Assembly.

More recently, the federal Joint Standing Committee on Electoral Matters Inquiry into the conduct of the 2022 federal election also considered the extension of voting rights to 16- and 17-year olds, and ultimately did not recommend that the federal Parliament amend the law.

I acknowledge that many young people in the ACT community seek to be able to vote from the age of 16, rather than 18, and this view is supported by others in the community. The engagement of young people in the political process through existing mechanisms is positive. Further, as a human rights jurisdiction, the ACT Government acknowledges that young people have rights as children including to express their views (section 11, *Human Rights Act*) and the right to take part in public life (s 17, *Human Rights Act*).

The proposal put forward by petitioners to lower the voting age for the ACT is not supported by the ACT Government due to a range of legal and practical considerations, which I have outlined below.

Any consideration to lowering the voting age in the ACT would need to address the implications for the maintenance of a separate electoral roll for 16- and 17-year-old electors, noting that there is a joint Commonwealth/Territory electoral roll. This may result in significant costs implications for the Territory. Additional staff and resourcing would also be required for the ACT Electoral Commission to conduct education, enrolment drives and electoral services arising from the proposal.

While the petition does not identify whether the petitioners consider that voting for 16- and 17-years olds in the ACT should be compulsory or voluntary, there are significant considerations with both models.

Compulsory voting is a feature of the ACT electoral system. Under the *Electoral Act 1992*, failure to vote attracts a penalty. If a person fails to provide a valid and sufficient reason to vote or pay a \$20 fine, the person will be issued a summons to attend court, where the prosecution process is then managed by the Director of Public Prosecutions (DPP). If the compulsory voting age were lowered to 16, young people who failed to vote could be prosecuted and face the possibility of conviction and criminal sanction. This would have significant impacts on a young person's life. Further, the imposition of penalties for failure to vote may result in an unreasonable limitation on the rights of children to be protected (section 11, *Human Rights Act*). This issue was considered by the Standing Committee on Justice and Community Safety when inquiring into the Electoral Amendment Bill 2021, and no clear solution to this problem arose during the inquiry.

Alternatively, if the proposed model to lower the voting age is not compulsory, this would require the entrenched principle regarding compulsory voting in the

*Proportional Representation (Hare-Clarke) Entrenchment Act 1994* to be altered. Any attempt to introduce optional voting for some members of the community would negatively impact the importance of compulsory voting in the ACT and undermine the value of the democratic process.

The petition lists seven countries where the voting age has been lowered to 16. Unlike the ACT and other elections in Australian jurisdictions, voting is not compulsory in Austria, Malta, Scotland, Germany and Wales. While voting is compulsory in Argentina and Brazil, this is only for voters aged 18 and over. Therefore, it is difficult to compare electoral processes in these international jurisdictions with the ACT.

Ensuring young people are engaged in the political process is important to the ACT Government and the government is open to exploring new ways of ensuring their voices are not only given a platform but are heard. This is already facilitated by the ACT Youth Advisory Council, which provides an important avenue for young people to take a leading role in participation and consultation activities on issues that affect their lives, raise awareness of the aspirations, needs and concerns of young people within government and the community, and facilitate interaction between young people, the ACT Government and the wider community.

On 4 December, the Legislative Assembly passed a motion for the Standing Committee on the Integrity Commission and Statutory Office Holders to inquire into the operation of the 2024 ACT Election and the *Electoral Act 1992*. The Committee will consider the issue of expanding the voting franchise in the ACT further as part of this inquiry.

### **Richardson—shops—petition 20-24**

By **Mr Steel**, Minister for Planning and Sustainable Development, dated 19 December 2024, in response to a petition lodged by Ms Burch on 15 May 2024 concerning Richardson shops.

*The response read as follows:*

Dear Mr Duncan

Thank you for your letter of 14 May 2024 about Petition No. PET-020-24, lodged by Ms Joy Burch MLA, about the vacant supermarket at Richardson shops, Block 4 Section 454 Richardson.

The Government notes the matters raised in the petitions in relation to the current use of the site. It is noted that the petition is requesting ACT Government to provide an update regarding the future use of the site.

Petition *PET-020-024 Richardson Shops* is identical to the previous two petitions (*Petition 002-24 and 016-24 Richardson Shops*) which have been responded to.

Due to administrative oversight, a response was not provided to petition PET-020-024 and this letter now provides the Government response which I note is also identical to the other Government responses to the other petitions.

a) Future plans for the site

The petition is requesting to seek a full update from the owner on any future plans for the site.

Access Canberra have investigated a non-compliance complaint and has advised that the lessee is not currently in breach of the obligations under the lease.

It is the Territory Planning Authority's (the Authority) understanding that the lessee is experiencing difficulties securing a tenant under the existing lease purpose clause.

It is open for the lessee to submit a development application (DA) to the Authority for a lease variation to add uses to a Crown lease, subject to the provisions of the Territory Plan. It is noted that the subject site is privately leased and that it is up to the proponent to determine which future use they would like to pursue for the site.

The Government will assist the lessee, where appropriate, to encourage the use of the site and Access Canberra will continue to monitor the site to ensure there is no future breach.

b) Obligations in the Crown lease

The petition is requesting advice on what obligations the owner has in terms of meeting all the conditions on the use of land agreement.

The use of land for this site is administered through a Crown lease. The block is privately leased and expires on 21 February 2082. In 1989, the Crown lease was granted under the *City Area Leases Ordinance 1936* for the purpose of retail and/or personal services. The Authority is of the view that the current provisions in the Crown lease do not establish a set length of time a block can be vacant.

Under the provisions of the Crown Lease, private owners of commercial premises are responsible for keeping the block clean, and maintaining, repairing and keeping in repair the premises on the block. Failure to keep the block clean is a Controlled Activity under Schedule 2.2 of the *Planning Act 2023*, and the Authority has powers under Part 11.2 of this legislation to make a Controlled Activity Order, if necessary, requiring a leaseholder to take certain actions to bring the leasehold into compliance with the legislation and the Crown Lease. When determining whether a leasehold is unclean, Access Canberra assesses a site in accordance with several criteria. For example, if the land visible from the public domain is covered in items such as rubbish, builder's spoil, scrap timber or other items.

Access Canberra inspected the site and determined that the lessee is not currently in breach of the obligations under the lease.

c) Residents options

The petition is requesting advice on what residents can do to compel owners to provide a public good. As described above, the subject site is a privately leased block and therefore the ACT Government has limited options to make this service available, unlike ACT Government owned public goods. That said, Access Canberra is able to take action when a lessee is non-compliant with the provisions in the lease.

If a person believes a lessee is not meeting obligations of their Crown lease, then a complaint can be made with Access Canberra. Further information on the complaints process is available at:

- <https://www.planning.act.gov.au/professionals/regulation-and-responsibilities/compliance-and-disciplinary-action> and

- <https://www.planning.act.gov.au/contact/disputes-and-complaints#:~:text=If%20your%20complaint%20relates%20to,out%20the%20online%20feedback%20form.>

In addition to the above, residents are able to contact the lessee directly to show interest in utilising the proposed future uses which may provide confidence for future tenants that the site will be viable.

d) Alternate use of the land

The petition is requesting advice of what alternate use of the land and site can be considered. The subject site is Block 4 Section 454 Richardson which is located in the is CZ4 Local Centre Zone. The Territory Plan identifies a number of assessable uses for this zone under the Land Use Table in the *E02 – Commercial Zones Policy*. These assessable uses include uses such as animal care facility, bulky goods retailing, business agency, café, community activity centre, craft workshop, drink establishment, early childhood education and care, health facility, indoor entertainment facility, multi-unit housing, office, produce market, restaurant, shop, take-away food shop and veterinary clinic and hospital.

Given the block is privately leased, it is up to the lessee whether an application is sought to add any additional allowable uses to the Crown lease.

e) Any required planning process/change

The petition is requesting advice of what changes can be made to planning rules such as purpose clause changes to the crown lease that would facilitate more timely responses and remedy for situations such as this. The current planning system already includes processes or options to increase opportunities for this site.

A development application (DA) is required for a lease variation to add any additional uses to a Crown lease. The DA is assessed by the Authority against the requirements of the Territory Plan and *Planning Act 2023*. A DA for a proposed lease variation is publicly notified for a minimum of 15 working days where the community is able to comment on the proposal. The Authority will also seek advice on the application from various entities.

If the Authority approves an application, then the lessee must undertake administrative steps to register the lease variation. The administrative steps may require the determination and payment of a lease variation charge (LVC).

f) Options to Develop the Surrounding Site to Increase Activity at the Shops

There are currently three undeveloped parcels of land which are unleased and managed by the ACT Government north of the site. Theses parcels are identified as Block 15, Block 16 and Block 17 Section 454 Richardson.

The blocks are currently zoned CZ4 - Local Centre Zone and are situated between a public park and the Richardson shops site. Under the current zoning, the sites could allow for a range of uses under the Territory Plan. This includes such as housing and commercial opportunities. This would align with current Government policy to revitalise shopping centres, which is identified in the Statement of Planning Priorities. Government will also explore planning changes that could increase potential undertakings on the sites, such as block consolidation or amendments to planning controls.

Following this response to the petition, Government will undertake the necessary planning work to facilitate release of the sites through the future Indicative Land Release Program.

g) Report findings to the assembly

The petition is requesting to report any findings and progress back to the Assembly by 27 August 2024.

I would like to reiterate that the Government is not in a position to mandate or apply a timeframe on the lessee to secure a tenant for the site. The tenant arrangement and future use of the site, including any future lease variation, is a commercial decision for the lessee and the future tenant for the site.

However, Government can encourage activation of the shopping site through the release of Government held land in the broader areas to encourage further activity at the Richardson shops. In response to the petition, Government will look to release adjoining sites to the market in future through its land release processes.

It should be noted that the current leasing and planning system encourages an efficient and continual use of a site. The ACT Government will guide lessees through any required government processes and assist, where appropriate.

Thank you for providing me with this petition, I trust the information in this letter is helpful to the Principal Petitioner and the Sponsoring Member.

## **Motion to take note of petitions**

**MR SPEAKER:** Pursuant to standing order 98A, I propose the question:

That the petition and responses so lodged be noted.

## **Children and young people—voting age—petition 15-24**

**MR BRADDOCK** (Yerrabi) (10.03): It is no secret that the Greens support extending the voting franchise to 16- and 17-year-olds, and we have been supportive of the Make it 16 campaign to do exactly that. Make it 16 is a collective of young people who want to extend democratic rights to young people. They know that 16- and 17-year-olds demonstrably have the cognitive capacity to vote wisely and make consequence-informed decisions. The principal petitioner, Parker Jakab-van Dooren, has been part of the campaign, and I commend him and all of the team for organising this petition.

Expanding the franchise, not just to young people but also to permanent residents, was part of the ACT Greens election platform that we took to the territory election, and you can expect to hear more from us on this issue throughout this term. The Standing Committee on the Integrity Commission and Statutory Office Holders has begun accepting submissions to the inquiry into the operation of the 2024 election and the Electoral Act, and I expect this topic will feature during that inquiry.

The calls are not going away and no amount of collective opposition by the major parties will resist that tide forever. Let's take a moment to observe and appreciate that

this petition was sponsored last term by Mr Pettersson, who, unfortunately, whilst here earlier, is not here to actually talk to his petition. The petition was responded to and rejected by Dr Paterson, also of the Labor Party, who was Acting Attorney-General at the time of the response. Both of those individuals are now in cabinet and will no doubt be arguing behind closed doors on this issue.

The government's response relies on objections that I am growing tired of. The first is the cost to maintain the roll of additional voters, without actually appreciating exactly what those costs are or providing estimates. The second is a circular argument of compulsory voting and fines for young people, which ignores the wealth of offences we have on our books here in the ACT that expose young people to much more significant fines, without any apparent level of concern from this government. These arguments are defunctive. They are excuses. They fail to grapple with the core questions and the arguments raised by the petition and the campaign at large—that young people are subject to, and I quote from the petition, “taxation without representation”.

I wish Mr Pettersson the best of luck behind Labor's closed doors on this issue and I sincerely hope that, later this term, we might find ourselves voting on the same side in support of expanding the franchise for 16- and 17-year-olds.

### **Richardson—shops—petition 20-24**

**MS TOUGH** (Brindabella) (10.06): I rise to speak to the minister's response to the petition on Richardson shops. This is a petition from the last Assembly, and I was actually the primary petitioner as a private resident of Tuggeranong. The Richardson shops are really dear to me and, as a resident of Tuggeranong, I see that the sense of community sometimes gets lost in Tuggeranong.

Richardson shops used to be a really vibrant and wonderful shopping centre on Clift Crescent, the main street of Richardson. The vibrant shopping centre had a hairdresser, a hardware store and multiple other little shops where everyone always felt welcome to come. The Richardson shopping centre is, however, privately owned and, due to some decisions made by the owner, the rent was increased and that slowly led to all tenants vacating the premises. The supermarket left in 2019 and the last tenant, the hairdresser, left in 2022. Some of the shops have actually been vacant for over nine years.

The supermarket was a wonderful place for residents. While I was out doorknocking last year, I heard many stories from local residents about how the shops helped create a wonderful sense of community—from being able to walk across the oval at Richardson to get some last-minute ingredients when cooking, in time that was quicker than getting in a car, driving to Calwell or Chisholm, parking the car, walking into a major shopping centre and coming home again; or being able to grab some last-minute things when you might not have the money to pay that day by getting a tab from the owner and sorting it out later; to getting home deliveries when people were sick. It was a wonderful place to shop. Nowadays, it is just a derelict building covered in graffiti and boarded up.

However, there is a wonderful playground that was built by the ACT government around 2020. It is a beautiful park with wonderful facilities, but a lot of the local parents do not want to take their kids there these days because there is nothing at the shops. They are crying out for a cafe, a restaurant or another IGA to be able to get a cold drink or something while they are there with their kids.

I am really happy to see the minister has responded with some ideas for alternative use of the land around the Richardson shops. There are three unleased blocks that could be developed to bring in some housing and some shops to revitalise that precinct. Hopefully, doing that will get the private owner of the Richardson shopping centre to do something with the site, whether that is redeveloping the centre into shops and housing or selling it to someone else to do that. It is about time that Richardson shops got a new life and the community once again felt proud of their main street and had somewhere to go. Minister, thank you for looking at alternative use of the land. I hope that throughout this term we can see Richardson shops being brought to life and having some of the community going back to the area.

### **Mawson—roads—petition 45-24**

**MS CARRICK** (Murrumbidgee) (10.09): Southlands is a well-loved group centre, servicing the south of Woden. I support this petition and congratulate Melrose High School year 8 students for their initiative to raise awareness of safety around this area. Many constituents have also raised safety issues with me. Mawson Place is busy, and a raised crossing is required so that residents of all ages and abilities can safely cross into Southlands.

**MISS NUTTALL** (Brindabella) (10. 10): I rise very briefly to speak to the Melrose High School year 8 students' e-petition. They are in year 9 now—so congratulations! I thank the ACT Greens former member for Murrumbidgee, Ms Emma Davidson, for bringing it forward. Like Minister Steel, I had the privilege of being very effectively lobbied by a very dedicated and persuasive group of year 8s, in this very chamber in fact. Members will attest that it is not often that community stakeholders provide them with a full, well-researched PowerPoint presentation. That was awesome. What really jumped out at me was the dedication to community engagement that these legends showed. When they were looking at making change for the better, it was not just in a hypothetical sense; they went to the community and, by asking them, made sure that their proposed solution actually met the needs of constituents and the general public.

This petition is an excellent idea. Absolutely, one of the government's responsibilities is to provide safe access to basic amenities, and the thoroughfare between schools and shops should be a focus area for us. If we are serious about accessibility and walkability in our suburbs, we need to prioritise safe streets and crossings.

I commend the Melrose High School year 8—now year 9—class for their hard work to bring this petition to the Assembly. To the government, through you, Mr Speaker, I say that this is a perfect opportunity to empower our young constituents by showing them that, when they collectivise, government actually answers. Let's show them that their voices matter and let's get this crossing done.

**MR COCKS** (Murrumbidgee) (10.11): I also rise to speak to the petition from Melrose High School students. The Mawson Group Centre has been plagued for a very long time by the neglect of a long-term government that has not paid attention to the basic upkeep and improvement that is necessary in that area. The roads around the shopping centre are clearly congested. They are dangerous. Visibility, particularly around Mawson Place, is incredibly difficult for people. Whether they are school students or older people, everyone who has to cross that road feels like they are taking their lives into their own hands.

I also want to mention that all of the roads surrounding Melrose High School and Marist College are difficult roads for students to deal with, whether they are trying to get across Hindmarsh Drive, whether they are trying to get across Athllon Drive or whether they are trying to get across Marr Street, which the schools are built on. The community there has identified for a long time that traffic and road safety are issues. I encourage the government wholeheartedly to look at the issues. Please pay serious attention. Kids need a safe way to get to and from school. It is that simple.

Question resolved in the affirmative.

## **Chief Minister—government priorities**

### **Ministerial statement**

**MR BARR** (Kurrajong—Chief Minister, Minister for Economic Development and Minister for Tourism and Trade) (10.13): Mr Speaker, Happy New Year to you and the Assembly. I rise this morning to outline key government priorities for the coming year.

In summary, the government plans to invest in Canberra, our community and our economy to meet the housing, health, education, transport and recreation needs of coming generations and those who live in our city now, whilst ensuring that Canberra remains one of the most livable places in the world.

The delivery of additional and affordable housing is both a territory and a national priority. The government seeks to work with all members of the Assembly on a comprehensive housing strategy. The government seeks to enable 30,000 additional homes to be constructed in Canberra by the end of 2030. This would take our total housing stock from 200,000 to 230,000 dwellings. This includes increasing the supply of social housing through partnerships with the commonwealth government and the community housing sector to deliver more public, community and affordable rentals. To support this, more sites for residential development will be released over the next four years, including dedicated annual releases for public and community housing projects. The government will also enable an increase in the territory's housing stock through additional planning reforms that will deliver more of the missing middle homes that are closer to local shops and rapid public transport routes.

The government's housing supply agenda will also be supported by the continued implementation of the ACT's long-term tax reform program. For more than a decade, the government has been reducing the up-front costs of buying a home by cutting stamp duty annually. This will continue over the coming term of government as we progressively remove stamp duty for all first home buyers, pensioners and off-the-plan unit title purchases. We will also remove stamp duty for all vacant land purchases for new housing.

As the government explores avenues to increase the supply of housing in the territory, we will also be progressing with several significant iconic urban renewal sites across the territory, as well as opportunities for renewal in our local and group centres. This includes the active waterfront, the Kingston railway precinct, the Gungahlin town centre and additional housing opportunities through build-to-rent projects in the Woden, Belconnen and Tuggeranong town centres.

Over the past decade, the government has completed a number of major city-shaping infrastructure projects that will support our community for generations to come. These projects are part of a long-term comprehensive infrastructure plan for Canberra. The delivery of short-, medium- and long-term projects in this plan will progress over this term of government.

With work shortly concluding on the raising of London Circuit, construction will commence imminently on the next stage of the territory's light rail network, linking the CBD with Commonwealth Park. The government is in the process of finalising procurement for the construction of the new Canberra Lyric Theatre. This is the first stage of the Canberra Theatre Centre transformation, with the objective of attracting more productions and acting as a key cultural destination for the Canberra region.

We have commenced work with the Australian government to build a new aquatic centre in Commonwealth Park. Once complete, the project will also allow for progress on the new Canberra Convention and Entertainment Centre on the site of the current Canberra Olympic Pool. The government will continue to work collaboratively with the commonwealth on the revitalisation of the Australian Institute of Sport as part of the sports, education and health precinct in Bruce. Work is progressing with Telstra on the reopening of Telstra Tower, with the objective of creating a renewed tourism experience for Canberra.

The government will also continue major health infrastructure commitments, following the completion of the Critical Services Building at Canberra Hospital. This includes new health centres across the city, new public imaging facilities at the Belconnen walk-in centre, and work on the north-side hospital project in Bruce.

The government's infrastructure pipeline also includes a large number of small- and medium-sized projects that make Canberra suburbs great places to live. We will be investing in better local shops, new and improved playgrounds and a major program of path and bikeway improvements across the territory.

The government will also progress a range of improvements to community sports infrastructure across the city, including the expansion of the Belconnen basketball stadium, upgrades and improvements to the Stromlo District Playing Fields, upgrades at Gordon Neighbourhood Oval and the construction of Taylor Playing Fields. The government will also continue female-friendly pavilion upgrades at local sportsgrounds across Canberra to ensure that suitable bathrooms and change rooms are available.

Supporting our health system has always been the number one priority for government. We have already started work to grow our health workforce to meet the ever-increasing demand placed on our public health system. As demand for public health services continues to grow, we will hire more doctors, more nurses, more specialists and more allied health workers—800 additional health staff. The government will also support more affordable and accessible health care across the city, including working with the commonwealth to see more bulk-billing GPs and to expand the scope of practice for community pharmacists.

Over 40,000 families are enrolled in our territory's public education system. The government will further enhance our local schools through ongoing infrastructure investment and new programs to support students in their learning. This includes the hiring of more mental health practitioners in our schools, an expansion of our Meals in Schools program and more support for families through the Future of Education Equity Fund. We will hire nurses to provide access to health services in our public colleges, including preventive health services and education, mental health and sexual and reproductive health services for young Canberrans. Also, the government will expand the successful three-year-old preschool program to provide more hours for families, and support one grade level at every public primary school to go on a free school camp at Birrigai.

The government recognises the cost-of-living pressures that many Canberra households are facing, and that is why we are prioritising initiatives to support households with their cost of living in 2025. We have already introduced Fare Free Fridays across our public transport network, saving commuters on their travel expenses. We will provide an \$800 rebate to 44,000 Canberra households. So a little over one in five Canberra households will receive an \$800 rebate this year and every year to help with their household energy bills. We will provide apprentices and trainees studying in the ACT another \$250 cost-of-living payment this year, adding to the payment provided in 2024. Alongside ongoing investments in accessible and affordable health, education and transport, the government will continue implementing practical and proven measures to provide relief from rising cost-of-living pressures for the households in Canberra that need it most.

Across the country, particularly prevalent in Queensland this week, we are witnessing the results of a more volatile climate. As our climate changes, the demands on the ACT's workforce and facilities will, no doubt, grow and change. The government remains committed to climate action and supporting the Canberra community in the transition to a low-emissions future. Over the next four years, the government will continue to build and expand the Big Canberra Battery and maintain the Sustainable Household Scheme, offering practical and proven support to Canberra households.

During this term of government, we will review the territory's environmental legislation and regulatory settings, including the Nature Conservation Act 2014, to ensure that they are modern and fit for purpose and that environmental improvements are incorporated into our major infrastructure projects. Also, the government will bring forward to the beginning of this year the review of the Urban Forest Act, based on feedback from the community and industry, and will improve the application process and the operation of the act.

The government has outlined a plan to strengthen the capability of ACT Policing to keep Canberrans safe, particularly through domestic and family violence interventions. We will be trialling the use of electronic monitoring for domestic and family violence perpetrators to strengthen protections for victims of abuse. The government will also continue work with the community sector to co-design a comprehensive, evidence-based domestic and family violence strategy. We will also roll out affirmative consent education campaigns and introduce reforms for the provision of protection orders in the ACT.

In this term of government, the government will build upon the ACT's leading human rights framework by strengthening hate crime and vilification laws in the territory. This will align with work being undertaken by the Standing Committee of Attorneys-General on a national response to the rise in religiously motivated hate crime across the country.

The government will also continue to work in partnership with the Aboriginal and Torres Strait Islander community to promote self-determination and Closing the Gap. The government will focus on strengthening and growing the Aboriginal community-controlled sector in the ACT by implementing the Aboriginal Community-Controlled Organisation Establishment and Expansion Fund. We will also maintain support for the Aboriginal and Torres Strait Islander Elected Body, recognising its critical role in promoting self-determination in our community.

Our local community services sector plays a vital role in delivering services across the community, and we have committed to a range of measures to support its ongoing sustainability. The government will continue to progress and complete the review into the ACT Seniors Card to maximise the benefits and values of the card. We will explore a north-side seniors hub to provide face-to-face access to information, services and support for older Canberrans; and will explore the feasibility of a carers recognition card so that carers can more easily access services and supports without having to verify every time that they are a carer.

The government has committed to fostering a more accessible and inclusive Canberra, whereby people with disability can fully participate in all aspects of community life. A key focus of this commitment will be working with the commonwealth to implement foundational supports for people with disability inside and outside of the National Disability Insurance Scheme.

The government has a plan to grow the territory's total workforce to 300,000 jobs by 2030. Investing in vocational education and training is absolutely critical to achieving this ambition. As part of this work, we will open the new Woden CIT campus and progress plans to renew CIT facilities at Fyshwick and Belconnen. The government will also continue to work with our tertiary education sector to ensure Canberra remains a great and attractive place to study.

We enjoy a terrific lifestyle in the nation's capital and our university graduates have among the best employment outcomes of all Australians. We will continue to explore practical measures to encourage more students and young people to stay in Canberra following the completion of their studies.

This year we will establish the ACT Venture Capital Fund, which is a new mechanism to support start-up businesses, to support our innovation ecosystem and to support the commercialisation of ideas generated by ACT-based tertiary education, research and business sectors. This is a fund of over \$20 million that will help guide some of Canberra's most innovative companies to scale up, which will help grow new and emerging sectors in the territory economy.

The government will also help create jobs in our local tourism and hospitality industry as we aim to grow our visitor economy towards a new target of \$4 billion in economic value by 2026 and \$5 billion by 2030. This will be supported by our Aviation Stimulus Fund, which connects Canberra with new domestic and international destinations. I can report to the Assembly that I have already had positive engagement with the South Australian Premier and we are working together to improve connections between Adelaide and Canberra.

Canberra's major events will continue to grow, with this year being the first where we will separate the Canberra Balloon Festival from the Enlighten Festival. This will allow the balloons to once again launch from John Dunmore Lang Place, which is a much larger area that can accommodate a much larger number of balloons and spectators. We will also expand Floriade, introduce drone shows at Enlighten and work with the National Capital Authority to bring the Birdman Rally back to our Canberra Day program.

This year, we will also welcome the British and Irish Lions rugby tour to Canberra. We will continue to work with Cricket ACT to establish a Canberra women's and men's Big Bash club, alongside our ongoing financial support for our local elite sporting teams who participate in national league competitions.

Throughout 2025, the government will work to commence a program to reform fees and regulations that support the growth of Canberra's night-time economy. This includes extending the current incentive and liquor licence fee reduction scheme to allow more venues to showcase artists and creatives, and examining town centres and other areas of the ACT that are suitable to be defined as entertainment precincts.

This is but a brief summary of the agenda for the government this year. My colleagues will shortly outline in greater detail their priorities across their portfolio responsibilities for the year ahead. We are focused on delivering these priorities—the ones I have just outlined and the ones my colleagues will outline—and we look forward to working with members of the Assembly who can support any, or indeed all, of these priorities.

I present the following paper:

Government priorities for 2025—Ministerial statement, 4 February 2025.

I move:

That the Assembly take note of the paper.

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

## **Deputy Chief Minister—government priorities 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) (10.30): Investing in education has been a core Labor value and it is something this ACT Labor government will always do. Education is the second biggest area of government expenditure, growing every year, with \$1.8 billion allocated to it in the 2024-25 ACT budget.

ACT Labor laid out our education platform at the 2024 election and, what we said we would do, we will do. We are committed to doubling universal three-year-old preschool to enable every three-year-old child in Canberra to access 600 hours per year. We are working to build capacity in the sector to make that happen. Strong Foundations is a

key priority supporting schools and teachers to make our nation-leading public education system even better, aligned with evidence identified by the expert panel. We will expand the Equity Fund and the Meals in Schools program, so they provide support for even more students. We will deliver on our commitment to a free school camp for ACT public students to Birrigai, because no child should have to miss out on the formative experiences of excursions due to family circumstances. We will continue our billion-dollar school build, including new schools in growth areas, and we will invest \$150 million, across this term, in school upgrades across Canberra, including \$30 million for heating and cooling improvements.

Last, but not least, as minister, I will always prioritise the importance of our teaching workforce. Teachers and school-based staff are the backbone of the education system, and I will always be in their corner. We will ensure during this term that our public school teachers remain among the highest paid in the country. To attract even more staff, we will establish new scholarships for mid-career entrants to study teaching and strengthen career pathways for learning support assistance through new scholarships, enabling them to study teaching while working in ACT public schools. Education is a key priority of this Labor government and we will never lose sight of the importance of education for children and young people in Canberra.

Just as education is a pathway and a pillar for a brighter future, so too is a safe and secure home. As Minister for Homes and New Suburbs, I am looking forward to continuing to grow and improve the stock of social housing in the ACT and to provide services for Canberrans at risk of or experiencing homelessness. The ACT government will support the delivery of 5,000 public, community and affordable rental properties in Canberra by the end of 2030. This will see the public housing portfolio grow to more than 13,000 homes. This expansion builds on the Growing and Renewing Public Housing and Social Housing Accelerator programs.

Homelessness is a destabilising and devastating experience for Canberrans to go through and can have long-term negative impacts for people who are not provided with rapid and appropriate assistance. ACT Labor committed to a funding boost of \$5 million, targeting support for people experiencing chronic homelessness, youth homelessness, older women or women escaping domestic and family violence. We have also committed to releasing a further 75 public housing properties for specialist housing and homelessness services, including Aboriginal community-controlled organisations.

The ACT and commonwealth governments have partnered to deliver a new Youth Foyer in Woden. It will provide accommodation and youth supports to help transition young Canberrans between the ages of 16 to 25 years of age to adulthood and independence. I cannot wait to see the Youth Foyer operational in the second half of this year.

The ACT government is committed to progressively insourcing public housing repairs and maintenance. As part of this work, Infrastructure Canberra is partnering with Housing ACT to deliver a pilot of insourced property maintenance services for public housing maintenance. The trial of insourced facilities maintenance is currently being undertaken at four multi-unit property housing complexes, with exterior repair and maintenance activities being delivered by iCBR ACTPS trades staff. The ACT government values stakeholder input into feedback about what is an important and

complex undertaking, and I am committed to listening to tenants and workers.

There are 21 registered community housing providers in the ACT. They provide housing and related services to people on low, very low or moderate incomes. They are an important part of the housing mix here in the ACT. The ACT government continues to partner with community housing providers to deliver more long-term affordable rentals in the ACT. The Affordable Housing Project Fund is one way we are doing this. So far, we have supported around 280 affordable rental homes through this fund, and we are proposing to increase the fund to \$100 million. The government will also continue to maintain support for build-to-rent developments. This will include releasing land and considering financial assistance for build-to-rent projects that include affordable rentals.

In the private housing market, we know Canberrans are seeking more homes to rent and buy. The ACT government is committed to facilitating practical and sustainable solutions to help meet this demand. Our goal is to enable the construction of 30,000 new homes by 2030 to accommodate Canberra's growing population. We are working hard to deliver new neighbourhoods that are well-planned, are equipped with the necessary infrastructure to support a high quality of life and are made up of all different sorts of housing types, from low-rise apartments to townhouses to single residential homes. This commitment includes land releases in our town centres like Gungahlin and Molonglo, as well as work in our new suburbs of Kenny, Bandler and Sulman, and working with the commonwealth to provide housing at the CSIRO Ginninderra site in Belconnen.

The ACT government continues to work closely with the commonwealth government across a range of different housing initiatives, including the National Housing Accord, Housing Australia Future Fund, Social Housing Accelerator, National Housing Infrastructure Facility and Housing Support Program. These funding initiatives are essential in order to deliver not only new homes but also the infrastructure that supports them. The ACT government's housing plan is bold. It is a blueprint for meeting the growing demand for houses in the ACT. By enabling the construction of 30,000 new homes, with missing middle, environmental and affordability considerations as cornerstones, we are laying the foundation for a brighter future.

As we all know, communities are built with more than bricks and mortar. That is why the ACT government continues to invest in sport and recreation. We have a number of priority sport and recreation infrastructure projects across the ACT, including the expansion of the Belconnen Basketball Stadium in partnership with Basketball ACT; continuation of work with a private company to construct the new indoor ice sports facility in Tuggeranong; the new Amaroo tennis facility; and district playing fields in Throsby. These projects will deliver a long-term legacy for Canberra through an increased supply and access to new infrastructure facilities and new playing fields and facilities. We will provide greater access to community funding by increasing our annual sports grants funding in addition to progressing key new facility and improvement projects across the ACT, including a new pavilion and playing fields in Taylor, additional netball courts in Jacka and an upgrade to the Tuggeranong Skatepark.

The ACT government continues to invest in the facilities that support participation in organised sport and active recreation. This is important if the ACT is to continue building on Canberrans' nation-leading rates of participation in organised sport and

physical activity. The ACT community is served by over 100 irrigated sports ovals, used every weekend by an army of sporting groups, operating year round and maintained by a small but dedicated team of professionals that deliver turf management programs, line markings, irrigation systems, lighting towers, change rooms, toilets and canteens.

A priority for the ACT government will be to continue to roll out improvements to these facilities—in particular, the renewal and replacement of sporting pavilions, including the completion of makeovers to all our change rooms to a female-friendly design; more lighting to our sportsgrounds, extending the timeframes available for groups to book facilities for training and match play; and improvements to irrigation and smarter water use to not only keep our grounds in top condition but also be smarter and more efficient in our application of irrigation. This work always gets the best outcomes when the government works with sporting bodies, who provide important insights about current and future needs of their members. I am looking forward to continuing to work with sporting groups around our city.

In conclusion, education, housing and sport are interconnected building blocks of an equitable society. I am looking forward to delivering even more opportunities for Canberrans to have a fair crack at happiness through these important pathways.

I present a copy of the statement:

Ministerial priorities—Ministerial statement, 4 February 2025.

I move:

That the Assembly take note of the paper.

Question resolved in the affirmative.

## **Genius Childcare—update 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) (10.40): The ACT government is committed to supporting a healthy and well-functioning early childhood education and care sector to develop quality learning and development opportunities that set children up for success, enhance our early childhood education and care profession, and support improved outcomes for the ACT community.

Early childhood education and care is an essential service, and the National Quality Framework, the NQF, is the bedrock for achieving it. The NQF sets the rules for how education and care is delivered. It is underpinned by the Education and Care National Law, the national law, which all ECEC providers and services must comply with. The ACT Regulatory Authority, Children’s Education and Care Assurance, CECA, ensures compliance with the NQF. The NQF can be seen as a national acknowledgement of the important duties, responsibilities and roles of the early childhood education and care sector in promoting children’s learning and development.

We know that quality early childhood education and care is integral to realising individual and long-term economic and social benefits. Parents and families lay the foundation for children's learning and development, which is then further shaped and extended through children's participation in education and care services. This is why the ACT government has invested considerable resources in providing access to quality early childhood education over many years.

Experienced, qualified and passionate educators are the single-most important factor in the quality of early childhood education. Educators work extremely hard, and we want the community to understand the incredible value of their work. They are often faced with challenging circumstances but continue to do the important work of educating our children. The ACT government wants to make sure that our educators are valued and supported, which is why the ACT government released an ACT-specific early childhood education and care workforce strategy in late 2023.

It is also why reports received in late 2024 about unpaid wages and superannuation for staff at Genius Childcare services, overseen by the approved provider, Abacus 49 Pty Ltd, as well as reports of unpaid rent and invoices, were appalling. Our early childhood education and care profession deserves better. It is made up of qualified, dedicated and caring individuals. The majority are women, skilled at education and caring for our youngest community members.

The national law is primarily focused on the safety, well-being and development of children. The Genius Childcare issues about non-payment of wages, superannuation, rent and as suppliers' cleaning and maintenance invoices, are largely outside the scope of the national law and, therefore, outside the powers of our territory regulator, CECA. This means that the profession can be left at the mercy of Australia's market-driven delivery of early childhood education and care, where some providers may place profits ahead of the children's best interests.

Issues with market-driven delivery of early child education and care were highlighted in the recent Productivity Commission and ACCC reports into early childhood education and care. As the Minister for Education and Early Childhood, I and the Education Directorate, have taken serious measures to respond to the Genius Childcare issues. These include establishing a dedicated support line for families, staff or other community members impacted by the Genius Childcare issues; engaging ministers and regulators from across Australia to drive a coordinated national response to these issues; and calling on early childhood ministers nationally to consider policy responses to prevent these types of issues in the future, including potential changes to the national law regulatory framework.

These are serious issues that the ACT government is leading the nation in responding to. The ACT government will continue to advocate for the sector, including by holding to account individuals or groups whose actions seek to do harm to the profession and negatively impact children and families and the wider community.

I present the following papers:

Genius Childcare Gowrie—Employment conditions—Assembly resolution of

4 December 2024—

Government response, undated.

Government response—Ministerial statement, 4 February 2025

I move:

That the Assembly take note of the paper.

**MR PARTON** (Brindabella) (10.45): I stand to respond to the education minister's statement this morning as much as to speak on behalf of parents and staff who have continued to engage with me during this whole sorry saga. I can express confidently that parents and staff who are affected by this episode will be disappointed by this statement. These people are reaching out to me online, they are reaching out to me at shopping centres and they are pulling me aside at parkrun. There are a lot of people who are affected by this. This is certainly seen by them, and seen by me, as being above politics. It is just about mums and dads and kids who are trying to get through their lives.

To encapsulate the feeling from the affected cohort, I will read from an anonymous email that I received from a staff member a little over a week ago, on 24 January. We will call this staff member Rebecca. Rebecca says:

I know that at the end of 2024, I contacted you regarding Genius Childcare. I understand a motion was passed in relation to this, but I am struggling to understand what actions have been taken since then. The owner continues to evade responsibility for unpaid superannuation, currently up to 24 months behind, with no signs of commitment to resolve this issue.

Staff were told the payment would be completed by January 24, but nothing has happened. Educators nationwide are heading into the long weekend without being paid for the pay period of January 6 to 18. There has been no communication. No payslips have been provided. Fair Work and the ATO seem to be failing us, despite many individuals raising these concerns across Australia.

Where is the accountability and who can we turn to for assistance? The ACT hotline was completely unhelpful and seemed designed to redirect inquiries away from government departments that should be addressing these issues. I am truly disappointed in our government and the systems that continue to let us down while benefiting others.

I received this one from a parent last night:

Hi Mark,

I just thought I would update you on the Genius saga. The staff finally got paid their super, but I think it is only because they did not pay their current staff nationwide. Families also got this correspondence that has been attached below.

So this went out to families on 3 February, and it says:

Dear families,

We are writing to inform you of an important change regarding the ownership of your child centre. On or around 31 March 25, the ownership of Genius Gowrie will be transferred to Steps Learning as part of a strategic restructure. Despite the change in ownership, your centre will continue to operate as usual, and there will be no changes to staffing.

And on it goes. There are parts of this parent's email that I cannot really share with you, because they are just a little bit savage. The email makes suggestions around the ownership of the new company, which, according to this parent, appears to be very similar to the ownership of the last one. This parent also makes the point that many of the announcements regarding the new company's emergence onto the scene happened on 31 December in the year just gone. She further makes the point that, at the moment, Gowrie is averaging about 10 kids a day and that they have not found a new centre manager.

So it is clear that this ministerial statement will certainly be seen by parents and staff as a box-ticking exercise to fulfill the "calls ons" in the resolution from last year. I am not sure that anything new has been detailed in the statement, which we have been waiting on for a couple of months. Certainly, based on the feedback I am getting on the ground, nothing has changed.

**MS TOUGH** (Brindabella) (10.49): I too rise to respond to the minister's statement about Genius Childcare, and I thank the minister for providing the update. I want to acknowledge my colleague, Mr Speaker, for his continued work on this issue as well.

I was really happy to hear that the educators in Genius nationally had been paid their super in January, having not been paid for at least the last 12 months. But, in an unsurprising turn of events, the week they paid super, wages were not paid for that fortnight across the entire country, clearly showing there is some kind of cashflow problem here. We are a month on from that, and wages are still behind nationally for workers at Genius Childcare. That is really disappointing to see.

I too have been contacted by a number of parents and educators in the last few weeks seeking updates and letting me know about what is going on, and not only parents and educators but also landlords of some of the premises that Genius rents and uses. I have been totally horrified to hear that at one centre here in Canberra, at Symonston, Genius only pays the rent after it gets threatened with legal action. Multiple times in the past 12 months, Genius has failed to pay the rent. V&R have had to go to lawyers and threaten legal action to get paid, and then, all of a sudden, money appears in the account and rent is paid for a period going forward. This has happened multiple times in the past 12 months, and rent has been paid by at least three different entities in that period. Every time rent is due, V&R have to get their lawyers to write a letter to Genius. Genius then pays and pays the legal fees. Unsurprisingly, for this month where rent was due on 1 February, as of last night, rent had not been paid for the Symonston centre. So these landlords are once again out of pocket and starting to threaten legal action. This is just an ongoing thing for V&R that they are just used to, having to be ready every month to threaten to get the rent paid.

There are three Genius centres in my electorate. There are five across the ACT. Of those centres, at least four appear to be up for sale or have been sold to another company, with the future of one of them in the balance, unsure what will happen at that site and whether they will be sold or closed. Just this week, I have heard from parents and staff that these are being sold to an incubator company that appears to have links to Genius. A quick Google search of some recent news articles and some ASIC searches will show you that the CEO of Genius is about to become the CEO of Mayfield Childcare, which has set up Steps Learning to sell the Genius centres to. That CEO is also a partner of Sprint Capital

Partners, which was founded by the founder and managing director of Genius.

I do not know about you, Madam Assistant Speaker, but to me that shows there is kind of a connection between all these companies and that where centres have been sold from one provider to another really it is just the same people at the top of these companies. It just seems to me to be a bit shonky. To me, if you cannot pay your staff on time, including their entitlements, and you cannot pay your bills, then you should not be doing business.

I am heartened to see from the response that national regulators have come together and are talking about this, but this is only a first step. I want to see a stronger national law that can intervene and protect staff, families and children from going through this again. You have lots of families out there who are trusting their kids into the care of wonderful educators, who are qualified and skilled and are doing an incredible job. I do not think we should forget just how much of an incredible job our early childhood educators and teachers do. But those educators and teachers are stressed to the max because they are not being paid on time, they do not know when their pay is coming in and they do not know if their entitlements are there. That is just an awful situation for these families and educators to be in.

We need to see some change going forward. If Genius centres are sold, we need to see the regulator looking at the sale to make sure the buyers are fit and proper to run childcare centres. Should they not be in the childcare space anymore? Should other providers come in? I know at least one centre where their landlords know of another provider that wants to take over but is just not able to.

Going forward, we need to look after these staff. The staff have said this week that, while there seems to be a transition to a new employer, in the first draft their entitlements were not going to be continued. It would all be paid out and then start again. Then when some of the directors went, “Hang on; what is going on?” their adviser said, “Do not worry; your entitlements will continue.” So they do not even know what situation they are in with this transfer of business. There are laws that govern how a transfer of business operates, but it does not seem that they are really being paid attention to.

This will not be the last time the Assembly hears from me about Genius Childcare, or whatever it might be called in the future. It is important that we look after these families and these staff, that they are paid on time and that the government does what it can.

Question resolved in the affirmative.

## **Attorney-General—government priorities**

### **Ministerial statement**

**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) (10.55): It is a great honour to continue as a minister in the Eleventh ACT Legislative Assembly. I recognise the confidence that the ACT has shown in this new government, and I take every day as an opportunity to progress and

deliver the commitments we have made to the community at large. As Attorney-General, I am committed to championing a justice system that is accessible, efficient and transparent. With many reviews having recently been completed or nearing completion, I am setting a significant and ambitious agenda of work over this term to achieve change where it is needed.

January 2025 marked 20 years since the commencement of the ACT's Restorative Justice Scheme. When it commenced, the RJ Scheme was one of the most ambitious of its kind, and it continues to serve as a model for other jurisdictions in Australia and overseas today. Participants of restorative justice conferencing report a 98 per cent satisfaction rate amongst persons harmed, persons responsible and their respective support people. This is something to be extremely proud of. We have committed to expanding restorative justice accessibility criteria and to support the establishment of community-based restorative practice in the ACT. We will consider the findings and recommendations of several independent reviews to ensure that restorative justice reform over this term is informed by a robust understanding of the learnings from the past 20 years of service delivery as well as evidence regarding today's best practice.

With a long history of embracing justice reinvestment, I am committed to investing in communities reducing contact with the criminal justice system and improving outcomes. The reducing recidivism plan, the RR25by25 plan, launched in 2020, set an ambitious target of reducing recidivism by 25 per cent by 2025. Phase 1 of the plan, from 2020-23, has seen positive results, with a 19.3 per cent decrease in the recidivism rate from the benchmark 2018-19 figure. Phase 2 of the plan was launched in September 2024, and it builds on these successes while aiming to futureproof the ACT's criminal justice system through a focus on community-led early intervention and diversion, alongside targeted integrated rehabilitation and reintegration supports. This phase will build enhanced data collection and will align with other key government strategies to ensure a data-driven and comprehensive approach to reducing offending and re-offending.

Subject to procurement, a co-design process will commence in March to bring together government and community stakeholders to design the parameters for a new Justice Futures Fund, which is intended to support the establishment of new justice reinvestment initiatives to help deliver on those goals and beyond. Minister Paterson and I have a determined focus on this priority area. We prioritised visiting AMC earlier this year to understand its functions, its staff, its people and where else we might be able to invest to support the best outcomes prior to and once a detainee is released. We are working through what we have learnt.

Related, Aboriginal and Torres Strait Islander people are significantly over-represented in the criminal justice system, including a disproportionate rate of Aboriginal and Torres Strait Islander people in incarceration. The Jumbunna Institute of Indigenous Education and Research at the University of Technology Sydney is finalising an independent review into the over-representation of First Nations people in the ACT justice system. Jumbunna has conducted an extensive consultation process with a wide cross-section of stakeholders, including working closely with First Nations people in the ACT and those with lived experience of the ACT justice system. The review will soon deliver recommendations for further practical measures that will have an appreciable impact on over-representation rates. Consultation on the second phase of

the review is coming to a close, and I look forward to receiving the report and working in partnership with the ACT First Nations community on the next steps to respond and implement the review's recommendations.

A recent source of advice to the government has been the Law Reform and Sentencing Advisory Council. This council was established in 2023. The former Attorney-General made two referrals to the council for consideration and advice. In September 2024, the council provided its first report to government—the report into dangerous driving sentencing and recidivism. The second report into the Bail Act was due to be delivered by the end of June 2025.

I acknowledge the intended purpose of the council and that its establishment is relatively recent. In saying that, it is also important to note that its establishment was brought about through non-ongoing funding. This meant that future government decisions were always going to have to be made. Noting the stronger focus this term on the role of the Legislative Assembly and its committees in undertaking investigative and policy work to advise government, the recent ACT Legislative Assembly Standing Committee inquiry into the administration of bail in the ACT and, critically, the broader physical environment, I have regrettably taken the difficult decision to discontinue the council.

I would like to thank the council for the work that they have undertaken over the past 18 months, particularly in relation to the dangerous driving report, which makes a number of recommendations in relation to amending relevant laws, current offences, consistency across legislation, public safety and the recording of data. Those recommendations are valuable, and they are feeding into work that is now underway. In particular, I have asked the Justice and Community Safety Directorate to review definitions for serious driving offence provisions to ensure consistency across legislation and to consider amendments to streamline the current legislation.

I recognise that some will be disappointed that the review of the Bail Act will not proceed in this way; however, I hope this decision can also be viewed against the valuable recommendations we have already received from the standing committee following their inquiry, notwithstanding that the committee was not able to consider every issue, and its report does not replace a council-led review.

I also recognise the need to ensure that legislation continues to meet modern expectations and legal understanding. At the conclusion of this speech, I will table the government response to the bail review, which sets out our early agenda regarding the Bail Act. As recommended by the standing committee, as a starting point, the government will undertake further policy development and consultation to investigate whether the inclusion of a hierarchy of objectives within bail legislation would have a meaningful and beneficial impact on the bail scheme and consider how greater compliance can be achieved.

The government will undertake further policy development and consultation on the express inclusion of the consideration of Aboriginality, including cultural background and ties to family and place. This aspect of the work will be underway once the Jumbunna review has been finalised, to ensure any recommendations made or information provided by that review can inform that process.

I want to assure the Assembly that the government will continue to consult on legal policy issues, as we have a long history of doing, including and especially with the organisations represented on the council. This includes, of course, bail reform. It is vital that the government continues to hear from the community, particularly those with lived experience, including through their participation in committee of inquiries and also directly to me or through consultation that we undertake. I also note the important role of the Victims of Crime Commissioner in being an advocate for victims' interests, both in relation to individual and systemic issues and the role in raising those with me.

Again, I sincerely thank the council, its secretariat, each of its members and, particularly, former Magistrate Beth Campbell for their efforts, time and invaluable advice. Mrs Campbell, in particular, has been a great source of advice to me as a new Attorney-General on all manner of issues. I thank her for her leadership of this council, and I do expect to remain regularly engaged with all council members.

Improving legislative and justice responses to domestic family and sexual violence is a key priority for the government over this term. As our understanding of domestic, family and sexual violence continues to evolve, our legislative frameworks and legal systems must continue to adapt. As Attorney-General, I am committed to progressing a pipeline of law reform to ensure that the ACT criminal justice system continues to align with community expectations of a meaningful and trauma-informed legal and justice response to domestic, family and sexual violence.

I am working closely with Minister Paterson to progress this work and achieve our vision of preventing, reducing and effectively responding to domestic, family and sexual violence at all levels in the ACT, so that victim-survivors can recover and heal and persons using violence are appropriately held to account. I will work with stakeholders to consider law reform to improve protections of victim-survivors' confidential and sensitive information in proceedings. We know that the disclosure of this information can pose significant risk for victim-survivors' safety and can be highly re-traumatising. The court process can be very alienating and confusing to many victim-survivors already experiencing significant stress, and providing greater clarity about proceedings is critical. With stakeholders I will be exploring options to implement mandated timeframes for witnesses to receive relevant information about a case before the court so they are kept informed. I will also be working closely with ACT Policing to consider requirements around the service of protection orders, to ensure current legislative rules are timely, fit for purpose and meet the needs of a modern society.

The government will build on the important work undertaken in the last term to improve the understanding of and responses to coercive control in our community. This will require a whole-of-system response and not just a legislative one, recognising that preventing and responding to domestic, family and sexual violence is everyone's responsibility. We will continue to support capacity building and training for frontline services and community-based education to build awareness of coercive control and ensure that service responses are informed and safe. I am committed to working with specialist services, frontline responders and our Aboriginal and Torres Strait Islander community to consider next steps in addressing coercive control and improving our structural and systemic responses. Any consideration of law reform to criminalise

coercive control will be guided by that deep consultation, detailed consideration of how criminalisation would fit within the ACT context and legislative framework, and ongoing monitoring of the learnings from other jurisdictions.

Being the first-named night-time economy minister for the ACT is part of recognising the importance of driving a thriving night-time economy to attract visitors, boost tourism, foster a diverse and inclusive community, and support artists and culture and the businesses that support them. The government is committed to undertaking further work in enabling the recently refined objectives in the Liquor Act. We have already made significant progress on delivering reforms to support Canberra's night-time economy, such as reducing regulatory burden, reducing liquor fees and trialling free loading zones for musicians loading in and out of Canberra venues—but there is more to do.

Among our focus areas is to strengthen responsible service of alcohol training in the ACT; to take action to combat drink spiking; and to progress improvements to the regulation of same-day delivery of alcohol in the ACT. We have also committed to review the Liquor Advisory Board and alcohol advertising laws to ensure that they are meeting community expectations. We intend to extend liquor licence fee reductions to support small to medium cafes and restaurants, including general licences, with capacities of up to 150 persons. We also intend to extend liquor licence fee reductions for small to medium venues, with capacity of up to 350 persons, who support and showcase artists and creatives. We will continue to deliver and promote the City Centre Entertainment Precinct and examine town centres and other areas across the ACT that are suitable to be defined as entertainment precincts. We will investigate reforms related to the management of vexatious noise complaints against venues and to consider an order of occupancy regulatory approach.

Canberra deserves a night-time economy that is vibrant, diverse, inclusive, accessible, safe and supportive of community business and the arts. As a government, we will undertake measures that further enable these objectives.

It is a privilege for me to continue as Minister for Human Rights. Our human rights framework is strong, but there is more work to do here too. Last term we introduced the right to a healthy environment, and this term we will finalise a road map and a timeline to incorporate other economic, social and cultural rights into the act. This includes the right to adequate housing and the right to health, which are critical to wellbeing. Last term we created a new dispute resolution option, so that people can take human rights complaints to the ACT Human Rights Commission. This term, we will introduce laws to extend that pathway to the ACT Civil and Administrative Tribunal for a legally binding decision if it cannot be resolved at the commission. These and other reforms, including a review of the Charter of Rights for Victims of Crime, will ensure our human rights framework remains nation leading, so every person is treated with dignity and so our city remains inclusive for all.

My passion for city and government services is no secret, as we have discussed, and I am excited about the opportunities and commitments to better serve Canberrans through Access Canberra and to deliver the essential infrastructure and services our city can be proud of through City Services and the Parks and Conservation Service.

My focus for Access Canberra is the continued improvement to make it easier, simpler and better to engage with the wide range of valuable services it provides. I want to take a moment acknowledge the service and contact centre teams, who have had a busy start to the year. The service centres had their busiest day ever on 6 January and the contact centres stood up three times in six days to support the SES response to the storm activity.

It might not be sexy, but there are a number of reforms we are implementing to further smooth processes and interactions with government services, including the development and implementation of more robust and intuitive licensing services; strengthening cybersecurity to ensure citizen transactions and information remain secure; and preparing the WWVP scheme for the entry of the aged-care sector in coming years.

My focus for City Services is the delivery of critical infrastructure that our city needs—from major transport infrastructure projects to local municipal and recreational projects that make our suburbs great places to live; to delivering and enhancing the wide array of services that keep Canberra clean, green and safe to move around. I have brought forward a review of the Urban Forest Act 2023, drawing upon community and sector feedback, to ensure that this act aligns with government priorities and community expectations.

We have also commenced a comprehensive review of the Public Unleased Land Act 2013, also known as PULA. PULA has a storied history, which I will not bore anyone with but feel free to ask. The nub of the issue is that the objectives of the current legislation—to protect public land and to enable use of public land—are in conflict with one another. I look forward to updating the Assembly as this work progresses.

Addressing graffiti, dumping and the state of unleased land and leasehold land remains a focus of mine. We have made some good progress in the past year, and now it is time to further operationalise the powers that we have and the messages that we can send about the city we want to live in.

I recognise the considerable investment across government and from the previous minister, Minister Steel, personally in road safety. Last term we made significant strides in this space, and I look forward to continuing that work, which will include the development of a new Road Safety Strategy. We will continue to work within our government and across all state, territory and federal governments towards Vision Zero for no deaths or injuries on ACT roads by continuing our support for improved road safety outcomes, including through the implementation of automated unregistered vehicle and seatbelt offences, and modernising the territory's traffic and parking enforcement system to allow for enhanced road safety measures.

The ACT government is committed to road and infrastructure upgrades to improve access in and around the Molonglo Valley and to keep our city moving as Canberra grows. The completion of John Gorton Drive, including the Molonglo River bridge, will support significant access to land releases in Molonglo, including the full development of Denman Prospect, Whitlam and the Molonglo town centre and future suburbs. We are helping to improve transport for people in Belconnen, Woden and Tuggeranong. In the case of William Hovell Drive, this 4.5 kilometre road duplication will improve overall road alignment, capacity and safety, keeping Canberra moving

with better roads and safer intersections. Together, the ACT and Australian governments have committed \$230 million to delivering two sections of the Monaro Highway upgrades, which I know that you are aware of, Mr Speaker. This is a long-term series of road improvements which will deliver improved safety, efficiency, and faster and smoother commutes for the Canberra community. We are committed to getting on and delivering what we have been elected to do, and I will continue to update the Assembly as we reach key milestones.

Following the damage to the existing facility caused by a fire in December 2022, delivering a new recycling facility in the ACT has been a key priority of government. The new recycling facility, to be built on the existing site at Hume, will have a capacity of processing, to a high level of purity and resource recovery, up to 28 tonnes of material per hour and up to 115,000 tonnes per annum. In delivering this commitment, we have appointed Veolia as a delivery partner through a public-private partnership style agreement to finalise the design, build, finance and subsequently operate the new recycling facility over a 20-year term. It is expected to be operational in 2028. In the coming months, our interim operations will move to an alternative site in Hume to support preparations for the new recycling facility on the existing site while ensuring the continuation of vital recycling services for the ACT community.

In parallel, we are continuing to progress the planning and delivery of a new food organics, garden organics—otherwise known as FOGO—facility in Hume. Building this dedicated facility in the ACT is an election commitment that will allow the rollout of a citywide FOGO collection service and support our circular economy. The first of a two-stage procurement process to deliver and operate the facility is expected to commence in the middle of the year. Also, as part of our commitment to sustainability and the circular economy, we will be trialling a free annual kerbside collection of bulky waste and the promotion of “Second-hand Sunday” style community events just prior to collection, encouraging people to re-home and re-love items before they end up as waste.

We continue to have a firm focus on suburban investment. We will be upgrading shopping centres and making improvements to recreational spaces, with some already well underway. We will be conducting major shop upgrades at Erindale and Chisholm and delivering the next stage of upgrades to Cooleman Court. Planning is also beginning for upgrades to six other shopping precincts. We are upgrading and renewing numerous skate parks, including Tuggeranong, Kippax and Charnwood, and planning improvements to more than 10 playgrounds across the city. To support the community’s use of public spaces, we have also committed to the delivery of five new public toilet facilities across Canberra.

We are continuing the significant operational and service delivery work performed across the city. We are committed to the safe and efficient delivery of horticultural services, such as mowing, tree planting and maintenance, as well as keeping our teams safe, with additional traffic management capabilities, while our waste services and city presentation activities keep the urban environment clear for use, well maintained and looking tidy. A priority for me is the uplift in amenity we will provide in the Belconnen

town centre, thanks to our extensive election commitments, especially for Margaret Timpson Park, Emu Bank and widening the circuit around Lake Ginninderra.

We will further our commitment to animal welfare, in cooperation with the RSPCA, through the delivery of a new RSPCA facility at Pialligo. We are also committed to improving the current Domestic Animal Services facility in Symonston. This will ensure that animals within our care are housed in a suitable shelter and will improve the conditions for our valued staff.

It is also important that we plan for the future in support of Canberra's cemeteries. We will ensure that work is progressed to ensure the continued provision of services to Canberrans across the city by improving and investing in our cemeteries. I commend the board on the recent opening of Sanctuary Garden, an innovative and peaceful ash interment and memorialisation space, and the beginning of construction of the Memorial Hall at Gungahlin Cemetery and Crematorium.

I also recognise that the temporary closures of libraries across the city has been a concern to many, and providing a reliable service is where my efforts will be over the coming months.

Finally, I am very privileged to now be responsible for our tireless Parks and Conservation Service. This term we are focusing on delivering infrastructure upgrades and key resilience initiatives that will support recreation and enhance outcomes in the face of a changing climate. Within our reserve and national park estate, improvements are underway across the Woods Reserve and the Gibraltar Falls precinct; the Old Wells Station Road and the surrounding landscape at Nadjung Mada; the Budjan Galindji Grasslands; and across major walking trails within the Canberra Nature Park. I am proud to advise that we are nearing the completion of Black Summer bushfire recovery projects, which build on the ACT Bushfire and Flood Recovery Plan. This government is committed to building resilience in our parks, supported by the Disaster Ready Fund. Changes in approach and intelligent investment is crucial to mitigate the impacts of extreme events, including fires, floods and storms and feral pests, which are occurring at increasing frequency. But the capability of our team, who I have started to get to know, is frankly extraordinary.

There is clearly a lot to do but we are energised and ambitious for our city, and we very much look forward to delivering.

I present the following papers:

Ministerial priorities—Ministerial statement, 4 February 2025.

Justice and Community Safety—Standing Committee—Tenth Assembly—  
Report 30—Inquiry into the Administration of Bail—Government response, dated  
February 2025.

I move:

That the Assembly take note of the statement.

Question resolved in the affirmative.

### **Committees—standing Establishment—amendment**

**MS CLAY** (Ginninderra) (11.19): I move:

That the resolution of the Assembly of 3 December 2024, that established general purpose standing committees, be amended by inserting the words “Environment and Climate” after “Access and Connectivity”, in the second column of the second row of the table contained in that resolution.

This motion is to amend the resolution establishing the committees of the Eleventh Assembly. On 3 December 2024, the Assembly resolved to form the six standing committees of the Eleventh Assembly. Part of the resolution incorporated a table outlining the names of the committees, the primary wellbeing indicators and the areas of responsibility of each committee and the membership requirements.

It has been drawn to the attention of the Standing Committee on Environment, Planning, Transport and City Services that the resolution of establishment for committees adopted on 3 December 2024 does not contain all of the primary wellbeing domains used by the ACT government Wellbeing Framework. Specifically, the words “environment and climate” have been omitted from the relevant column in the table. I ask that the Assembly agree to amend the second column in the second row of the table in the resolution of establishment to include the words “environment and climate”.

**MS CHEYNE** (Ginninderra—Manager of Government Business, Attorney-General, Minister for Human Rights, Minister for City and Government Services and Minister for the Night-Time Economy) (11.20): The government supports Ms Clay’s motion. It was an unintentional omission, an oversight, and so we are glad that this clears it up. Certainly for completeness and neatness, it is more than sensible to support this today.

Question resolved in the affirmative.

### **Legal Affairs—Standing Committee Scrutiny report 1**

**MR CAIN** (Ginninderra) (11.21): I present the following report:

Legal Affairs—Standing Committee (Legislative Scrutiny Role)—Scrutiny Report 1, dated 28 January 2025, together with a copy of the extracts of the relevant minutes of proceedings.

I seek leave to make a brief statement.

Leave granted.

**MR CAIN:** Scrutiny report No 1 contains the committee’s consideration of three bills, 66 pieces of subordinate legislation, five regulatory impact statements, two national

regulations, and four government responses. The report was circulated to members on 28 January 2025, when the Assembly was not sitting. The report requested a response from the minister on comments related to the COAG Legislation Amendment Bill 2024, which I note is down to be debated this week. The committee thanks the minister for their rapid response but will comment fully on the response in its next report. The issues raised with the minister around Henry VIII clauses and approaches to drafting remain of interest to the committee, and we expect to pay further attention to these matters in the coming months.

I commend the report to the Assembly.

## **Economics, Industry and Recreation—Standing Committee Statement by chair**

**MR WERNER-GIBBINGS** (Brindabella) (11.23): Pursuant to standing order 246A, I wish to make a statement on behalf of the Standing Committee on Economics, Industry and Recreation relating to a new inquiry. Pursuant to standing order 216, the committee has resolved to inquire into insurance costs in the ACT.

The committee will consider the cost and availability of insurance, with a focus on community organisations and small to medium businesses. The scope of the inquiry will include the impacts of trends in insurance costs on business viability; barriers to accessing insurance for community organisations; causes and effects of jurisdictional differences in insurance costs, especially for workers' compensation insurance; and the impact of climate change on insurance costs and availability.

Submissions for this inquiry are open until Friday, 14 March 2025, and the committee does hope to hear from a wide range of stakeholders, including businesses, community groups and industry bodies.

### **Statement by chair**

**MR WERNER-GIBBINGS** (Brindabella) (11.24): Pursuant to standing order 246A, I wish to make a statement on behalf of the Standing Committee on Economics, Industry and Recreation relating to statutory appointments, in accordance with continuing resolution 5A.

During the reporting period, 1 July 2024 to 31 December 2024, the Tenth Assembly Standing Committee on Justice and Community Safety and Standing Committee on Economy and Gender and Economic Equality considered a total of eight appointments and re-appointments to the following bodies:

- Gambling and Racing Commission Governing Board
- ACT Racing Appeals Tribunal
- Cultural Facilities Corporation Board

I now table a schedule of statutory appointments considered during this reporting period:

Justice and Community Safety—Standing Committee—Schedule of Statutory  
Appointments—10th Assembly—Period 1 July to 31 December 2024 and

Economy and Gender and Economic Equality—Standing Committee—Schedule of Statutory Appointments—10th Assembly—Period 1 July to 31 December 2024.

## **Legal Affairs—Standing Committee**

### **Statement by chair**

**MR CAIN** (Ginninderra) (11.25): Pursuant to standing order 246A, I wish to make a statement on behalf of the Standing Committee on Legal Affairs relating to a new inquiry. Pursuant to standing order 216, the committee has resolved to inquire into the management of strata properties.

The committee will consider the application of the Unit Titles (Management) Act 2011 and will include examination of the role of strata managers; the roles and responsibilities of executive committee members; decision-making in strata developments; issues arising in mixed-use buildings; access to sustainability initiatives by residents; and the potential for a strata commissioner in the ACT.

The committee looks forward to receiving submissions from interested individuals and organisations, as members of the committee have been receiving feedback from the Canberra community about this topic.

### **Statement by chair**

**MR CAIN** (Ginninderra) (11.26): Pursuant to standing order 246A, I wish to make a statement on behalf of the Standing Committee on Legal Affairs, in accordance with continuing resolution 5A, for the reporting period of 1 July 2024 to 31 December 2024.

After its establishment on 3 December 2024, the committee considered a total of two appointments and reappointments to the ACT Civil and Administrative Tribunal.

Furthermore, between 1 July 2024 and 18 October 2024, the Tenth Assembly Standing Committee on Justice and Community Safety considered a total of nine appointments and re-appointments to the following bodies:

- Public Trustee and Guardian
- Sentence Administration Board
- Legal Aid Board
- ACT Multi Hazard Advisory Council.

I now table a schedule of statutory appointments considered during this reporting period:

Legal Affairs—Standing Committee—Schedule of Statutory Appointments—11th Assembly—Period 3 to 31 December 2024 and Justice and Community Safety—Standing Committee—Schedule of Statutory Appointments—10th Assembly—Period 1 July to 18 October 2024.

## **Assisted Reproductive Technology Amendment Bill 2025**

**Ms Stephen-Smith**, pursuant to notice, presented the bill, its explanatory statement and a Human Rights Act compatibility statement.

Title read by Clerk.

**MS STEPHEN-SMITH** (Kurrajong—Minister for Health, Minister for Mental Health, Minister for Finance and Minister for the Public Service) (11.28): I move:

That this bill be agreed to in principle.

I rise today to present the Assisted Reproductive Technology Amendment Bill 2025. Assisted Reproductive Technology, or ART, covers a range of medical procedures and treatments that give people the chance to have children when they otherwise might not be able to. This includes people with fertility issues, those who carry a risk of disease or genetic abnormality, and people of diverse genders and sexualities, as well as single women.

The Assisted Reproductive Technology Act 2024 protects and supports the rights of people who access ART, gamete and embryo donors and donor conceived people. The act passed the Legislative Assembly on 28 March 2024 and largely commenced on 29 March 2024, with a six-month transition period for some elements and a 12-month commencement for others. The act regulates clinical practice requiring the collection of donor information, limits the number of families that can be created from one donor, and provides for the establishment of a donor register. The act includes transitional provisions, which are necessary when introducing a new legislative scheme of this nature to ensure that people operating under previous rules and laws are considered.

The act's transitional provisions enabled individuals who had already started their families—meaning they had become pregnant prior to the end of the transitional period, from 29 March to 27 September 2024—to complete their families using gametes obtained from the same donor, even if those gametes do not comply with requirements introduced under the act. The current transitional provisions also apply to an embryo created from a donated gamete before 28 September 2024. The arrangements under part 12 exempt the use of gametes or embryos for ART treatment in particular circumstances from a set of either basic or extended provisions. However, the act's transitional provisions do not currently include people who had been allocated gametes but were yet to commence ART treatment or achieve pregnancy.

During implementation, the government received feedback from stakeholders that indicated there is a small cohort of people who were allocated gametes, either before the first commencement date of the ART Act or during the transitional period, who now cannot legally use those gametes. The government has been advised that there are likely to be around 100 to 200 people in this group. These people may face difficulties or delays in obtaining alternative gametes due to waiting lists, short supply and high costs. There is a risk that if individuals or couples are unable to use gametes they have already obtained, their likelihood of conceiving a child may be impacted. The proposed amendments respond to feedback received from the ACT's ART providers and ART consumers, including LGBTIQ+ communities, about this sensitive and time-pressured concern.

Accordingly, this bill amends the act to expand the transitional provisions in part 12 to people who were allocated gametes prior to the end of the transitional period in late

September 2024 and to ensure that any individuals who have become pregnant or created embryos before then can complete their families with gametes from the same donor.

The amendments proposed in clause 8 will enable people who had started their ART journey by selecting and being allocated gametes before the act had commenced on 29 March 2024, or during the act's transitional period, to be able to complete their journey. For people who were allocated gametes between 29 March and 27 September, the provisions on family limits, providing information to the donor register, and time-limited use of gametes will not apply. If use of gametes resulted in a pregnancy prior to 28 September 2024, the amendments will allow the individual who became pregnant, or their domestic partner, to use gametes from the same donor to complete their families and the extended provisions will not apply. Following the amendment made in August 2024, this applies irrespective of whether the pregnancy results in the birth of a live child.

These amendments will remove the existing requirement in section 131 that gametes used to complete families in these circumstances must have been donated before the end of the transitional period. If an embryo was created prior to 28 September 2024, the amendments will permit the use of that embryo for ART treatment and the extended provisions will not apply. If the person becomes pregnant using such an embryo, the extended provisions will also not apply to the use of gametes from the same donor for that person, or their domestic partner, to create and use further embryos in the future.

There is some overlap between the transitional provisions. For example, a person may be permitted under section 131 to use gametes for future pregnancies and also permitted to use gametes allocated before the end of the transitional period. It is intended that such a person would be able to take the benefit of whichever provision affords that individual the most flexibility.

The bill also contains amendments to clarify ambiguities in the legislation to align with the policy intent. The first of these is to clarify family limits in section 40. The intended policy position for section 40 of the ART Act is to limit the number of families that can be created using the gametes of a single donor to five families created through ACT-based ART and 10 families created through ART in Australia. These limits may be lower if determined by the donor's consent.

However, as currently worded, section 40 could be read as prohibiting the use of a donor's gametes by anyone, including the first four families in the ACT, or the first nine families in Australia, who would otherwise be entitled to have more children via the original donor, once there is a fifth family in the ACT or a tenth family in Australia. Clause 4 amends section 40 to correct this unintended outcome, ensuring that families could be completed with further children.

The second of these technical amendments clarifies arrangements around the collection of information by ART providers. Section 46 provides that an ART provider must collect certain information about a donor, referred to as "mandatory information" in the act, before obtaining or using a gamete for ART treatment. Section 48 then requires that the information is retained as a record. Section 53 sets that the mandatory information must be given by the ART provider for inclusion in the donor register when the ART provider becomes aware of a live birth resulting from the ART treatment.

The policy intention of these sections is for the ART provider to be obligated to provide the mandatory information to the director-general within two months after they become aware a child conceived from ART treatment has been born alive. As currently drafted, section 53 may be read as requiring ART providers to re-collect all mandatory information about such donors each time there is a live birth.

Clause 5 amends section 53 to specify that the information required to be given for the donor register is the information already collected. The purpose of the proposed amendment is to provide clarity to ART providers that the obligation to provide this information to the director-general under section 53 does not include an additional obligation to collect new or updated information. Clause 6 is a further technical amendment that inserts a definition for the term “public official” at section 121 to ensure the operability of the provision.

The proposed amendments to the transitional provisions will engage the human rights of people who have gametes allocated to them that they cannot currently use and any people born from the use of those gametes. However, the proposed amendments will not change the overall human rights impact of the act. The inability to use gametes which have already been obtained has a disproportionate impact on the LGBTIQA+ community and single women. Extending the transitional provisions will mitigate this impact. These amendments reflect the ACT government’s commitment to ensuring that Canberrans can continue to access ART treatment with appropriate safeguards, while also upholding and protecting the rights of donor conceived people.

I want to close by recognising that implementation of the ART Act without the expanded transitional provisions has created anxiety and distress for a number of individuals and couples in our community. I hope the introduction of this bill provides assurance that the government has taken their concerns seriously.

I commend this bill to the Assembly.

That this bill be agreed to in principle.

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

## **COAG Legislation Amendment Bill 2024**

Debate resumed from 3 December 2024, on motion by **Mr Barr**:

That this bill be agreed to in principle.

**MS CASTLEY** (Yerrabi—Leader of the Opposition) (11.37): I rise to speak today on the COAG Legislation Amendment Bill 2024. I will not take up too much of the Assembly’s time with my remarks on this bill, which has been before us, essentially, for three years now, and during which time no real concerns have been raised. It makes some fairly straightforward changes to a number of acts following the dissolution of the Council of Australian Governments and the formation of the National Cabinet.

I understand the bill was delayed; we needed to wait until model legislation was agreed by the commonwealth parliament and, of course, because we had our election last year. On behalf of the Canberra Liberals, I would like to put on the record that we will be supporting this bill and look forward to it finally coming off the notice paper.

**MR BRADDOCK** (Yerrabi) (11.38): We used to think that COAG, the Council of Australian Governments, was a central tool for diplomacy of governance between the jurisdictions here in Australia. It was not a perfect system, but it worked reasonably well. That was, of course, until former Prime Minister Scott Morrison decided that he did not like that set-up. He wanted a more centralised decision-making structure, protected by the concept of cabinet-in-confidence—which, by the way, it turns out, it could not do—and so Scott Morrison decided to put his stamp on things with the brand new shiny thing called National Cabinet.

The more egregious centralisations of power Mr Morrison sought have been unpicked, and some of COAG have related it to more sensible ways of working; however, the fact remains there are a range of ACT legislative instruments that refer to COAG that now need updating. Correcting these in a manner that is not prejudicial to whatever terminology the commonwealth may use from time to time is definitely the correct way to clean this up. The Greens will be supporting this bill, even if we remain disappointed about how things got broken by the Liberal Prime Minister of the day.

**MR BARR** (Kurrajong—Chief Minister, Minister for Economic Development and Minister for Tourism and Trade) (11.39), in reply: I thank members for their support of this earth-shattering legislation! It has been a long time coming, but we are pleased that the Assembly has dealt with it expeditiously. I thank members for their support.

Question resolved in the affirmative.

Bill agreed to in principle.

Leave granted to dispense with the detail stage.

Bill agreed to.

## **Justice and Community Safety Legislation Amendment Bill 2024 (No 2)**

Debate resumed from 4 December 2024, on motion by **Ms Cheyne**:

That this bill be agreed to in principle.

**MR CAIN** (Ginninderra) (11.40): The Justice and Community Safety Legislation Amendment Bill is an omnibus bill that makes amendments, which are largely minor and technical, to five pieces of legislation. The Canberra Liberals will be supporting this bill. I also note that the Canberra Liberals will be supporting the proposed amendment to be presented.

The bill makes amendments to five acts. The bill proposes amendments to the Fair Trading (Australian Consumer Law) Act 1992 to limit the ability of body corporates

and other persons from using their employees or agents as a shield against liability. The objective is to ensure that non-natural persons and employers are held accountable for actions taken on their behalf, bringing the ACT into line with other Australian jurisdictions, including the commonwealth.

The bill proposes reform to the Human Rights Commission Act 2005 to improve the operational effectiveness of the Human Rights Commission in managing complaints. The key amendments include: allowing the commission to conduct preliminary inquiries, enabling a quicker assessment of complaints; expanding the grounds for closing complaints; providing clarity on the types of organisations to which the commission can make recommendations; removing the requirement to issue referral statements to the ACAT in cases where complaints are resolved, or the complainant disengages; and introducing a pathway for commissioner initiated considerations for specific issues such as retirement village complaints, occupancy disputes and conversion practices.

The bill also amends the Residential Tenancies Act 1997 to introduce minor technical amendments to that act to correct errors arising from the Housing and Consumer Affairs Legislation Amendment Act 2024, passed in June last year. The bill will also amend the Retirement Villages Act 2012, addressing governance issues within retirement village committees by making minor amendments that clarify the term “office” and the length of office holder terms.

Finally, the bill will amend the Official Visitor Act 2012, as it currently lacks provisions to protect individuals from civil or criminal liability who make complaints to the Official Visitor, nor does it allow for efficient information sharing between Official Visitors.

As I said, the Canberra Liberals will be supporting this bill, and I believe the amendment is going to be proposed. I want to thank the minister for the briefing I received from the staff. That is always much appreciated.

**MR RATTENBURY** (Kurrajong) (11.43): The Greens will be supporting this justice and community safety omnibus bill today. It is a bill that makes minor but important amendments to a range of legislation in the territory. We welcome the improvements to the consumer law. We need to continue to put in place measures that address the power imbalances that arise between consumers and businesses and corporations, and the like. The measures proposed in this bill, I think, are a welcome development in that regard.

The changes regarding the Official Visitors are clearly designed to enhance and protect the role of the Official Visitors and those who report or disclose information to them, so we also support these amendments.

The ability for the Human Rights Commission to refer more matters to ACAT both promotes consistency across the different areas that the Human Rights Commission can work on and will enhance support for the community. One of the bits of feedback we do hear about matters that may go to ACAT is that often individuals feel they do not have the capability or the expertise, even though ACAT is designed to have a low threshold for the community to go to. Having the Human Rights Commission be able

to represent matters in ACAT and refer matters, I think, empowers those people, or empowers the issues that they are trying to bring forward, and it does not require the individuals to necessarily be the ones who go to the tribunal.

Clearly, the technical fixes and clarifications in both the Retirement Villages Act and the Residential Tenancies Act are important and reflect the style of the bill this is—the JACS bills are designed to be non-controversial and omnibus, across a range of legislation.

We are anticipating government amendments that relate to matters to do with gaming and pokie machines under the Gaming Machine Act 2004. The Greens will not be supporting those amendments today. We are being asked, by those amendments, to defer a statutory review on the promise of another non-statutory review process for which we have not yet publicly seen the terms of reference. I think this is premature. I think the government is committed to a review. But members of this place and the Liberal party have gone for it—no problem! We do not actually know what the terms of reference are for the review that has been proposed, and yet we have been asked today to legislate a deferral of statutorily required review processes. That is putting the cart before the horse in the most obvious way, which we cannot. It is hard to judge whether deferring the statutory review is in fact an appropriate step or not. There is also, of course, the issue of the timelines. It is a very substantial period of deferral. Again, this is without any insight into the timeline for the review that is being proposed by the government, or the terms of reference, so those are problematic matters.

I think it does feel rather symptomatic of the approach of the Minister for Gaming Reform to defer action to some later date. This is the minister who led the charge against reforms last term and who ensured that well-researched, public service supported reforms were killed off politically. It is the minister who has put forward a set of reforms that take until 2045—a time when nobody in this place right now, by all rights, should still be here. I do not imagine most of us will make it until 2045; so it is the “put it off until somewhere over the horizon” strategy.

It fits with a pattern being displayed by federal Labor, who have utterly failed to act on the unanimous committee recommendations regarding gambling advertising at a federal election. When you look at that, you say, “What does it take to actually get gambling reform out of a Labor Party in this country?” They had a unanimous committee report led by one of their own: the highly regarded Peta Murphy. All the political parties got on board. They have clear community support and demand for reform. There are clear harms being done in our community, and there is still no action. It is unlikely that anything will be done this term.

I was pleased to see my federal colleague Senator Hanson-Young today put a plea to the Labor Party to work on getting something done this term. We agree to the bare minimum that is possible. We will see what the federal Labor Party does on that. But it is a pattern that is developing across this country, where the Labor Party seems incapable of doing serious gambling reform at a time when we know there is a lot of harm being done. I hope that we will see a better effort at the local level this term than we are seeing at the federal level. Time will tell. On the basis I outlined earlier, the Greens cannot support these proposed amendments today.

**MS CHEYNE** (Ginninderra—Manager of Government Business, Attorney-General, Minister for Human Rights, Minister for City and Government Services and Minister for the Night-Time Economy) (11.49), in reply: Mr Assistant Speaker Cain, thank you, in particular, for your support of this bill and the amendments. I am pleased today to close the debate on the Justice and Community Safety Legislation Amendment Bill 2024 (No 2), which, of course, is different from the Justice and Community Safety Legislation Amendment Bill 2025, which we anticipate debating at another point.

This omnibus bill makes a number of minor and technical amendments across pieces of legislation to improve their operation, in turn promoting better services for Canberrans, and an improved regulatory framework for the ACT government and the community. This includes facilitating better enforcement of the ACT's fair trading legislation by preventing bodies corporate and other persons from using their representatives as a shield from liability. This will bring the ACT into alignment with other jurisdictions.

It includes strengthening the official visitor scheme by enhancing information sharing and protecting complainants. It includes improving housing legislation through corrections and clarifications that will better support tenants, landlords and resident committees in retirement villages. It will expand the Human Rights Commission's own-motion powers so that it can refer occupancy disputes, conversion practices and retirement villages matters to ACAT, to better protect vulnerable members of the community, which I know many members in this place are interested in.

As we have already heard, I will also be moving amendments to the bill to make minor changes to the Gambling and Racing Control Act 1999 and the Gaming Machine Act 2004 to enable a more cohesive community engagement on matters related to the future of ACT community clubs.

I appreciate the performative remarks from Mr Rattenbury on this. Mr Assistant Speaker, you have seen, and I have seen, that if this did not happen then we really would be putting the cart before the horse in terms of conducting a review that would be crossing over a statutory review, which would be crossing over something that will be more comprehensive and more holistic, and that would be terribly unfortunate.

It is really making a bigger deal out of this than it is, in saying that the timelines for extension are extensive. They are effectively 18 months, and I think that is more than reasonable for the extensive inquiry that Minister Paterson has proposed, and that we have promised the community will be established and conducted. That is probably the most that I will say about those amendments.

In closing, the amendments in the bill being introduced today are of a minor and technical nature; however, it is precisely amendments such as these which sustain the high quality of legislation in the territory. I am pleased to see it debated today, as a reflection of the government's ongoing dedication to ensuring that legislation in the territory is properly maintained and modernised.

I particularly thank PCO for their drafting. They have had a very busy start to 2025, and I recognise the impact that has on staff and their families. I am incredibly grateful for

their very hard work, including on this bill from last December. I thank members for their support and I thank Mr Cain—through you, Mr Assistant Speaker—for his very detailed engagement on this legislation. I thank the staff who provided the briefing to Mr Assistant Speaker for giving such extensive and expert knowledge. We are very lucky to have them. I commend the bill to the Assembly.

Question resolved in the affirmative.

Bill agreed to in principle.

### **Detail stage**

Bill, by leave, taken as a whole.

**MS CHEYNE** (Ginninderra—Manager of Government Business, Attorney-General, Minister for Human Rights, Minister for City and Government Services and Minister for the Night-Time Economy) (11.53): Pursuant to standing order 182A(b), I seek leave to move an amendment to this bill that is minor and technical in nature.

Leave granted.

**MS CHEYNE:** I move amendment No 1 circulated in my name [*see schedule 1 at page 102*] and table a supplementary explanatory statement to the government amendment.

The amendment to this bill seeks to add two further minor legislative changes to the Gambling and Racing Control Act 1999, section 50A, and the Gaming Machine Act, section 179, to extend the deadline for two statutory reviews. The need for the amendment arises from the government's subsequent commitment to establish an independent inquiry into matters which overlap with matters which would be covered by the statutory review.

As I explained, to not do this would certainly lock the government in, in a particular way, before a review has been undertaken in the comprehensive way that Minister Paterson has foreshadowed. I will not steal her thunder anymore. I commend the amendment to the chamber.

**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) (11.55): The government amendment to this bill seeks to add two further minor legislative changes to enable more comprehensive community engagement on matters related to the future of the ACT community clubs.

In 2015, reforms to the Gaming Machine Act 2004 established structural arrangements to set a reduced maximum number of gaming machines operating in the ACT and to reduce this number over time. Key aspects of these arrangements include gaming machine authorisations, an authorisation cap and an authorisation trading scheme. Authorisations separate physical gaming machines from legal authority to operate gaming machines, with the authority to operate each individual machine requiring an

associated authorisation. The authorisation cap cannot be increased, and the ACT Gambling and Racing Commission must reduce the authorisation cap as soon as practicable after a change in authorisation numbers due to cancellations, forfeitures and surrenders.

The authorisation trading scheme allows gaming licensees to buy and sell authorisations among each other. It supports a reduction in authorisation numbers because the licensee that acquires authorisations must forfeit one out of every four authorisations acquired. The Gambling and Racing Control Act 1999, section 50A, and the Gaming Machine Act, section 179, require the Minister for Gaming Reform to review and report to the Assembly on the authorisation cap and trading scheme by 1 May 2025.

ACT Labor took a strong gambling harm reduction policy to the election, which will see the number of poker machines in the territory reduced to no more than 1,000 by 2045. As the Minister for Gaming Reform, I reaffirm to the Assembly that I will deliver on this commitment. The government has since committed to establishing an independent inquiry into the future of the ACT clubs industry. There is an interface between the matters relevant to that inquiry and the number of gaming machines operating in the ACT and mechanisms to reduce this number, such as the authorisation cap and trading scheme. With this inquiry set up, it is therefore preferable that the statutory review occurs as part of that inquiry.

The government amendment proposes an extended deadline for reporting on the statutory review to 31 December 2026. This time frame has been adopted to give adequate time for the establishment and conduct of the club inquiry. The government amendment also includes a consequential extension to expiry provisions requiring these statutory reviews.

I look forward to hearing about the inquiry as it progresses, and to working with clubs to diversify for their future.

**MR EMERSON** (Kurrajong) (11.58): I am seriously concerned by the signal being sent by this amendment. Less than a week after the Hellenic Club was fined \$1.2 million in relation to the tragic suicide of one of its patrons, this Assembly is looking to extend the statutory review of a key tenet of the government's gambling harm reduction reform agenda by more than 18 months. Those suffering from gambling harm and their families would be right to raise alarm at this amendment.

Alongside New South Wales, the ACT has the highest number of poker machines per capita in the world. Recent research out of ANU suggests that the reductions already made in the number of pokies across the territory have not precipitated a decrease in gambling-related harm. Reflecting on their findings, the researchers postulated that we will not see a change in the level of gambling harm in the ACT until the number of pokies drops below 2,000. Currently, we are shooting for a reduction to 3½ thousand by July this year. My read of Labor's policy is that, should their plan proceed, we will have more than 2,000 pokies in the ACT for at least another 12 years. How many lives will be destroyed by gambling harm in the meantime? How many more lives might be lost?

While I am supportive of a concrete plan for diversification of our club sector, meaningful consultation focused on real change and defining revenue streams for clubs that are not

dependent on the gambling losses of the people we are supposed to be here to represent, I am not supportive of postponing rigorous evaluation of the government's gambling harm policies, or a further delay in the consideration and prospective implementation of evidence-based measures to protect our community against gambling harm.

That is the effect of this proposed amendment, which comes across as another way of kicking the can down the road. Rather than being postponed, the findings of this statutory review should be delivered on time providing this Assembly with an independent, transparent evidence base that can be used to inform consultation with the clubs industry about its future.

Let us use the evidence to decide how best to reduce gambling harm, then determine how to create a sustainable future for our clubs industry on the basis of already having committed to an evidence-based gambling harm reduction framework. We have things the wrong way around if we are only willing to talk about gambling harm reduction in the context of what is best for our clubs.

One would be forgiven for suspecting that this inversion of responsibilities might be to blame for how slowly we seem to be moving in this space. Australians are the biggest gambling losers in the world, and Canberrans are the biggest gambling losers in Australia. Our community overwhelmingly wants to see the people in this Assembly show courage in tackling gambling harm. This amendment does the opposite, which is why I will not be supporting its passage.

**MS CARRICK** (Murrumbidgee) (12.00): I welcome the independent inquiry into the future of the ACT clubs industry, and I appreciate the interface between the matters relevant to the inquiry and the number of gaming machines operating in the ACT; however, I have not seen the terms of reference for the inquiry and therefore I am not informed about the timeframes required to complete the inquiry, and the impact it has on the deadline for review of the authorisation trading scheme and the request to extend the reporting deadline to 31 December 2026. I would like to see the inquiry completed in a shorter timeframe and reporting timeframes brought forward. Therefore, without the terms of reference for the inquiry into the future of the ACT clubs industry, I cannot support the amendment.

Question put:

That amendment No 1 be agreed to.

The Assembly voted—

Ayes 17

|                |                        |
|----------------|------------------------|
| Chiaka Barry   | Suzanne Orr            |
| Yvette Berry   | Mark Parton            |
| Peter Cain     | Marisa Paterson        |
| Leanne Castley | Michael Pettersson     |
| Tara Cheyne    | Chris Steel            |
| Ed Cocks       | Rachel Stephen-Smith   |
| Jeremy Hanson  | Caitlin Tough          |
| James Milligan | Taimus Werner-Gibbings |
| Deborah Morris |                        |

Noes 6

|                  |
|------------------|
| Andrew Braddock  |
| Fiona Carrick    |
| Jo Clay          |
| Thomas Emerson   |
| Laura Nuttall    |
| Shane Rattenbury |

Question resolved in the affirmative

Amendment agreed to

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

Bill, as amended, agreed to.

**Sitting suspended from 12.07 to 2.00 pm.**

**Questions without notice**  
**Government services—funding**

**MS CASTLEY:** My question is to the Chief Minister. In the 16 weeks since the ACT election, your government has announced a public service restructure, with job cuts, a blowout to the health budget, cuts to health services and a public sector hiring freeze, virtually none of which was disclosed or even hinted at prior to the election. Chief Minister, why weren't you fully honest and up-front with the community prior to the election?

**MR BARR:** I thank the Leader of the Opposition for the question. Happy New Year! It is good to be back. I reject the premise of the Leader of the Opposition's question. It was very clear last year, as was reported extensively in the media, that we would be looking to reshape the ACT public sector, and, of course, following the election, we followed through on that commitment.

**Ms Castley:** Restructure, but not cut surgeries.

**MR BARR:** There are no cuts outside of changes to the senior executive. The government has been very clear about that, and we are undertaking consultation in relation to changes to the structure of the ACT public service to reflect the priorities of the government in this new parliamentary term.

**MS CASTLEY:** Chief Minister, did you have any discussions or make any plans or strategies about cutting public service jobs or services prior to the election?

**MR BARR:** Again I reject the premise of the question—

**Ms Castley:** It is yes or no: did you have any conversations before the election?

**MR SPEAKER:** Ms Castley!

**MR BARR:** I made very clear that we intended to align planning and transport to better align it. I made that very clear in a speech and indeed it was reported in the media well ahead of the election. Further changes to the structure of the ACT public sector have been announced and we are going through a consultation process in relation to those. And I have been very clear that, outside of changes in the senior executive service, there would be no job losses.

**MR COCKS:** Chief Minister, were any options for cutting jobs or services presented

to the government prior to the election?

**MR BARR:** No.

**Health—bulk-billing**

**MS CASTLEY:** My question is to the Chief Minister. The *Cleanbill 2024 Blue Report* of 30 January 2025 found the bulk-billing rate for new patients was just 3.3 per cent, a decline from the previous year, which also coincided with rising out-of-pocket costs. Further, the Australian Institute of Health and Welfare report of 13 December 2024 found the bulk-billing rate for all attendances was just 52 per cent, down from 63 per cent when you appointed the health minister to the role. Yet you told ABC Radio on 17 January that the bulk-billing rate “has started to lift in the ACT”. Chief Minister, why did you mislead Canberrans on the declining rate of bulk-billing in the ACT?

**MR BARR:** Again, I reject the premise of the question. The data I was referring to was official Medicare data, not some third party that does not—

*Mr Hanson interjecting—*

**MR SPEAKER:** Mr Hanson.

**MR BARR:** Official Medicare data, as reported by the Australian government.

**MS CASTLEY:** Chief Minister, can you explain to Canberrans why the ACT has less bulk-billing and higher out-of-pocket costs than the rest of the nation?

**MR BARR:** Well, that stems from a decision by Tony Abbott 10 years ago to freeze Medicare rebates. It was a decision of the then federal Liberal government, outlining the usual anti-Medicare position of the Liberal Party.

**MR SPEAKER:** Point of order Mr Cocks.

**Mr Cocks:** The Chief Minister is now debating rather than answering the question.

**MR SPEAKER:** I do not think there is a point of order. I think Mr Barr is answering the question. Do you have anything further to add, Mr Barr?

**MR BARR:** No, Mr Speaker.

**MR HANSON:** Chief Minister, when will you be honest and up-front about the true state of the health system?

**MR BARR:** I thank Mr Hanson for the supplementary. I am always honest and up-front, Mr Speaker.

**Canberra Health Services—patient numbers**

**MR RATTENBURY:** My question is to the Minister for Health. Minister, it was announced last week that there were an additional 85,000 patient episodes in Canberra Health Services. It has been reported that this includes 6,000 more emergency department visits, 6,600 more overnight hospital admissions and additional surgeries and procedures. Minister, could you please outline to the Assembly the other categories of treatment that make up these 85,000 additional patient episodes and the exact timetable over which these occurred?

**MS STEPHEN-SMITH:** I will take the detail of the question on notice for Mr Rattenbury, because there will be a lot of different types of presentations and you can break it down in different ways. But we are talking about things like walk-in centre presentations, which we know have increased dramatically. We also know that walk-in centres have been effective in taking pressure off the emergency departments, so you can only imagine what would have happened if the five nurse-led walk-in centres were not there from 7.30 am to 10 pm, 365 days a year, which would have been a risk under a Canberra Liberals government. I will take the rest of the question on notice.

**MR RATTENBURY:** Minister, why did the ACT's presentations at emergency departments grow by seven per cent, compared to the national average of 0.4 per cent? Why is there such a significant difference in emergency department presentations between the ACT and the rest of Australia.

**MS STEPHEN-SMITH:** I thank Mr Rattenbury for the supplementary question, because it does go to something that the Chief Minister and the Leader of the Opposition were talking about earlier. We do not know exactly what is driving increased emergency department presentations, and we know that this broadly is a trend that other jurisdictions actually have been seeing.

But part of that is there is a lack of access to primary care, which is of course a commonwealth responsibility. As the Chief Minister was saying, the freeze in Medicare rebates over many years under the previous coalition government increased the cost of attending a GP, and the ACT has for many years had a relatively high number of people reporting to the Australian Institute of Health and Welfare that they are delaying general practice appointments because of the cost of attendance. This is a commonwealth responsibility and this—

**Mr Hanson:** In the ACT. In the ACT!

**MS STEPHEN-SMITH:** In the ACT. The ACT has historically experienced this, but it got worse under the coalition government and it has been improving under the Albanese government, since they tripled the bulk-billing incentive.

**MS CLAY:** Minister, what is the government doing to ensure there is greater access to preventative health care that is timely and bulk-billed here in the ACT?

**MS STEPHEN-SMITH:** I thank Ms Clay for the supplementary question, which of course enables me to talk about ACT Labor's election commitment to improve bulk-billing in the ACT. We have committed to a fund co-designed with our clinicians in the community and with consumers to specifically target increasing rates of bulk-billing. When the ACT government has done this before, when we have invested in GP primary care infrastructure before, we have had an impact on increasing the rate of bulk billing, despite the efforts of the coalition federal government at the time. We have committed to a fund to increase bulk-billing, and we have also committed to a fund to support the attraction and retention of junior doctors into general practice.

**Mr Hanson:** But it's not working, is it?

**MS STEPHEN-SMITH:** Mr Hanson, we committed to it in the election. We will be—

**Mr Hanson:** It's gotten worse. Relatively, it's been getting worse, hasn't it?

**MS STEPHEN-SMITH:** We have not implemented it yet, because we committed to it in the election—something the Canberra Liberals did not do. We will be working with primary care providers, general practitioners, practice owners, our consumers and junior doctors to co-design this fund to increase the rate of bulk-billing but also to attract and retain junior doctors in the system and to support the wellbeing of our general practice workforce, including supporting the AMA's DRS4DRS program, because we know how hard our general practitioners work and we know how important they are in improving the health care of Canberrans.

## **Visitors**

**MR SPEAKER:** I draw members' attention to the presence in the gallery of a couple of shady characters! But, additionally, to two former members of the Assembly, in Michael Moore and Bill Stefaniak. On behalf of all members, I welcome them both to the Assembly.

## **Questions without notice**

### **Health—bulk-billing**

**MS CASTLEY:** My question is to the Minister for Health. Minister, reports from Cleanbill and the Institute of Health and Welfare show access to bulk-billing continues to fall in the ACT, both for new and existing patients, while out-of-pockets keep rising, as we have been discussing—and this is for those fortunate enough even to see their local GP. What do you say to Canberrans who are now unable to see a bulk-billing doctor because of their very genuine concerns about cost?

**MS STEPHEN-SMITH:** I thank the Leader of the Opposition for the question, because it gives me the opportunity to again point out that, unlike the Canberra

Liberals, ACT Labor committed specifically to a fund to support better access to bulk-billing. It is a commonwealth responsibility. The Albanese Labor government has tripled the bulk-billing incentive. That has, in fact, had a significant impact on stopping the slide in bulk-billing and increasing the rate of bulk-billing—stabilising that and increasing the rate of bulk-billing in the ACT, according to the Medicare data, which is the data that is generally used in this area, and which the Chief Minister referred to.

**Ms Castley:** A point of order on relevance.

**MS STEPHEN-SMITH:** I think the question was, “What would I say to people”—

**Ms Castley:** To Canberrans. We don’t need to know what Albanese has done; we need to know what you would say to Canberrans who cannot see a doctor.

**MR SPEAKER:** Ms Castley, I do not think there is a point of order.

**MS STEPHEN-SMITH:** What I would say is thank goodness the ACT Labor government was elected, because we committed to a specific fund to support bulk-billing—

*Mr Hanson interjecting—*

**MS STEPHEN-SMITH:** And we will be considering that, Mr Hanson, in the context of the upcoming budget. We have only just been elected, and it was an election commitment.

We also specifically committed to a \$4 million professional development and wellbeing fund for primary care to ensure that we can attract and retain junior doctors to general practice training in the ACT. Our university here, the Australian National University, has a specific focus on general practice and is highly regarded for that. We need to ensure that we are keeping our medical students training here and working in general practice here. Some of the previous training arrangements have not been structured to support that, but we, unlike the Canberra Liberals, have committed to specific funding to support that outcome.

**MS CASTLEY:** Minister, when can families struggling to get access to a doctor expect to see real changes to this situation?

**MS STEPHEN-SMITH:** A lot more quickly under a Labor government than they would have if the Canberra Liberals had been re-elected.

*Ms Castley interjecting—*

*Mr Hanson interjecting—*

**Ms Orr:** On a point of order, Mr Speaker. Ms Castley, I appreciate, is very passionate about this topic and has a lot of views, but there are a number of interjections which do make it hard to hear. I also seek your guidance on addressing comments through you rather than directly to the minister, because there has been a bit of finger-pointing that indicates that that might not be happening.

**MR SPEAKER:** Thank you, Ms Orr. It is getting a little rowdy. If we could just try and keep a lid on it, that would be good. Additionally, my advice to ministers would be that, although Mr Hanson is extremely entertaining it, it may be beneficial to direct your answers through me rather than through him.

**MR HANSON:** Well said, Mr Speaker. Minister, who is responsible for health care becoming less affordable and less accessible in the ACT? Is that you or is it Mr Albanese?

**MS STEPHEN-SMITH:** If you refer to my previous answers, both the ACT Labor government and the Albanese Labor government have been working very hard to address the 10 years of neglect of primary care, aged care and the NDIS under the previous coalition government, but this was never going to turn around overnight after 10 years of neglect.

**Mr Hanson:** On a point of relevance. She is talking about who is responsible for addressing it. I asked: who is responsible for it becoming less affordable and less accessible in the ACT?

**MS STEPHEN-SMITH:** That is easy: it is the previous coalition federal government.

### **Health—funding**

**MS CASTLEY:** My question is to the Minister for Health. On 30 January 2025, it was reported in the *Canberra Times* that you were considering cuts to ACT health services, saying:

To cut what is the equivalent of 10 per cent of Canberra Health Services' budget, we'll be looking at things like significantly reducing access to elective surgery for the rest of the year.

In the interests of transparency, can you please outline exactly what cuts you are looking at and which elective surgery options will be reduced.

**MS STEPHEN-SMITH:** I do not quite know where to start with this, because if Ms Castley had read the entire transcript, she would see that what I was saying was that if the ACT Labor government had not chosen to invest an additional \$227 million in Canberra Health Services this year, which will be done through an additional supplementary appropriation bill to be introduced into the Assembly this week, we would be having to make very difficult decisions about cutting services. The ACT Labor government, which is committed to maintaining high-quality health care for Canberrans, has made the choice of making additional investment rather than the cuts that Ms Castley has referred to.

**MS CASTLEY:** Minister, if you had not wasted so much money on so many scandals, rebrands et cetera, would you have been able to keep providing some of these services?

**MS STEPHEN-SMITH:** We will be continuing to provide these services.

**MR HANSON:** Minister, will you rule out any cuts to services in ACT Health this year?

**Ms Castley:** Low-value care, for instance.

**MS STEPHEN-SMITH:** The Leader of the Opposition just interjected, “Low-value care.” The Leader of the Opposition has been the shadow minister for health for at least 2½ years. If she is not familiar with the term “low-value care”, I would encourage her or her office to google that term.

**Mr Hanson:** A point of order, Mr Speaker. I asked a question. You have just made a ruling about not responding to interjections. I have asked a direct question about whether the minister will guarantee that there will be no cuts to any services this year, and I would ask for a direct response.

**MR SPEAKER:** Minister, I think there is a genuine point of order here, on relevance. Have you finished your answer?

**MS STEPHEN-SMITH:** No; I am waiting for the call.

**MR SPEAKER:** Minister?

**MS STEPHEN-SMITH:** Mr Speaker, we have been very clear about the efforts that Canberra Health Services will make to ensure that we do not have to invest more than another \$227 million through this particular measure; that is, we are seeking to institute \$27 million worth of efficiencies this financial year. We have also been clear that we are not cutting services this financial year, but we have been clear that we need to have a tough conversation with Canberrans about what services are delivered by the ACT government and what those services look like into the future.

This is not a new conversation. The former Leader of the Opposition and the shadow minister for health sat with me on many panels through the election campaign, and I have said many times on radio that growing health funding, which is a third of the ACT budget, by eight or 10 per cent a year is never sustainable, and that this is an ongoing, difficult conversation with the Canberra community about how we fund high-quality healthcare services in the ACT. But I can tell you one thing, Mr Speaker: we are focused on delivering high-quality frontline services, and those opposite are not.

### **Hospitals—dental conditions**

**MR RATTENBURY:** Mr Speaker, my question is also to the Minister for Health. Minister, given the pressure on the emergency department we discussed earlier, I am concerned that potentially preventable hospitalisations have been steadily increasing in the ACT. Data from the Australian Research Centre for Population Oral Health reporting in 2020-21 suggested 1,407 people attended hospital for preventable dental conditions. Minister, what are the more recent trends in preventable hospitalisations for dental conditions in the territory?

**MS STEPHEN-SMITH:** I thank Mr Rattenbury for the question. Again, I will take the detail of the question on notice. But specifically in relation to dental care, that is, of course, another area where former Prime Minister Tony Abbott, former health minister Tony Abbott and former health minister Peter Dutton actually cut funding—

*Members interjecting—*

**Ms Berry:** Mr Speaker, on the level of the volume in this place when ministers are trying to answer questions: a minister should not have to yell across the chamber to answer a question—

**MR SPEAKER:** Thank you, Ms Berry. If we can just try and keep a lid on it.

**MS STEPHEN-SMITH:** The former coalition government cut funding for public dental services. This has had a very real impact—and it is a serious point—on the capacity of lower-income people across Australia, not just here in the ACT, to access quality dental care. This is a significant issue that the ACT government has consistently advocated to the commonwealth about—to restore those funding cuts to commonwealth dental funding, because we know that oral health is vitally important. Overall, the ACT actually has a pretty good record on preventable hospitalisations and the walk-in centres are an important part of that.

**MR RATTENBURY:** Minister, what steps have you taken to make available data on how many emergency room presentations arise from dental issues, given that the inquiry into annual and financial reports 2022-23 recommended that the ACT government report this data regularly?

**MS STEPHEN-SMITH:** I will take the question on notice, just to see what work is underway in relation to that. Mr Rattenbury would be aware that we have had some data reporting challenges in relation to the implementation of the digital health record. I can advise the Assembly that we will soon be publishing a dashboard with some important data in relation to that. But that does mean that some of the work that would have otherwise been done in relation to detailed reporting around causes of presentations et cetera, may have had to be put a bit on the backburner while we undertook the data remediation project.

In addition, as Mr Rattenbury would be aware, because it has been mentioned in responses to multiple questions on notice and probably in hearings as well, it is quite often challenging to get cause of presentation data from emergency departments in a highly accurate way, because people will present with complex conditions, and they will be coded in different ways.

But I will take the detail of the question on notice and come back to Mr Rattenbury with a response specifically in relation to those dental and oral health issues.

**MS CLAY:** Minister, what steps have you taken to provide Canberrans with better access to dental care?

**MS STEPHEN-SMITH:** Canberra Health Services does provide dental care for Canberrans, and we have been investing in that. Since the COVID-19 pandemic, when

some of those services had to be put on hold—because obviously, they are services where there is close contact between people and it was a respiratory virus—we have made significant efforts to continue to increase access and to reduce those wait times. So I will take on notice to provide Ms Clay some data on relation to how many services we have been delivering in the public dental system.

But again, that is a co-funded system with the commonwealth government and the previous coalition governments' specific and deliberate cuts to public dental care have had an impact in this area.

### **Schools—Aunty Agnes Shea High School**

**MR WERNER-GIBBINGS:** My question is to the Minister for Education and Early Childhood. Minister, on Monday, another school opened in the ACT. Can you explain why this is important for our city?

**MS BERRY:** I thank Mr Werner-Gibbings for his question and his interest in our public school system. The ACT government is continuing to make strong investments in public education and is committed to delivering the best possible schools for our growing population. I am so proud that we have opened another new public school in the ACT—No 92. We have opened a new school every year for the last five years in the ACT. Our latest, Aunty Agnes Shea High School, opened yesterday in Taylor. I was really happy to be there with the foundation principal, Daniel Mowbray, and lots of excited year 7 students and their families. It was a really special moment to share with Aunty Agnes Shea's family. Aunty Agnes's granddaughter Selena Walker and other family members were also present. Selena has a special connection with the school now, having designed the artwork on the logo and the uniforms. I want to especially thank Aunty Agnes's family for trusting us and for sharing Aunty Agnes's namesake with our community. It is such a powerful thing for them to have done.

**MR WERNER-GIBBINGS:** Minister, how many students will be learning at this school?

**MS BERRY:** Thank you for the supplementary. There are currently 81 students enrolled at Aunty Agnes Shea High School for this year. The school has capacity for up to 800 students in years 7 to 10. The school will be phasing in years progressively, with the current school year only open to year 7s. Students at Aunty Agnes Shea High School will have the best opportunities to learn in state-of-the-art facilities, including wood technology and metalwork rooms. From talking to the students, I know they were especially excited about these two areas, as well as the arts and science spaces. The school features a double gym, a covered hardcourt and kick-about spaces. Schools are important hubs for the community, so these spaces will also be available for community use outside of school hours.

**MR HANSON:** Minister, how many schools will need to open before we make up for the 23 schools closed by Mr Barr?

**MS BERRY:** Every new school that has been opened in the ACT is in an area of significant population growth. As Mr Hanson may know, from 2019 to now, 2025, we have opened schools in Molonglo and Gungahlin, and we will soon have new schools in Whitlam and Strathnairn.

**Mr Cocks:** On a point of order on relevance: the question was around the quantity of schools, not their location. Mr Speaker, I ask that you direct the minister to that issue.

**MR SPEAKER:** Minister, I hate to say it, but I think there is a point of order on relevance. I think the question was—

**MS BERRY:** I had completed my answer. In fact, I described that schools are being built in areas of population growth. This is not a replacement program. A replacement program is not required.

### **Social housing**

**MR EMERSON:** My question is to the Minister for Homes and New Suburbs. It is an unfortunate reality that basic shelter is now often spoken about through a prism of crisis and desperation. The situation here, as we know in Canberra, is especially dire: older people without accumulated wealth feel forgotten by a housing system that is leaving vulnerable people sleeping in cars; working families are facing increasing housing stress with no change in sight; and many young Canberrans feel they cannot afford their own future. Housing is consistently identified by ACTCOSS as the greatest cost-of-living pressure for low-income households in the ACT. So I was pleased to secure a commitment from the Chief Minister to increase the proportion of social housing dwellings in the ACT, which has been going backwards for many years.

The Housing Australia Future Fund, or the HAFF, can help the government deliver on that commitment. I understand preferred projects under funding round 1 are currently progressing through contract negotiations and, subject to contracts being awarded, will deliver more than 13,700 new social and affordable homes across Australia. Can the minister advise how many dwellings were applied for in the ACT in round 1, and how many were approved? How many homes out of the 13,700 across Australia can Canberrans expect to see built here in the ACT through the HAFF funding round 1?

**MS BERRY:** I thank Mr Emerson for his question and his interest in housing support for Canberrans here in the ACT. I can advise that I have anecdotally heard there will be around 700 new dwellings delivered here in the ACT. This is an achievement that is well above expectations for the ACT community, so that will be a good outcome.

*Members interjecting—*

**MS BERRY:** It is well above what other per capita outcomes have achieved throughout the rest of the country. However, I have not been advised which projects yet will be successful, given, as Mr Emerson said, the federal government is still in contract negotiations. But as soon as we are aware of that, obviously we will make that publicly known.

**MR EMERSON:** The deadline for funding applications under round 2 of the HAFF closed at midday last Friday, 31 January. Round 2 is open only to state and territory governments who are able to submit in collaboration with community housing providers and will deliver 5,000 social housing—

*Members interjecting—*

**MR SPEAKER:** If someone wanted to make a point of order, they could, but—

*Members interjecting—*

**MR EMERSON:** Is there a point of order?

*Members interjecting—*

**MR SPEAKER:** Mr Emerson, your question contains a massive preamble. It needs to start with a question. Do you have a question?

**MR EMERSON:** How many dwellings did the ACT government apply for in round 2?

**MS BERRY:** Thank you again, Mr Emerson, for your supplementary question. I am really excited to say the ACT government last week submitted a list of Housing ACT projects to the Housing Australia Future Fund round 2 and that will mean more than 100 dwellings across a number of proposed developments across all corners of the ACT. So we are hoping that we will be successful and that those applications will be considered favourably, which would mean that over the next five to 10 years we will be very busy in the ACT building a range of different kinds of housing types, including making sure we are supporting people on low or no incomes.

**MS CARRICK:** For round 1 of the HAFF contracts need to be signed before 30 June 2025. Can the minister commit to ensuring all project contracts for successful applicants in the ACT will be signed before the 30 June deadline?

**MS BERRY:** That will be based on negotiations that are held—if I am referring to HAFF round 2, those will depend on our success for the applications that we have made. If they are positively received and we are successful, then we will go into contract negotiations with the federal government. The current contract negotiations are occurring with the federal government right now. I cannot guarantee the timelines around that. That is not something the ACT government has any control of.

**MR SPEAKER:** Members, as we get deeper into the term, I will get less generous in my assessment of preambles.

### **Taxation—levies and duties**

**MR COCKS:** My question is to the Treasurer. Treasurer, could you please clarify the distinction between a tax, a duty and a levy, as well as how each is applied within the government's fiscal framework?

**MR STEEL:** I thank the member for his question. If he is after a statement of opinion about those things, we can certainly provide him some further details on notice. But certainly the ACT government will be looking at a range of different measures in the

budget. I encourage him to look at what measures we have made in relation to the budget review when I present it on Thursday.

**Mr Cocks:** Point of order. It is on relevance. I did not ask for a statement of opinion; I asked the Treasurer to clarify the distinction between a tax, a duty and a levy.

**MR STEEL:** I thank the member for his question. As I have indicated, I am happy to take that on notice with some further information, if that helps him to understand what the differences are.

**MR COCKS:** Treasurer, could you please advise when the Safer Families Levy, so-called, which has been in place for nearly a decade, is intended to cease, given the generally accepted definition of a levy is a temporary and targeted measure?

**MR STEEL:** As I noted in the answer to the first question, the government considers revenue measures, including taxation measures, levies and duties each year as part of the budget process, and we will do so again for the 2025-26 budget.

**MR MILLIGAN:** Could the Treasurer please confirm when the Energy Industry Levy, the MAI levy and the private sector worker's compensation levy will conclude? Or has the government used the term "levy" to mislead Canberrans into thinking these permanent taxes are temporary measures?

**MR STEEL:** No, and we will provide updates for the community about revenue measures in the budget, as we do every year.

### **Rates—interest charges**

**MR COCKS:** My question is to the Treasurer. The ACT government charges an interest rate on overdue rates of 12.42 per cent, compounding monthly. This is significantly higher than other jurisdictions, including New South Wales, and far higher than the interest rates people pay on home loans, for example. Given the significant financial pressures on ACT households from rising rates and other factors, why are such high penalties necessary, especially when those most likely to have overdue rates are those struggling the most with cost-of-living challenges?

**MR STEEL:** Of course, a sustainable revenue base, including own-source taxation, like rates, provides funding to be able to deliver the healthcare services, the education services, the transport services and other services across government that Canberrans rely on. It is important that those are paid by Canberrans, and there is an expectation that they are, and there are penalties if they are not paid. We are not going to the same extent as the jurisdiction next to us is—at QPRC at the moment—which is undertaking some quite strong measures in relation to non-payment of rates, but there are penalties that are available for enforcement of a payment of those things.

*Members interjecting—*

**MR SPEAKER:** Mr Barr and Mr Hanson!

**MR STEEL:** Of course, if those people have an issue with paying, they should contact the government through Access Canberra and the Revenue Office to discuss that.

**MR COCKS:** Is the government even concerned about the disproportionate impact this policy has on low-income households?

**MR STEEL:** There is a range of different measures that the government is undertaking to support Canberrans with cost of living, but we also need to make sure that we are delivering services to the community that Canberrans rely on, particularly healthcare services, at the moment. That is why it is important that there is a source of sustainable revenue, and there are penalties in place for those that do not pay that revenue to support the services that Canberrans rely on. But if people have an issue with paying that, then they need to get in touch to discuss how that payment can be made. And we will continue to look at a range of other measures to support Canberrans with cost of living, as we already have done in relation to public transport, since we were elected, and as was announced by Minister Berry this week in relation to providing support for camps for students, through our school system. We will continue to look at a range of ways to support people with cost of living, but it is important that there is also a revenue base to support services and, indeed, cost-of living measures for Canberrans as well.

**MS BARRY:** Minister, what specific measures is the government implementing to ensure penalties and interest charges on overdue rates do not exacerbate financial hardship for vulnerable Canberrans?

**MR STEEL:** By encouraging them to get in touch early. Of course, we also provide funding for organisations like Care financial, for example, which can provide support for people who are experiencing financial hardship. We would encourage people to reach out and get a hold on what their situation is in relation to liabilities that are due, but we have been clear about what those penalties are. I encourage Canberrans to get in touch with Access Canberra and the Revenue Office if they have any issues that they want to talk through.

### **Brindabella Christian College—governance**

**MISS NUTTALL:** My question is to the Minister for Education and Early Childhood. Minister, last week Mr Rattenbury and I met with the Community for Constitutional Reform at Brindabella Christian College. With the school term starting shortly, they expressed significant concerns about the lack of guarantees from the ACT government regarding the proprietors' compliance with financial and regulatory requirements. Last year you promised action by December, yet nothing has been done. Minister, school is back today. Why has the government not acted to address the alarming behaviour of the Brindabella Christian College board?

**MS BERRY:** I thank Miss Nuttall for her question. I know that there is a significant amount of interest in the affairs with regard to Brindabella Christian College, so I do thank her for the question. All families should have confidence in our schools across the ACT, regardless of whether they are public schools, independent or part of the Catholic school system.

Members will know that in September last year I took regulatory action against Brindabella Christian Education Ltd. In that action, I imposed conditions on the registration of Brindabella Christian College which required them to comply with conditions imposed on them under the Australian Education Act. I should clarify that I said in December that I was hopeful that I would be able to make public any further action that I would take before Christmas, or before the end of December. However, I was not able to do that.

Brindabella Christian College have responded to that regulatory action. I am carefully considering their response. These are really serious matters, and they have serious consequences for our community, particularly those at Brindabella Christian College, so I am taking them all very seriously. That is why I am taking the time to consider them so carefully before I make a decision.

**MISS NUTTALL:** Minister, what guarantees can you provide to concerned parents that their students returning to Brindabella Christian College this week are going to attend a safe and compliant institution with suitable teacher-student ratios and safe workloads, considering the proprietors' various breaches of regulations that have been identified by the school community?

**MS BERRY:** I can assure the community that the Registration Standards Advisory Board are working diligently within their legislative powers to ensure that the proprietors are doing the right thing, and they will continue to do that work.

**MS TOUGH:** Minister, do you remain committed to providing further information on this matter to families and the public?

**MS BERRY:** Absolutely. I think it is an important question to ask, and it is important to explain that Brindabella Christian College are being held to account, although I understand the community's frustration at the time it has taken to get a response and a clarified position on what the ACT government can do and what the Australian government can do. I am not able to foreshadow any decisions or any considerations that are being made at this point in time. As soon as I am able to do so, I will make sure that I keep the community, and the school community in particular, engaged with those responses.

### **City and government services—road and cycleway maintenance**

**MR MILLIGAN:** My question is to the Minister for City and Government Services. Minister, numerous cyclists have reported an unprecedented level of glass and other debris, and it has accumulated on the bike shoulder of the Monaro Highway, leading to many punctures and the risk of serious injury. The northbound route between Mugga Lane and Lanyon Drive has long been problematic and continues to become worse. Correspondence with Pedal Power has confirmed this is a major issue for local cyclists. When was the last time a streetsweeper was deployed on this section of the road? Why are streetsweepers not regularly deployed, given the government's push for more active travel?

**MS CHEYNE:** Mr Speaker, I am not sure that you are “many people”, but certainly your activism, Mr Speaker, does feel like many people sometimes. In response to Mr Milligan’s two questions, we do deploy streetsweepers regularly throughout our suburbs. In fact, information is publicly available every week about where street sweepers are scheduled to be. There has been a real focus of the street-sweeping fleet in the north of Canberra in particular, following the storm that we had on 15 January. That has been appropriate given the huge amount of debris that has been there. In relation to when a streetsweeper was last in that exact location, I will take that on notice and come back as soon as I can.

**MR MILLIGAN:** Minister, why doesn’t the Monaro Highway upgrade include a separated bike path?

**MS CHEYNE:** I have answered this on many occasions, including in answer to Ms Clay’s questions in the last term. There are future plans for this, but we are doing it in a staged way. That is the answer.

**MS MORRIS:** Minister, why is it that the government does not deliver the same attentions and services in the outer areas of Tuggeranong and Canberra as in the inner city?

**MS CHEYNE:** Obviously, I reject the premise of that question. We absolutely do and you only need to look at that weekly update that I was speaking about. You can sign up to a newsletter. It is regularly updated on the website—3 pm on Fridays—for the week ahead. The Chief Minister regularly shares updates specifically as they relate to Tuggeranong because we know there is a distinct amount of interest there. In fact, Mr Speaker, when Ms Tough and I were just at Urambi Hills with the local ParkCare group there about 10 days ago, it was remarked to me just how good Tuggeranong is looking and how much effort has been put in by our hardworking City Services, our roads crews and all others who provide our municipal services; that they have been working in some pretty wild conditions over the last few years; and that they have been able to get on top of it has been remarkable. I have been getting that feedback right across the board. But it was great to hear it and to see it while I was in Tuggeranong just recently.

### **Gaming—gaming machines**

**MS CARRICK:** My question is to the Minister for Gaming Reform. The government’s community clubs policy states that it will support community clubs to diversify as part of reducing the number of electronic gaming machine authorisations. The Suburban Land Agency has selected the Hellenic Club to develop Phillip section 7, across from its primary premises on Matilda Street. The Hellenic Club has also received approval for a \$146 million redevelopment of its primary premises. How many electronic gaming machine authorisations will the Hellenic Club be surrendering as it diversifies its income through these significant developments?

**DR PATERSON:** I thank the member for the question. The machine reductions are proportional across all venues. I can take on notice the exact number of machines that the Hellenic Club will have to surrender through the next surrender, which is occurring now, but it is proportional. Small clubs have to reduce by a smaller number of machines. For larger clubs, it is larger, proportional to the number of machines they have. It is a fair reduction. At the point where a club reaches 20 machines, they are not required to participate in the surrender scheme.

**MS CARRICK:** When will the terms of reference for the inquiry into the future of ACT clubs be released? What is the anticipated timeframe for the conduct of the inquiry?

**DR PATERSON:** I thank the member for the question. The terms of reference will be released shortly, over the next couple of months. The inquiry will take about a year. That is what we committed to when we went to the election. Work has progressed on these things. I look forward to informing the Assembly when we do release the terms of reference and when we will start the inquiry.

**MR EMERSON:** Will the minister commit to reducing the number of poker machines in the ACT more rapidly given that recent research out of the ANU suggests there will be no likely impact on gambling harm reduction until we reach fewer than 2,000 machines, which, at the current rate, will not happen for another 12 years?

**DR PATERSON:** No. I am committed to reducing the number of machines to 1,000 by 2045. That is what we took to the election. That is what I am committed to delivering.

*Mr Hanson interjecting—*

**MR SPEAKER:** Mr Hanson!

**DR PATERSON:** I am strongly committed to reducing the number of machines to 1,000 by 2045. That is why we are working on an inquiry into the club sector—to work with the clubs in terms of supporting them to diversify and on what a sustainable club sector is in the ACT. I think this is incredibly important and I think the ACT can act as a model for the rest of Australia in terms of reducing machine numbers and supporting our club sector to transition.

## **Light rail—stage 2**

**MS TOUGH:** My question is to the Minister for Transport. Minister, it is fantastic to see the commencement of the major construction works for light rail to Commonwealth Park. How does this project contribute towards the government's vision for our growing city?

**MR STEEL:** I thank the member for her question. Light rail is symbolic of our government's long-term vision for our city, to make it a vibrant, connected and sustainable place to live. We have always said that light rail is more than just about providing better public transport for our growing city. It is about better streets. It is about better public places and support for more homes and businesses as well. We have seen the benefits already that stage 1 provided to our city with the introduction of mass transit.

We are seeing construction now about to start on the western side of London Circuit for the stage 2A project that will bring significant benefits as well. We have seen the enabling projects coming to a close with the raising of London Circuit, which is helping to bring our city closer to the lake and revitalise the southern part of the CBD. Light rail will transform what was a busy road interchange that used to have a six-metre-high wall blocking pedestrian movement between the city and the lake into a place that will be welcoming for residents, businesses, visitors and commuters. We have already seen additional investment from the private sector with the recent announcement of more housing and commercial facilities in section 121 of Civic. The construction of light rail will also support delivery of the Acton Waterfront vision and the new Canberra Theatre, as well as other city-shaping infrastructure that will benefit all Canberrans for decades to come.

Light rail to Commonwealth Park will give an easier way to visit major events by the lake, increase public transport patronage and create hundreds of local jobs in the construction sector. It is a fantastic Labor initiative, delivered by a Labor government.

**MS TOUGH:** Minister, what work can Canberrans expect to see with the start of construction?

**MR STEEL:** I thank the member for her supplementary question. We have been clear from the beginning that building this once-in-a-generation piece of infrastructure will cause some disruption in the city. Canberrans will understand that we need to do this work now so that we can avoid future gridlock that so many cities face by not putting the infrastructure in place. Works will include fencing stored around London Circuit west between Northbourne Avenue and Edinburgh Avenue and the removal of existing street assets on London Circuit for readiness for construction, which includes bike racks, water fountains, park benches and light poles. We will also see the start of utilities being removed and relocated. Additional construction compounds have already been set up in the corner of London Circuit and Constitution Avenue and in the cloverleaf on the south side of Lake Burley Griffin between Flynn Drive and Commonwealth Avenue.

While sections of London Circuit west will be closed to motorists and on-road cyclists between Northbourne Avenue and Edinburgh Avenue, parts of London Circuit will be re-opened as they are completed to maintain local access through the area. Access will be maintained to businesses along London Circuit and signage will be in place to assist visitors, residents and other people to navigate the area. Variable message signage will also be in place around the city to alert approaching drivers about the closures. Access to Knowles Place north and Odgers Lane will be maintained for motorists and cyclists. Pedestrian and wheelchair access will be assured for the bus and light rail interchanges as we build this significant project for our growing city.

**MR WERNER-GIBBINGS:** Minister, what is the easiest way for people to get current information about the project as construction work progresses?

**MR STEEL:** I thank Mr Werner-Gibbings for his question. The government has been flagging to the community for some time about the upcoming road closures and subsequent construction work required to deliver this once-in-a-generation asset for

Canberra. There are a range of ways that Canberrans can access information to stay up to date with the construction and delivery of light rail to Commonwealth Park. This includes signing up for construction notifications through the Built for CBR website. We have also developed an interactive map about the deliverables on the project, for people who may be more interested in the finer details. Of course, Canberrans can also continue to follow the ACT government's social media accounts, as well as Transport Canberra, to get a more fulsome understanding of what work is happening and when. There has also been a very considerable engagement with businesses along where the construction will be occurring for stage 2A, and, of course, we will be continuing to update them in a timely way as the construction program moves through different phases.

### **Teachers—recruitment and retention**

**MISS NUTTALL:** My question is to the Minister for Education and Early Childhood. Minister, last month the ACT Education Directorate informed the media that ACT public schools are now fully staffed, which is awesome to hear. Can you confirm that all vacancies in ACT public schools have been filled?

**MS BERRY:** I thank Miss Nuttall for that question. As of 3 January, there were seven vacant positions across 92 public schools, which is an excellent position for our ACT public schools to be in starting the year in 2025. Of those seven vacancies, there are four permanent substantive vacancies and there are three temporary vacancies. But the Education Directorate has not stopped with its ongoing recruitment program, campaigning across a range of different areas, online channels, social media sites, job boards, Seek, LinkedIn, Teachers On Net, Facebook et cetera, and also advertising in New Zealand, Canada and the United Kingdom, establishing pathways from college to initial teacher education as well as continuing to work with local and interstate universities to provide a supportive induction program for educators wanting to work here in the ACT.

**MISS NUTTALL:** What measures will be implemented to ensure that the current workforce will stay in the public education system in the long term?

**MS BERRY:** We are working very closely with the Australian Education Union in particular on making sure that we retain our front spot in the country of having some of the highest wages and the best conditions in the country for educators in the ACT. I have committed to ensure during our next round of negotiations that our wages will remain amongst the highest in the country and that our public schools are places where people want to work.

We are also working with educators and their unions about how we make sure that our workplaces are safe and that we address workload challenges that have become more and more obvious across our school system. And so we are working across the board to reduce workloads, through things like insourcing building service offices into a more centralised program to take those workload pressures off our executive staff in our schools; working with our school principals about what we can do to support them in their mental health and wellbeing; taking workload pressures across the system so that teachers, school principals and school staff can do what they have been engaged to do, and that is to provide our children with the best possible education.

**MR BRADDOCK:** Minister, what measures will be implemented to ensure new educators in particular are able to stay in their profession?

**MS BERRY:** Again, I refer to some of the highest wages and conditions in the country in our enterprise agreement, also our induction process with new educators in the ACT, where we had over 200 new educators join our public school education system inducted into our system with specialised support through the Education Directorate as well as expertise within their schools to offer mentoring support to new educators.

As I have been speaking to new educators who are coming to work in the ACT, they are excited. We want them to remain excited through their career and to provide them with opportunities to continue with their professional learning, but also to continue on a career pathway to make sure that they stay in the ACT in our public school systems and that they have a pathway to career development into the future.

### **Ginninderra Falls—water management**

**MS CASTLEY:** My question is to the Minister for Climate Change, Environment, Energy and Water. Minister, as you are aware, there is a major Netflix production currently set up at Ginninderra Falls involving up to 300 people. This \$350 million production relies on water flowing over the falls, but I understand the water flow was stopped by your agency this morning, stopping the production of the movie. There is an imminent risk of the production shutting down and moving to another location outside of Canberra. What actions are you taking, or will you take today, to ensure production can continue?

**MS ORR:** I thank Ms Castley for her question. As Ms Castley will be aware, because we have had previous discussions on this, there is a bit of history here in that there was a little bit of water that was needed to be released from Lake Ginninderra, from the ACT's water supply. That can only be done under the legislative framework that is in place to make sure that we are managing our water system in accordance with sensible water management and good environmental outcomes.

*Ms Castley interjecting—*

**MS ORR:** As Ms Castley is aware, there has been a significant amount of work by directorate officials to support the production and to meet our environmental obligations, and that resulted in water being released so that they could do their filming. My understanding, and what I have been briefed on, is that a request for additional water to what was originally requested has come forward. That is being considered, but it has to be considered under the same framework.

**MS CASTLEY:** Minister, have you personally communicated with anyone involved in the production to explain what has happened and why?

**MS ORR:** I thank Ms Castley for her follow-up question. My understanding is that my office has been in communication with the owner of Ginninderra Falls. The directorate is the one that does the assessment and makes the recommendations as to whether it meets the legislation. My understanding is the directorate and other technical experts,



who can make the assessment as to how much water can be released and when, are working through the detail that they need to work through with the owner of Ginninderra Falls, which is where the film location is, and Netflix, which is the producer of the film. So, yes, I can assure Ms Castley that there have been extensive conversations between many people to support a project which we are very happy to have here in Canberra, but which, I must stress, must also meet our environmental requirements.

**MR CAIN:** Minister, will you commit to personally intervene to immediately restore the flows for the next three days, lest we lose this massive injection into our economy?

**MS ORR:** I point the member to my previous answer. We have to work within the legislative framework that is there. That is what we will continue to do while looking at how we can support a production that we are very excited to have here in Canberra and have worked very hard to support so far.

**Mr Barr:** I ask that all further questions be placed on the notice paper.

### **Supplementary answer to a question without notice** **Gaming—gaming machines**

**DR PATERSON:** I want to inform Ms Carrick, in relation to her question, that the Hellenic Club is required to relinquish 19 authorisations—16 from its venue in Woden and three from its city venue.

### **Answer to a question on notice** **Question No 6**

**MR CAIN:** I make reference to page 47 of today's notice paper. QoN No 6 is unanswered, with the 30-day requirement expiring on 5 January. Minister Berry, could you explain why that question has not been answered?

**MS BERRY:** Yes, I can. I have answered that question. It should be floating through the systems into your office.

**MR CAIN:** It is unanswered.

**MR SPEAKER:** My understanding is that it has been answered, Mr Cain.

**MR CAIN:** It is unanswered, according to the notice paper.

### **Papers**

**Mr Speaker** presented the following papers:

Auditor-General Act, pursuant to subsection 17(5)—Auditor-General's Reports—

No 12/2024—2023-24 Financial Audits—Financial Results and Audit Findings, dated 12 December 2024.

No 13/2024—Invoicing and Payments for Digital Health Record Hosting Services, dated 13 December 2024.

No 14/2024—Facilities management and support services for ACT Courts, dated 20 December 2024.

Bills, referred to Committees, pursuant to standing order 174—Correspondence—  
Bills—Not inquired into—

COAG Legislation Amendment Bill 2024—Copy of letter to the Speaker from the Chair, Standing Committee on Public Accounts and Administration, dated 16 December 2024.

Justice and Community Safety Legislation Amendment Bill 2024 (No 2)—Copy of letter to the Speaker from the Chair, Standing Committee on Legal Affairs, dated 18 December 2024.

Variation in Sex Characteristics (Restricted Medical Treatment) Amendment Bill 2024—Copy of letter to the Speaker from the Chair, Standing Committee on Social Policy, dated 17 December 2024.

Custodial Inspector Act, pursuant to section 30—A Review of a Detention Place by the ACT Custodial Inspector—Healthy Centre Review of Bimberi Youth Justice Centre 2024, dated December 2024.

Integrity Commission Act, pursuant to section 182—Investigation Report—Operation Falcon—An investigation into the allegations of the omission of required medical observations and falsification of observation records at the Alexander Maconochie Centre—

Report, dated 17 January 2025.

Revised report, together with correspondence from the Speaker to Members of the ACT Legislative Assembly in relation to corrections made to the report, dated 24 January 2025.

Committee Reports—Schedule of Government Responses—Tenth Assembly, as at 31 January 2025.

Standing order 99B—Petitions—Referral advice—Correspondence—e-petition 028-24 and pet-039-24—Charnwood-Dunlop School Play Space Upgrades—Copy of letter to the Speaker from the Chair, Standing Committee on Social Policy, dated 17 December 2024.

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

Auditor-General Act, pursuant to subsection 21(1)—Auditor-General's Report No 7/2024—Reusable Facility Services Procurement—Government response, dated February 2025.

Economy and Gender and Economic Equality—Standing Committee—Tenth Assembly—Government responses to reports—

No 11—Inquiry into micro, small, and medium business in the ACT region, dated December 2024.

No 12—Inquiry into unpaid work, dated February 2025.

Education and Community Inclusion—Standing Committee—Tenth Assembly—Report 13—Inquiry into Loneliness and Social Isolation in the ACT—Government response, dated February 2025.

Environment, Climate Change and Biodiversity—Standing Committee—Tenth Assembly—Report 12—Inquiry into Petition 17-23 – Indian (Common) Myna Control—Government response, dated December 2024.

Health and Community Wellbeing—Standing Committee—Tenth Assembly—Report 13—Inquiry into Raising Children in the ACT—Government response, dated February 2025.

Public Accounts—Standing Committee—Tenth Assembly—Report 24—Inquiry into Auditor-General’s Performance Audit Reports July-December 2023, Government response, dated February 2025.

Planning Act, pursuant to subsection 268(2)—Statement of leases granted—1 October to 31 December 2024, dated January 2025.

Remuneration Tribunal Act, pursuant to section 10—Chair, Machinery of Government Taskforce—Determination 16 of 2024, dated 23 December 2024.

Territory-owned Corporations Act, pursuant to subsection 9(2)—Notification of voting shareholders to the Legislative Assembly, dated 22 January 2025.

**Subordinate legislation (including explanatory statements unless otherwise stated)**

Legislation Act, pursuant to section 64—

Animal Diseases Act—Animal Diseases (Varroa Mite Import Restriction) Revocation 2024—Disallowable Instrument DI2024-318 (LR, 19 December 2024).

Civil Law (Wrongs) Act—Civil Law (Wrongs) The Australian Computer Society Incorporated Professional Standards Scheme 2024—Disallowable Instrument DI2024- 322 (LR, 23 December 2024).

Climate Change and Greenhouse Gas Reduction Act—Climate Change and Greenhouse Gas Reduction (Greenhouse Gas Emissions Measurement Method) Determination 2024—Disallowable Instrument DI2024-311 (LR, 5 December 2024).

Court Procedures Act—Court Procedures Amendment Rules 2024 (No 2)—Subordinate Law SL2024-37 (LR, 19 December 2024).

Food Act—Food (Fees) Determination 2024 (No 1)—Disallowable Instrument DI2024-309 (LR, 28 November 2024).

Health Act—Health (Fees) Determination 2024 (No 2)—Disallowable Instrument DI2024-305 (LR, 9 December 2024).

Health Records (Privacy and Access) Act—Health Records (Privacy and Access) (Fees) Determination 2024 (No 1)—Disallowable Instrument DI2024-316 (LR, 16 December 2024).

Legislative Assembly (Members’ Staff) Act—Legislative Assembly (Members’ Staff) Members’ Salary Cap Determination 2024 (No 3)—Disallowable Instrument DI2024-310 (LR, 28 November 2024).

Major Events Act—

Major Events (Summer Sports Season Events) Notice 2024—Disallowable Instrument DI2024-302 (LR, 22 November 2024).

Major Events (Summernats 37) Declaration 2024—Disallowable Instrument DI2024-312 (LR, 3 December 2024).

Medicines, Poisons and Therapeutic Goods Act—

Medicines, Poisons and Therapeutic Goods (Fees) Determination 2024 (No 1)—Disallowable Instrument DI2024-307 (LR, 28 November 2024).

Medicines, Poisons and Therapeutic Goods Amendment Regulation 2024 (No 1)—Subordinate Law SL2024-36 (LR, 12 December 2024).

Public Health Act—

Public Health (Chief Health Officer) Appointment 2024—Disallowable Instrument DI2024-308 (LR, 16 December 2024).

Public Health (Fees) Determination 2024 (No 1)—Disallowable Instrument DI2024-306 (LR, 28 November 2024).

Public Place Names Act—Public Place Names (Whitlam) Determination 2024 (No 3)—Disallowable Instrument DI2024-303 (LR, 25 November 2024).

Radiation Protection Act—Radiation Protection (Fees) Determination 2024 (No 1)—Disallowable Instrument DI2024-317 (LR, 16 December 2024).

Residential Tenancies Act—Residential Tenancies Amendment Regulation 2024 (No 1)—Subordinate Law SL2024-35 (LR, 9 December 2024).

Road Transport (General) Act—

Road Transport (General) Application of Road Transport Legislation (Manuka Oval) Declaration 2024 (No 2)—Disallowable Instrument DI2024-301 (LR, 25 November 2024).

Road Transport (General) Exclusion of Road Transport Legislation (Summernats) Declaration 2024 (No 1)—Disallowable Instrument DI2024-320 (LR, 20 December 2024).

Road Transport (Public Passenger Services) Act—Road Transport (Public Passenger Services) Public Transport Fares Determination 2024 (No 1)—Disallowable Instrument DI2024-321 (LR, 20 December 2024).

Taxation Administration Act—Taxation Administration (Amounts Payable—Ambulance Levy) Determination 2024—Disallowable Instrument DI2024-319 (LR, 19 December 2024).

Tobacco and Other Smoking Products Act—Tobacco and Other Smoking Products (Fees) Determination 2024 (No 1)—Disallowable Instrument DI2024-304 (LR, 28 November 2024).

Unit Titles (Management) Act—

Unit Titles (Management) (Fees) Determination 2024 (No 2)—Disallowable Instrument DI2024-315 (LR, 6 December 2024).

Unit Titles (Management) Rental Certificate Determination 2024—Disallowable Instrument DI2024-313 (LR, 6 December 2024).

Unit Titles (Management) Sale Certificate Determination 2024 (No 2)—Disallowable Instrument DI2024-314 (LR, 3 December 2024).

## **Cost of living—food relief organisations**

**MR EMERSON** (Kurrajong) (3.04): I move:

That this Assembly:

(1) notes that:

- (a) the ACT Council of Social Services published data in 2019 showing that more than 12,500 Canberrans were living in households that, in the previous 12 months, had run out of food and not been able to afford to

- buy more;
  - (b) in the five years since 2019, a global pandemic, persistently high inflation and interest rate rises have precipitated a cost of living crisis, exacerbating the ongoing need for food relief in the ACT;
  - (c) during the COVID-19 pandemic, the ACT Government established the Canberra Relief Network which was transitioned through the 2021-2022 Budget to the Canberra Food Relief Network;
  - (d) funding ends partially in June 2025, with the remainder ending in June 2026;
  - (e) the 2024 Canberra Food Relief Network Survey found that most food relief services had experienced a 25 percent increase in numbers of people using their services in the prior 12 months; and
  - (f) given the ongoing need across our community for food relief and uncertainty of government policy beyond 2025-2026, it is vital for the ACT Government to determine its food relief policy and associated programs before the cessation of current arrangements; and
- (2) calls on the ACT Government to:
- (a) build on the work of the Canberra Relief Network and Canberra Food Relief Network by engaging with community organisations, food relief providers, and people with lived experience of food insecurity to develop and deliver a coordinated ACT Food Relief Action Plan, co-designed with the community sector, to ensure the provision of sufficient food relief services across the ACT;
  - (b) as part of the development of the ACT Food Relief Action Plan, consider:
    - (i) the scope and scale of government support required to maximise the efficiency and effectiveness of the ACT's food relief sector;
    - (ii) opportunities to address challenges faced by community organisations in sourcing, receiving, storing and distributing quality food across the ACT; and
    - (iii) incentives aimed at the ACT retail and hospitality sectors to encourage food donation and reduce food wastage;
  - (c) report back to the Assembly by the last sitting week of 2025 on progress toward a coordinated ACT Food Relief Action Plan; and
  - (d) by 30 June 2026, table in the Assembly a finalised ACT Food Relief Action Plan with associated implementation actions.

Twelve-and-a-half thousand Canberrans ran out of food in 2019. This is the latest data we have available, which is concerning, not only because that is a significant number of people but also because the latest solid data we have on food insecurity is from more than five years ago. In other words, our government does not know how many of its citizens are going hungry. That strikes me as deeply problematic.

Some 50 community-led initiatives have emerged to keep people across the ACT from running out of food, from hot meals at night and first thing in the morning for people sleeping rough, to community-based street pantries and food

banks and the incidental provision of basic supplies by FDSV crisis support organisations—the Early Morning Centre, Vinnies Night Patrol, the Ainslie Community Pantry, the Blue Door Drop-in Centre, Community Services #1 Food Pantry in Narrabundah, and many others.

Canberra's food relief network has been cobbled together courtesy of the goodwill of community members working within these kinds of organisations, leaving the food security of many Canberrans being heavily dependent on generous volunteers and donated food. The scale of need is significant, with an estimated 40,000 people in the ACT living below the poverty line, unable to access the basic necessities of life. That includes 9,000 children, which is more than one out of every 10 kids living in our territory.

It might not come as a surprise, then, that most local food relief organisations have reported a 25 per cent increase in demand in the past year. Some have seen a 75 per cent increase. All report needing to purchase extra food to meet demand. What they receive in food donations alone is insufficient to satisfy the need they are seeing in our community for food relief.

A report on food insecurity in the Canberra region released yesterday by VolunteeringACT reflects what I have heard directly from frontline workers—that often staff and volunteers are purchasing food using their own money to cover the spread. I recently visited the Canberra Rape Crisis Centre, where staff members, who are experts in providing trauma-informed sexual violence crisis support, donate food to provide to victim-survivors. I was told about a victim-survivor who had recently sought support, having been sexually assaulted, and had asked politely, a little bit embarrassed, if she might be able to take one of the cups of two-minute noodles at reception that had been donated by a staff member.

With the cost-of-living crisis crippling households across our city, thousands of Canberrans are simply unable to afford to feed themselves or their families and are relying on food relief providers for their next meal. Those of us gathering comfortably in this place might find it hard to imagine that there are parents in our community who are going without—going without to ensure that their children are fed. New cohorts of people are falling through the cracks. I am hearing of university students telling their professors they cannot make it to a class because the food pantry is only open from nine to five, and of parents who are both in secure employment seeking emergency food relief. A street pantry provider told me of his heart dropping when he discovered that one of the pantry's volunteers needed help and had been ashamed to ask about accessing food from the pantry at which he volunteered every day.

In a fair society, the hungriest mouths get fed first. That is not happening in Canberra. A significant number of people across our community will go to bed hungry tonight. This is not a temporary crisis; this is an entrenched problem that will not go away with a couple of interest rate cuts.

I believe in government, and I believe that government has a role to play here. We have work to do to live up to our name as the most progressive jurisdiction in Australia. A progressive government helps people who need help, without exception.

This motion requires our government to do exactly that, by making a firm commitment to ensuring Canberrans in need are not going hungry. I hope that, with the highest median income in the country and the support of my colleagues in this Assembly, we can follow through on that basic commitment.

That starts with developing and delivering a coordinated ACT food relief action plan, co-designed with our frontline community sector heroes. We need a clear understanding of just how much government support is required to deliver a comprehensive, coordinated, efficient food relief system that is sufficient to match the level of need across our community, with consideration given to the challenges experienced by community organisations in sourcing, receiving, storing and distributing quality food for those who need it, as well as looking at opportunities to engage with our retail and hospitality sectors to encourage food donation, reduce food wastage and build a sustainable food relief supply chain in the ACT.

Above all, we need to fund this action plan sufficiently. We can determine the cost of feeding those in need, and we can put our money where our mouth is and cover that cost. What is harder to calculate is the cost of hunger. What price is paid by someone whose day is occupied with determining where their next meal might come from? What is missing from such a day? What do we miss, as a community, by allowing people to struggle through many such days?

I am pleased to have the support of my colleagues in asking these questions today and in being willing to answer them. I would like to thank members sincerely for their good-faith engagement on this matter. The passage of this motion, I hope, will be greeted with many more thanks from food relief providers and those who rely upon them. I commend this motion to the Assembly.

**MISS NUTTALL** (Brindabella) (3.10): I rise to speak to Mr Emerson's motion, which the Greens will be supporting today. This motion raises important issues that the Greens have been championing. As we all know, constituents in our communities have been grappling with the rising cost of living for years. This presents as an inequality crisis, and we say "inequality" because a growing number of people in our community are struggling to pay for health care, find stable and affordable housing and, as this motion highlights, put food on the table.

VolunteeringACT's food insecurity report released this month states that 12,500 Canberrans, including children, ran out of food last year. Demand for food relief services has increased by up to 75 per cent in the past 12 months. We all know that the ACT is an expensive place in which to be struggling, and that is truer now than ever before. ACTCOSS's cost-of-living report says that our community sector is seeing more people in full-time work seeking support to cover their living costs, as Mr Emerson said, with financial stress spreading to middle-income households. With income support payments still below the poverty line and inflation outstripping wage growth, it is no surprise that more and more people are turning to services like food banks for support. The ability to put food on the table should be non-negotiable,

and the fact that anyone in our community cannot afford to feed themselves or their families is an indictment of our social and economic systems.

Our community sector does an incredible job of lifting people up. In 2023, OzHarvest ACT supported the redistribution of food from over 100 providers to 69 local charities, delivering over one million free meals to people. But our community sector cannot do it alone, and many organisations in the food relief sector do not receive any government funding. It is absolutely imperative that governments take responsibility for addressing this.

Former Greens Minister for Community Services Emma Davidson delivered a significant increase in government funding for the food relief services that provide support to Canberrans. The funding delivered by Minister Davidson supported organisations like UnitingCare Kippax, the Salvation Army, St Vincent de Paul, Foodbank and OzHarvest to increase their service delivery to try to meet the increased demand in the community.

The significant uplift that we saw in last year's budget of \$900,000 was a one-off, likely due to fiscal constraints imposed by the Treasurer. But the need in our community has not gone away. It is therefore absolutely critical that this government continues to support, and, in fact, increases its support, to community services supporting people needing to access food.

In their 2024 budget submission, the Canberra Food Relief Network outlined their need for consistent annual funding to 2030 to meet the unprecedented demand and strategically plan to deliver ongoing access to fresh and nutritious food to people in a way that is sustainable for the sector and responsive to future changes. More food is definitely needed, but there are also a lot of logistics needed to enable the supply chain, from food collection to the delivery of food, including storage, equipment, and volunteer and employee capacity.

The ACT Greens have engaged with the sector's needs and took a policy to the ACT election to increase annual funding for the food relief sector by \$330,000 annually, particularly to help cover the cost of freight for food supplies that are often brought in from New South Wales, as they often have to be.

The lack of central storage and warehousing facilities in the ACT increases the reliance of food banks on goods shipped in from Sydney, because there is nowhere to store it locally. There are huge transport costs for local and volunteer-run community organisations. Our commitment to additional funding to support the implementation of an action plan would have made a significant difference to the sector in addressing these foundational challenges.

The existing community plan identifies that improvements are necessary to ensure equal access to and distribution of food across Canberra regions, which could be enabled by having more predictable and consistent access to food and better utilisation of volunteers across the community. These things take time, planning and resources to achieve. A small increase in government funding could deliver huge returns for our community and greater capacity for the sector.

When it comes to food waste, it is heartbreaking that any consumable goods are going to landfill when people in our city are going hungry. We should be harnessing every opportunity to rescue food from being thrown away, including from our hospitality and restaurant sector.

We strongly support the call for the ACT government to develop a co-designed ACT food relief action plan so that the efforts of our incredible community-led organisations can be maximised and supported to ensure that no Canberran goes hungry. In the meantime, I urge the government to ensure that the sector does not experience any shortfall in funding and that the ACT government takes responsibility for ensuring the long-term financial and operational sustainability of our food relief organisations because, quite frankly, we need them.

**MS BARRY** (Ginninderra) (3.15): I move the following amendment:

Insert after paragraph (2)(b):

“(c) ensure that government responses to the challenges of providing food relief do not add administrative or bureaucratic burdens to those hard-working community organisations and businesses;”.

I rise to respond to this motion. Obviously, it goes without saying that the issue of food security is important to vulnerable Canberrans. We on this side of the Assembly are supportive of measures and motions that can provide practical, tangible outcomes. It is alarming to hear from VolunteeringACT that the demand for food relief services has increased from 25 per cent to 75 per cent in the past 12 months. That is very concerning.

This reflects the general deterioration in economic circumstances which, as always, falls hardest on vulnerable Canberrans. The financial pressures on food pantries are increasing—due to increased demand for community services; increased cost of operations, including the delivery, storage and distribution of perishable goods; and uncertainty around ongoing government funding. These issues are also exacerbated by the reduction in the capacity of the community to continue to provide funds. This is a perfect storm for adverse circumstances in the community.

While we on this side, following consultation with VolunteeringACT, support the thrust of the motion, because we consider that there is an urgent need for the government to re-prioritise funding as part of the budget process to ensure the viability of food pantry services that are relied on by vulnerable Canberrans, we do have some concerns about the motion as it stands.

Firstly, urgent financial support needs to be provided to the sector to prevent the possibility of vulnerable Canberrans going without food. I note that the emergency funding previously provided will run out soon. The government needs to commit to the continuation of that emergency funding while the economic crisis persists. Additionally, we are concerned that greater government involvement could inadvertently overwhelm some voluntary organisations and businesses with excessive time commitments.

The amendment circulated in my name is intended to require the government to have regard to and reduce administrative and bureaucratic imposts that so often come with

government interventions. The sector needs support, not more process. Let us bring back some common sense to these support arrangements and allow these community organisations to focus on what they do best, which is to help Canberrans.

Also, I consider that the timeframes proposed in Mr Emerson's motion are just too long. I note that Ms Carrick is proposing an amendment to Mr Emerson's motion, and I would ask the Assembly to give serious consideration to her amendments. We on this side understand that this is a critical issue and that we need to act fast. I have spoken to VolunteeringACT, and they confirmed that the sector cannot respond to any shortened timeframe. Given the importance of this issue, we consider that government should also prioritise the development of a plan. We consider that action on food security is urgent, as I have mentioned, and important, and we thank Mr Emerson for his motion.

**MR EMERSON** (Kurrajong) (3.19): I move the following amendment, which has been circulated in my name:

In paragraph (2)(c), insert "unnecessary" after "add".

I am moving the tiniest of amendments—asking that we add the word "unnecessary" before "administrative or bureaucratic burdens" to this proposed amendment—as I am sure this plan will create some sort of administrative requirements, but I am reassured, knowing that the community sector is very keen to co-deliver and co-design this strategy, that they will not be extensive. I am very appreciative of Ms Barry's engagement, and of the intent of the amendment, and I move this amendment to the amendment, at the risk of nitpicking.

**Mr Emerson's** amendment to **Ms Barry's** proposed amendment agreed to.

**Ms Barry's** amendment, as amended, agreed to.

**MR ASSISTANT SPEAKER** (Mr Werner-Gibbins): The question now is that the motion, as amended, be agreed to.

**MS CARRICK** (Murrumbidgee) (3.21): I move the following amendment:

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

"(d) consider providing additional surge funding from 2025-2026 to meet the needs of the community for food relief;

(e) by March 2026 table in the Assembly a finalised ACT Food Relief Action Plan with associated implementation actions, so that its findings can be considered for ongoing funding in the 2026-2027 Budget and provide funding certainty to the sector."

The community sector tells me that one of the many challenges they face is when they do not find out if funding for certain services will be renewed until a few days before the end of the financial year. This can make resource planning, including retaining staff and volunteers, very difficult.

In 2022, the ACT government provided funding to VolunteeringACT to formally establish and manage the Canberra Food Relief Network. In June 2024, the budget provided an additional \$913,000 for emergency material and financial aid programs and for food relief for vulnerable Canberrans experiencing cost-of-living stress. It was for the 2024-25 year. While this funding was provided for one year, food insecurity continues to grow, and the sector suffers from funding insecurity.

VolunteeringACT's 2025 report into food insecurity in the Canberra region reported that the 2024 Canberra Food Relief Network survey found that across the food relief sector, all service providers have seen a change in the number of people accessing their services in the last year. The survey found most services experienced a 25 per cent increase in numbers of people using their services, with a small number indicating an increase of between 50 and 75 per cent. The report also found that more people are feeling the strain of financial stress, and demand for food relief services is growing, yet, at the same time, the number of people able to give to charities is shrinking, and there is an increasing need for governments to step in and fill funding gaps.

This amendment asks the government to consider providing additional surge funding from 2025-26 to meet the needs of the community for food relief. It then requests the development of an ACT food relief action plan to be brought forward from June 2026 to March 2026 so it can inform budget deliberations for the provision of ongoing funding in the 2026-27 budget. If the report is not received in time to inform next year's budget, it is likely its findings will wait another 12 months for the 2027-28 year. The timeframes for food security are too long. Ongoing funding, with the appropriate checks and balances in place, will provide funding certainty to the sector and encourage the retention of staff to deliver these vital programs.

**MR ASSISTANT SPEAKER:** The question is that Ms Carrick's amendment be agreed to.

**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) (3.23): I move the amendment to Ms Carrick's proposed amendment circulated in my name:

In paragraph (2)(e), omit "March", substitute "June".

As the Minister for Disability, Carers and Community Services, I would like to respond on behalf of the ACT government to the motion moved by Mr Emerson in relation to the food relief in ACT, and I thank Mr Emerson and everyone who has contributed to what has become quite an opinionated discussion around this topic.

Food security is an important issue of safety, health, wellbeing and dignity in our community, and is a priority both for this government and for me as minister for community services—the person with responsibility for this policy area. That is why Labor took to the last election commitments to review food relief provision in the ACT and additional resources for food banks over this term of government.

Food insecurity exists whenever the circumstances arise that limit the availability of nutritionally adequate, safe foods or make the availability uncertain. Food insecurity

includes losing the ability to acquire acceptable food in socially acceptable ways. A few years ago, as the COVID-19 pandemic unfolded in its very early stages, revealing both the strengths and the vulnerabilities in our social systems, it became apparent that food accessibility was going to be a significant issue. From that, came the Canberra Food Relief Network, which provided the community and government with an opportunity to bring together all the previous different, disparate, and localised food relief responses into a more coordinated network.

It was apparent that we needed to mobilise rapidly to address and secure access to this fundamental human survival need. Food, as we know—along with other things such as safe shelter and adequate clothing—sits at the very foundation of the hierarchy of human needs. We are fortunate to have, and can be proud of, the network of organisations and the groups in the Canberra community who take action to address food relief for their neighbours and fellow citizens when times get tough.

Following the Canberra Food Relief Network and the scaling back of the initial pandemic response, came a want to have a bigger discussion about how we continue to go forward, and out of this experience came the piloting of a new model of food relief provision in the ACT—the Canberra food security network. The Canberra food security network is a pilot funded by the ACT government to test a community-led model to provide planning, data collection and a streamlined response to food security beyond the COVID-19 public health emergency.

I would like to take this opportunity to thank the staff and volunteers across the Canberra Food Security Network for their efforts to ensure everyone gets safe, dignified access to nutritional food. That network is also supported by a number of Canberrans and businesses who donate to the food relief initiatives.

As many members have already noted, this week the Canberra Relief Network, coordinated by VolunteeringACT, released a report on food insecurity, which provides a snapshot of the current state of food relief activity in our city and makes a series of recommendations on ways to take this work forward. The report draws attention to the importance not just of the availability and quantity of food through food relief networks but of the quality of the food available. The report also cites the persistent levels of food waste in Australian households and the hospitality, food and grocery supply industries. The ACT government will now consider the report, along with other insights and lessons from the pilot, in the government's consideration of the next phase of policy decisions.

In addition to the Canberra food security network pilot, the ACT government has provided additional investment to increase capacity for food relief in the sector in each budget. These measures were delivered in addition to ongoing funding provided by the ACT government through the food assistance program, which includes two services elements—first, a freight subsidy for small-to-medium ACT community food pantries to support access to quality food from Foodbank in New South Wales; and, second, food rescue activities here in the ACT delivered by OzHarvest.

ACT Labor understands the pivotal importance of food relief services, which is why we committed, in the 2024 election, to invest \$1.5 million in additional resources for

food banks over the next three years. This commitment establishes a food bank fund to provide support to food banks and community organisations that provide food relief and essential grocery items.

My amendment to Ms Carrick's amendment is just a small one that changes the date for reporting from March to June. It is a reflection that the June timeline in Mr Emerson's original motion is ambitious but not unrealistic. Unfortunately, changing to the March timeframe puts us in a tricky position where "ambitious but not unrealistic" becomes "ambitious and, quite possibly, unrealistic".

Based on the passionate debate today, this is clearly an important piece of work for the Assembly, and we would like time to get the views of community members and work with organisations to get a good policy in place. There is no question about our actually implementing the policy; it is just that we would like to do it as well as we can. I would ask that members support that little bit of a difference, noting that that little bit of time would make quite a lot of difference to what we can provide. I would like to make it very clear to members, in their considerations and making their decisions as to whether they support that change or not, the government will respect whatever the Assembly decides. If it is the shorter time, unfortunately we just will not be able to do as long a consultation or the standard of consultation that we could with the later date. I know it sounds a little bit silly—it looks like it is just a couple of months—but the advice I have received is that those couple of months are quite significant. That is my appeal to the Assembly. Like I said, we will respect whatever the Assembly decides. We know the options, and I ask that members take that into consideration when they vote.

In closing my remarks, I would like to thank Mr Emerson for bringing this important motion forward, and I look forward to working, during this term of the Assembly, to build on the work and the lessons of what has gone before.

**MR ASSISTANT SPEAKER:** The question is that Ms Orr's amendment to Ms Carrick's proposed amendment be agreed to.

**MR COCKS** (Murrumbidgee) (3.30): I just want to speak very briefly on the amendment to the amendment. Essentially, the Canberra Liberals will not be supporting that amendment. I would like to thank Minister Orr for the constructive engagement earlier today. I am sorry we could not provide earlier notice that this is the position we would take. I would also like to commend Ms Barry, because what Ms Barry did after our discussions was to reach out to the community organisations involved and to speak to the peak bodies to see exactly where they stood on this issue. They were very happy to see this expedited and progressed as soon as possible. So we are very pleased to see this progress as soon as possible in line with the timelines that Ms Carrick has set out.

**Ms Orr's amendment to Ms Carrick's proposed amendment negatived.**

**MR ASSISTANT SPEAKER:** The question is that Ms Carrick's amendment be agreed to.

**MR CAIN** (Ginninderra) (3.32): I want to thank Mr Emerson for bringing this important motion to this Assembly. I certainly applaud the amendments brought by

Ms Barry and Ms Carrick, as well. We are talking about a worsening situation in probably the wealthiest city in our country—a worsening financial situation for families in their homes with their children. And, as has been touched on in another way, we are seeing a growing homelessness rate in our city.

I just want to touch briefly on one aspect of why we are in such a situation and the reluctance of the government to have measures in place to get ahead of this sort of problem rather than wait for it to happen and then try and come up with solutions. Part of the reason the government is not adequately ahead of this sort of problem is its own fiscal irresponsibility. We have a growing mountain of debt in the ACT. It is fairly clear that the government is undertaking cost-cutting measures—abandoning an inquiry, putting a stop on public service hiring and putting restrictions on who can be hired. So we are seeing, in a way, the fruit of poor government. We are seeing the fruit of poor government, and we should not be debating something like this in a city such as ours. We should be a success story able to model good government to the rest of the country.

I want to thank, again, Ms Carrick, Ms Barry and Mr Emerson, for bringing this important motion which has had some touch-up amendments and important amendments. The motion highlights the need for the government to do better, but I am not quite sure they have got it in them.

**Ms Carrick's** amendment agreed to.

Original question, as amended, resolved in the affirmative.

## **ACT Integrity Commission—proposed inquiry**

**MS CASTLEY** (Yerrabi—Leader of the Opposition) (3.35): I move:

That this Assembly:

(1) notes:

- (a) public confidence in the ACT Government hinges on a community belief that the Government and the Assembly are acting with integrity, honesty, and fairness;
- (b) the Integrity Commissioner has told the Assembly that he believes there is a need for a Commission inquiry into lobbying in the ACT, and requested financial support from the Government, which was not agreed;
- (c) the Chief Minister subsequently told *The Canberra Times* he would “give serious consideration to any request” from the Commission for resourcing to undertake the inquiry and that “I think there is a pathway forward on that”;
- (d) the Assembly unanimously supported a motion moved by Ms Castley calling for the Government to provide the Commission with “sufficient funding to investigate potential integrity, misconduct and corruption issues in a timely manner”; and
- (e) no additional funding has been provided to date, and members of the Government have not had discussions with the Commission about any additional funding; and

(2) calls on the Chief Minister to:

- (a) support the Integrity Commission in holding an inquiry into lobbying in the ACT;
- (b) provide additional resourcing so the Integrity Commission can initiate the inquiry in the first half of 2025 without adversely impacting the Commission's other tasks and priorities;
- (c) fully cooperate with the inquiry in whatever form is required, including the full participation of ministers, executive staff, and ACT Public Service officials; and
- (d) commit to tabling a formal response to the inquiry within eight weeks of receiving its final report.

I am very pleased to be moving today's motion, which calls on the government to resource the Integrity Commissioner so that he can undertake an inquiry into lobbying in the ACT. As much as I would love to take the credit for this idea, it is actually a proposal from the commissioner, the Hon. Michael Adams KC. In July last year, he told estimates:

The question with the CFMEU raised the whole question of lobbying by organisations, both of the departments of particular public servants and of politicians. It is a problem in every jurisdiction in Australia. If I had the resources, I would have an inquiry about lobbying in the ACT. I do not have the resources at present. It is on my wish list to undertake.

It is not surprising that the commissioner has this interest, not purely because of the closeness of the CFMEU to this government, but also what you see when you look at the register of lobbyists for the ACT. It is curious that most registered lobbyists are not experts in public policy, industry or academia, but most of them do seem to have close ties to the Labor Party. I am not suggesting there is anything wrong with that, but there could be—we simply cannot rule it out. That is why an inquiry into lobbying is such a good idea. It provides the community with an independent view about how lobbying actually operates in the ACT as well as whether it is honest and ethical or whether there maybe problems which require the Assembly's attention.

I am very glad to say that the Chief Minister has publicly supported such an inquiry. On 27 July last year, he told the *Canberra Times*: "I think there is a pathway forward on that," and that he would give serious consideration to any request from the commissioner for resourcing. Of course, Labor being Labor, the government has not funded the inquiry, so the purpose of today's motion is to call on them to do so.

I expected—in fact, I had hoped—that this motion would be agreed by all sides without much contention. It was deliberately written to be as straight and apolitical as possible—just the facts; just the essential calls. We do not want to win points; we want the inquiry. That is why I was deeply concerned to learn of a sneaky, late-night deal between Labor and the Greens—a deal that would have changed 90 per cent of the wording of this motion. Obviously, I was not involved in that deal and cannot know what was discussed, but I would be very surprised if Labor were working in secret to strengthen this motion. If they wanted this inquiry to proceed, they could have done so at any point in the last eight months, but, of course, they did not.

It is a mystery what changes Labor were negotiating, but an even bigger mystery is why the Greens chose to participate in these discussions. They talk a big game about integrity and transparency, but here, in their opportunity to publicly support an inquiry into lobbying, they did not back us in. No, they chose to do a sneaky, backroom deal with Labor. And who knows if there was any quid pro quo.

My call to the Greens, particularly to the leader, Mr Rattenbury, is not to go down that path; do not do these dirty deals. If you believe in integrity—if you want to see real reform—doing deals with the government is not the answer. Work with us, not against us. Since we raised our very real concerns about this deal, I appreciate that our teams have been able to come together and find a way through to a mutually agreeable outcome, because I believe we can collaborate and find a way to make a difference and to raise standards in the ACT, without worrying about protecting lobbyists or any vested interests who Labor may or may not want to upset. But we can only do that if we work together in good faith, and if the Greens choose to walk the talk on integrity.

In fact, it is time for all of us to walk the talk on integrity, and I ask all members to start that walk by backing this motion and backing the Integrity Commission with this inquiry.

**MR BRADDOCK** (Yerrabi) (3.39): I move the amendment circulated in my name:

- “(b) continuing resolution 8AC defines a lobbyist as ‘any person, company or organisation who conducts lobbying activities on behalf of a third party, or whose employees or other personnel conduct lobbying activities on behalf of a third party, where such lobbying activities are ordinarily carried out in the expectation of receiving direct or indirect financial reward or other valuable consideration whether or not the amount thereof is ascertainable at the time such activities are conducted.’;
- (c) this definition places lobbying by an entity on behalf of itself outside of the scope of the ACT’s lobbying regulations, presenting potentially significant gaps which should be of interest to any lobbying inquiry;
- (d) the Integrity Commissioner has told the Assembly that he believes there is a need for a Commission inquiry into lobbying in the ACT, and requested financial support from the Government, which was not agreed;
- (e) Mr Barr subsequently told *The Canberra Times* he would ‘give serious consideration to any request’ from the Commission for resourcing to undertake the inquiry and that ‘I think there is a pathway forward on that’;
- (f) under the Integrity Commission Act and other Territory laws, the Commission has complete discretion in the exercise of the Commission’s functions;
- (g) the Assembly unanimously supported a motion moved by Ms Castley calling for the Government to provide the Commission with ‘sufficient funding to investigate potential integrity, misconduct and corruption issues in a timely manner’; and
- (h) no additional funding has been provided to date;
- (2) calls on all Members of the Legislative Assembly to:
  - (a) support the Integrity Commission in holding a suitable inquiry into

- lobbying in the ACT; and
- (b) fully cooperate with the inquiry in whatever form is required, including the full participation of Ministers, MLAs, executive and non-executive staff, and ACT Public Service officials;
- (3) further calls on the Government to:
- (a) provide additional resourcing so the Integrity Commission could as appropriate initiate a suitable inquiry, ideally during 2025, without adversely impacting the Commission's other tasks and priorities; and
  - (b) commit to tabling a formal response to the inquiry within eight weeks of receiving its final report; and
- (4) calls on the Speaker to refer a copy of this resolution to the Integrity Commissioner, so as to show the Assembly's support for a suitable inquiry into lobbying in the ACT in accordance with terms of reference that the Integrity Commissioner may establish at his discretion.”.

I would like to thank Ms Castley for saving me a PMB slot. I had planned to bring a materially similar motion forward in the March sittings, but I guess we can do this right now.

I will just go to one point of Ms Castley's: her assertion that there was a dirty deal as part of negotiations between Labor and the Greens. I strongly reject any such characterisation or assertion. We were up-front and spoke with the Liberals at all times about what we were doing as part of those negotiations. We were also looking to address some of the issues within the motion as presented in terms of respecting the integrity of the Integrity Commissioner and their independence from the government and the Assembly, as well as seeking a way to figure out how to ensure that we achieved a good thing today—asking that the government provide the funding to the Integrity Commissioner so that he can go off and do the good work in looking into lobbying here. There is a complexity associated with having five-way negotiations here in the Assembly. If we are to be successful in our work through this term, we need to appreciate that complexity, and work together in a good faith network, instead of decrying each other here in the chamber.

As Ms Castley mentioned, it was on 26 July, during budget estimates, that the Integrity Commissioner made the comment:

The question of the CFMEU raises the whole question of lobbying by organisations, both of departments of particular public servants and of politicians. It is a problem in every jurisdiction in Australia. If I had the resources, I would have an inquiry about lobbying in the ACT. I do not have the resources at present. It is on my wish list to undertake.

The context here is very relevant. The statement was made during a discussion about the Integrity Commission's Operation Kingfisher, which is investigating procurement processes at the Campbell Primary School. In this case, the public evidence suggested a concerted lobbying effort by the CFMEU to get the outcome they wanted. I do not need to reflect on the events of Operation Kingfisher any further, but it brings me to the problems that I am keen to bring to this motion's debate.

Within the ACT's regulatory system for lobbying, a lobbyist is defined under continuing resolution 8AC as:

Any person, company or organisation who conducts lobbying activities on behalf of a third party, or whose employees or other personnel conduct lobbying activities on behalf of a third party, where such lobbying activities are ordinarily carried out in the expectation of receiving direct or indirect financial reward or other valuable consideration whether or not the amount thereof is ascertainable at the time such activities are conducted.

The emphasis here is on third parties. When the CFMEU engages in lobbying activities that advocate for its own members, rather than a third party, it falls outside the definition of a lobbyist. The same goes for the Pharmacy Guild, ACTCOSS, the Business Council, or for the whole wealth of organisations that make up our Canberra community. All of these organisations fall outside of our definition of a "lobbyist", and I suspect so does most of the lobbying activity experienced by members here in the Assembly. To be blunt, we have big gaps in how we regulate lobbying in the ACT. No-one knows the most effective way to fix it and if anybody suggested they did, they would probably run the risk of looking politically partisan about it.

This suggested inquiry is fundamentally about the health of our democracy. It is not about finding corrupt practices so much as asking the questions: how do we best regulate lobbying activity in the modern era; how do we ensure the public has confidence that lobbying has been conducted fairly and transparently with the government; and, importantly for us in the Greens, how do we make sure that those with the deepest pockets are not out-advocating the ordinary people nor that those who shake the minister's hand most often are not winning at the expense of those with a greater need?

To me, this is all about upholding the implied freedom of political communication in the Australian Constitution, as distinct from the usual conversations that we have about the topic, about burdening it. Just yesterday the Australian Electoral Commission published their annual data dump of financial returns by federal political parties. It contained the usual litany of disclosures about donations from big miners, property developers, banks and consultants—those who are the beneficiaries of the wealth of commonwealth programs and schemes. It serves as a stark reminder that cash for access remains alive and well in federal politics.

I am reasonably confident that we do not have the same scale of problem here in the ACT; however, I have no proof of that. Even outside of the donations environment, I along with many others in the Canberra community see some groups and industries do substantially better out of this government than others. So whether lobbying has been a cause of that is also a concern.

One example is the horseracing industry, a major recipient of ACT government funding. That industry is actively seeking ACT government support and cooperation to redevelop its site, and many senior public servants have served on the Canberra Racing Club board. This is not a question of corruption. It is about confidence in our democratic systems. This is why it is something that the Integrity Commissioner cannot do justice

to under the auspices of the Integrity Commission Act alone. That said, the Integrity Commissioner clearly has both the expertise and interest to do this kind of inquiry justice. If we want to empower that, then the government also has a role in finding a way to resource it.

We have been over this point before, but it is worth repeating: motions are not appropriation bills or ministerial directives. This motion does not actually bind the government to a specific resourcing outcome or approach. The government can react to this motion in whatever manner it deems most appropriate, including through proper budget processes that it manages. However, these motions do set expectations, and this motion will convey to the Treasury such an expectation—that resourcing for this inquiry is both important and needed.

Similarly, it will convey to the Integrity Commissioner that, provided he gets the funding, he can establish this inquiry with the mutual confidence of the legislature—that we trust him to do this right and to do it well, on the terms that he sees fit. I personally doubt he will be able to start in the first half of this year—the wheels of the bureaucracy simply do not move that fast. But if it could begin during this year, that would be ideal. We all have a role to play in supporting this inquiry, which I am very hopeful will give us some good recommendations for reform, and I commend my amendments to the Assembly.

**MR BARR** (Kurrajong—Chief Minister, Minister for Economic Development and Minister for Tourism and Trade) (3.46): I thank Ms Castley for bringing the motion forward and Mr Braddock for his amendment. The amendment goes to both clarify the legislative environment in which the Integrity Commission operates and address, I think, a misconception in Ms Castley’s motion around the accountability or lines of communication between the executive and the Integrity Commission and around the pathway for the commission to seek resources. I will return to that because it is a fundamental misunderstanding contained within the original motion. But the broad point of the Integrity Commission, should it wish to, undertaking an inquiry into lobbying is indeed supported.

When I was asked by the media last year—following that estimates committee appearance—I said, in my role as Treasurer with responsibility for appropriation acts at the time, that I would give serious consideration to any request. I am no longer the Treasurer. Responsibility for appropriation acts sits with the Treasurer. The Integrity Commission is funded through the Office of the Legislative Assembly appropriation bill and there is a formal process whereby officers of the Assembly and those that are funded through the OLA appropriation bring forward funding requests. There is a clear separation of powers between the executive and those who are funded under the OLA Act, and that is why we have two separate acts.

There is no role for the Chief Minister in directing the Integrity Commission to do anything. I have no formal relationship with the Integrity Commissioner. He does not report to me; he reports to the Assembly. We have an oversight committee of the Assembly. That would be the entity with which the parliament would engage with the Integrity Commissioner. I do not set the Integrity Commissioner’s budget. The Chief Minister has no role in the legislation other than a number of areas that are listed where the leader of each party is consulted in relation to appointment processes.

So let us be very clear: Ms Castley's suggestion that this motion was not political or that it was in some way seeking to get an outcome without endeavouring to tie me personally in by implying that I did not do something, which was in the original motion, is neither factual nor, in fact, consistent with the legislative framework that has been established for the Integrity Commission and for the funding of the commission through a separate appropriation bill. I remind Ms Castley: I am no longer the Treasurer. Responsibility for appropriation bills sits with the Treasurer. I will have no role whatsoever in the process of the Integrity Commission making a request for funding or, indeed, a consideration by Treasury. I sit in cabinet and I am on the Expenditure Review Committee. That is the extent of my involvement. So, to be clear: directing the motion at me as Chief Minister is both legally impossible and factually incorrect. But that is addressed in Mr Braddock's amendment.

Equally, I absolutely clarify that the comments I made last year were in my capacity as Treasurer at the time, when I had responsibility for the appropriation bills. I now do not, and Minister Steel as Treasurer will take responsibility for the assessment of any requests that come from statutory office holders who are funded under the OLA appropriation. Indeed, Mr Speaker is the one who brings forward the requests that come from the Electoral Commissioner, the Integrity Commissioner, the Auditor-General and others whose appropriation comes under that piece of legislation. I think that is an important clarification, and one that I thank Mr Braddock for picking up on in his amendment.

Turning now to the substance of the issue of lobbying, these are important issues and I do agree with Mr Braddock and Ms Castley that it is important that there be a further investigation of these matters and some further clarification. I would observe that, in nearly 20 years of experience in this place, nearly every meeting that is requested of me is a lobbying exercise. Sometimes that is by other MLAs, we are all lobbying for certain outcomes, and that is perfectly legitimate in a democratic political system. So too are community organisations—any number of organisations—who come to advocate on their own behalf or, indeed on behalf of particular causes that they support. That happens every single day in every one of our jobs.

Our staff are also lobbied. It is impossible to go to any event in Canberra and not be lobbied about something. That is not to say that that is inappropriate behaviour by those who seek to influence members of the Assembly. But it is not just confined to the executive and it is not just confined to executive staff. Every member in this place will vote on legislation on a range of things where they will be lobbied. So this covers all of us. That is why the amendment is important to extend any remit in terms of who should cooperate and who should be part of this. It is all of us—every member in this place, every staff member who works for a member in this place, and the broader ACT public service. We are all subject to lobbying every single day.

People will have different views on what constitutes appropriate lobbying and who should be registered in that context. For what it is worth, I would favour a greater level of transparency in this regard because I observe, from having now sat in probably tens of thousands of meetings over a 20-year career, being lobbied about almost everything you could possibly imagine, that it is all-pervasive in our working lives. But rarely, I would say, have I encountered lobbying that I would describe as corrupt or

inappropriate. I have on occasion. I think just the mere presence of the Integrity Commission has had a significant dampening impact on inappropriate lobbying.

Another major observation I would make is that significant public funding for election campaigns has also significantly reduced, if you like, the issues of access for fundraising that Mr Braddock referred to that occur as common practice at a national level.

I do note that these discussions around donation reform and electoral reform are topical in the federal parliament at the moment and, for what it is worth, would make the observation that one of the benefits of increasing public funding for election campaigns is that it reduces the need for political parties, for members of parliament and for those who aspire to be members of parliament to need to undertake fundraising exercises that involve, effectively, donations or paid access to members. I think that is a very strong benefit and something that I think this jurisdiction could demonstrate to others. Should the Integrity Commissioner wish to undertake an inquiry, which I note under section 22 of the act he has the full discretion to do so—I am sure that he would take this, what I hope to be, unanimously supported resolution, as amended, this afternoon, indicating the parliament's willingness to cooperate and every member of this place and their staff to be part of it—as a positive sign and that we could realistically anticipate a submission from the Integrity Commission in relation to this matter.

Resourcing could well in fact be humans, staff, not necessarily outsourcing, if you like. It may not mean a significant amount of additional money. That is obviously a matter for the commission and the commissioner to bring forward. Of course, a sensible assessment of whatever is brought forward will need to take place. So I thank Mr Braddock for nailing that observation that the passage of this motion this afternoon is not a blank cheque for the Integrity Commission to come back with—as a hypothetical example—a very, very expensive proposition. I do not think he will, should he wish to pursue the matter. The matter of resourcing is not just dollars; it is, in fact, in most instances for the commission, whether he has the available staff to be able to undertake such work. That is, I guess, somewhat contingent on a number of matters that are referred to the commission and how many ongoing inquiries they have. That, of course, is a matter that he reports through his annual report, and he indeed appears before relevant Assembly committees to give a sense of his and the commission's current workload. They are matters that he will rightly consider when he brings forward a submission through the established process for the coming budget round.

Having said all of that, I am supportive of the intent. I think there would be great value in further clarification of the lobbying that does occur. I think greater transparency is a good thing. It applies to every single member in this place and every single individual and organisation that seeks to influence outcomes in this place—all of which is to say that that is not to cast aspersions or to say that people are doing the wrong thing in lobbying or advocating for particular causes. That is how our democratic system works.

I could make just as many observations about environmental or climate action groups who have lobbied Greens ministers and received favourable outcomes, as Mr Braddock has highlighted in his comments in relation to other organisations that he or his

colleagues perceive unworthy of receiving the amount of government support that they do. That is democracy, and that is the way the system operates. Is it worthy of examination? Absolutely. But, equally, I do not think it is fair to use this forum to suggest inappropriate activity or lobbying of members by community organisations, business organisations or otherwise.

With that, I commend Mr Braddock's amendment. I thank him and his office for their efforts to try and find consensus, and I certainly endorse the points he made in this context that we are trying to get a unanimous outcome here in order to ensure that the Integrity Commission and commissioner are aware of the views of all members in this place. I commend the amendment to the Assembly.

**MR STEEL** (Murrumbidgee—Treasurer, Minister for Planning and Sustainable Development, Minister for Heritage and Minister for Transport) (4.00): I rise to support Mr Braddock's amendment to Ms Castley's motion and, as Treasurer, provide some information to the Assembly about how the government considers requests for funding from officers of the Legislative Assembly.

Sections 20, 20AA, 20AB and 20AC of the Financial Management Act 1996 outline the process for appropriating to the Office of the Legislative Assembly and officers of the Legislative Assembly. In particular, section 20AB outlines that:

Before the beginning of a financial year, the Speaker must for an officer of the Assembly—

- (a) after consultation with the officer and the relevant Assembly committee, advise the Treasurer of the appropriation that the Speaker considers should be made for the officer for the financial year (the recommended appropriation); and
- (b) present the recommended appropriation to the Assembly; and
- (c) give the Treasurer a draft budget for the officer for the financial year that contains the information mentioned in section 12 that applies to the officer.

Section 20AC provides the mechanism for the Treasurer to present a statement of reasons for departing from the recommended appropriation. It is through this process under the FMA, not through a motion of the Assembly, that such a request is made, and this is important. This process is important, and it is a process that members should be familiar with from previous budgets. Understanding these funding requests, understanding the options that can be pursued and understanding the capacity of the commission to discharge and use their appropriation is an important part of assessing a request for new funding.

The reality is that funding is finite, and decisions to make investments in one area do mean that we may not be able to make investments in another area of government service delivery. The government has a responsibility to the people of the ACT to manage finite resources responsibly and manage important competing demands on the budget.

It is a matter of public record in this place that the government has not received a request from the Integrity Commissioner through this process in relation to this matter. But there is a process, and it is through that process that a request should be made in relation

to any future inquiry or examination of lobbying in the ACT. Through the process that is clearly outlined in the Financial Management Act, the government is happy to receive requests from entities that relate to one-off or ongoing cost pressures, especially where there may be unexpected costs associated with legal matters.

The government has always worked to meet the funding needs of the commission, especially as its workload has grown. We will consider seriously the appropriation request each year, and we have been making investments in recent budgets as well. Ad hoc motions should not and cannot determine the government's appropriation. There are clear parameters set out by the Assembly standing orders and indeed our constitution, the Self-Government Act, that identify how appropriations must be proposed. There is a process that is in place.

We would be happy to consider a request for an appropriation to support this. The government supports Mr Braddock's amendment to the motion. We support the idea of having an inquiry into lobbying. It is up to the commission to make a decision about if, how and when they want to do that, and we would be happy to consider the nature of that as far as it relates to any additional appropriation through due process and the development of a business case that can be presented to me as Treasurer.

**MR CAIN** (Ginninderra) (4.04): I want to thank Ms Castley, of course, for initiating this really important discussion, and I also want to thank Mr Braddock for the procedural clarification he made in his own amendment. But one would have thought that, if the Integrity Commissioner raises something of such significance—the Integrity Commissioner we are speaking of here—why would it fall to the opposition and the crossbench to bring this before the government?

Why haven't the Labor government here already acted? What have they done since this was raised as a real point of concern by the Integrity Commissioner? Why haven't the Labor government done anything further? That is really disappointing, but it is also not surprising. It is the same old Labor: expressing concern, listening, but not acting; expressing concern, agreeing in principle, but not acting. It is the same old Labor. I think we are going to be seeing this quite a bit this term. It is good to have a bit of a combination of opposition and crossbench who really are there to call the government to account and to actually stir them into action when the action should already have been taken.

Again, I want to thank Ms Castley for leading this important discussion and for your own clarification, Mr Deputy Speaker, through your amendment. I certainly look forward to the Integrity Commissioner being more readily able to get on and do this important work.

**MS CASTLEY** (Yerrabi—Leader of the Opposition) (4.06): In closing, the plan for today was to have a greater level of transparency, and we got there. I would like to thank all of the staff that are probably watching on the TV for making this amendment happen and getting us to where we are.

There is no doubt that, as Mr Cain said, when the Integrity Commissioner says he would like to inquire into something, every one of us should pay attention to that, and that is

what we are here to do. I believe it is important to make sure that, if the Integrity Commissioner wants to do an inquiry into lobbying, those resources should be there, and I believe we are all on the same page. Every member in this place today has agreed to that.

Mr Barr mentioned that this is not the forum, I believe he said, in which to suggest there is inappropriate lobbying. This is about good governance, and it is about doing the right thing. That is why we have an Integrity Commissioner. So, Mr Michael Adams, you have heard it here first: please feel free to make those submissions. We in the Assembly are happy to make sure you have the resources required to do an inquiry into lobbying. That was the goal today, and I thank all members for their work on this one.

Amendment agreed to.

Original question, as amended, resolved in the affirmative.

## **Papers**

### **Motion to take note of papers**

**MR ASSISTANT SPEAKER** (Mr Cain): Pursuant to standing order 211A, I propose the question:

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

## **ACT Integrity Commission—Operation Falcon Investigation Report**

**MR BRADDOCK** (Yerrabi) (4.08): The ACT Integrity Commissioner's investigation into Operation Falcon concerns the Alexander Maconochie Centre and the failure to make sufficiently detailed medical observations as specified and required by a qualified medical practitioner; also, the falsification of records as to those observations; and, finally, the failure of senior management to take action upon becoming aware of that issue. The following parts of paragraph 125 of the report are the ones that I want to emphasise. I quote from the report:

... the ability of detainees to manage their own health and safety is removed by virtue of their detention and entrusted to officials ... This gives the human rights implications of detention particular poignancy, in addition to the ubiquitous common law duty of care. Corrections officers' work necessarily includes measures for managing known serious risks to health and welfare. Intentional disregard, without lawful excuse, of the responsibility to safeguard the health and welfare of detainees must inevitably threaten public confidence in the integrity of public administration in respect of corrective institutions, and amount to serious corrupt conduct for the purpose of s. 10 of the IC Act. The intentional falsification of records designed to ensure the integrity of the applicable health and welfare regime would almost certainly also amount to serious corrupt conduct.

I also draw attention to paragraph 13, which concerns events during the conduct of the inquiry. I quote:

It was initially proposed that Person 2, the Corrections Officer who failed to carry out the required observations and apparently falsified the Observation Form would be called before the Commission for examination. However, the Commission was informed of significant welfare issues with Person 2, which were likely to be exacerbated by an appearance before the Commission. Since the information otherwise available to the Commission was sufficiently cogent to inform the issues being considered in the investigation, it was decided that any additional information that might be obtained by examining them was unlikely to be significant enough to warrant placing their welfare at risk. Accordingly, the officer was not examined.

The commissioner later went on to find that person 2 omitted to conduct mandatory medical observations and falsified four entries on the observation form. They proceeded to say, at paragraph 124—and I quote:

... I make no finding that Person 2's conduct was corrupt within the meaning of the IC Act. I should add that this reluctance to conclude that they committed serious corrupt conduct is influenced somewhat by the fact that, though given natural justice by legal standards, their situation may also have meant that, realistically, they are not in a position to make a response that does them justice.

My concern is that the non-appearance of person 2 at the Integrity Commissioner's hearing precluded a potential finding of corrupt conduct. I think it would be entirely inappropriate that someone is able to escape a finding of corrupt conduct purely due to their medical welfare circumstances, especially if this would not meet the standard to be excused from being summonsed to a criminal trial at the Supreme Court, for example.

I note that the Govey review did not make mention of this particular issue, but I am aware of at least one other instance where this issue has occurred here in the ACT. I am very interested in what steps were taken by the Integrity Commission to seek an independent medical opinion prior to deciding that someone was not to be examined on medical or wellbeing grounds, how this compares with other judicial processes here in the ACT and whether the Integrity Commissioner's compulsion powers are fit for purpose.

Question resolved in the affirmative.

## **Statements by members**

### **Women's Shed Canberra**

**MISS NUTTALL** (Brindabella) (4.12): I had the privilege of visiting the new home of the only women's shed in the ACT, the Women's Shed Canberra. I participated in the first workshop in their new facility in Greenway. I was immediately sold when I heard that we were building a birdhouse—very cool. Over two sessions, we spent a couple of hours cutting, sanding, oiling and hammering together our very own birdhouses with blood, sweat and tears. The birdhouses will no doubt serve as a spacious and affordable housing option for Canberra's native wildlife!

Situated on the beautiful Lake Tuggeranong—literally paradise—women can bond in a safe and supported environment, fostered by Sunita Kotnala, the founder and CEO of

the Women's Shed Canberra. Since 2020, Sunita has been creating opportunities for women in trades and, since then, has welcomed women from all across Canberra into her community. We were all supported by Johannes, who was good natured and patient with my nervous hammer discipline.

To be honest, I was a huge nerd in school. I did not think trade was even an option for me, when deciding what to do after graduating, and now I am much more confident using power tools and building something. I do not think I am alone here. Whether it is the barrier to entering the industry or staying despite intimidating workplaces and lingering stereotypes, across the board women are not even close to having equal representation. With trades industries now facing skill shortages, I believe part of the answer could be challenging the lack of desirability that the industry offers for women and providing them with more opportunities to build confidence with power tools.

Organisations like Women's Shed do a great job bridging this gap. I will certainly be returning to the Women's Shed in Greenway, and I hope to see their classes thriving in this new facility.

### **Phillip Swimming and Ice Skating Centre—Save Phillip Pool group**

**MS CARRICK** (Murrumbidgee) (4.14): I would like to congratulate the Save Phillip Pool group, who, last Sunday, hosted a wonderful community pool party to showcase the rapidly increasing engagement with this campaign. There were almost 300 snags taken off the barbie, and the turnout included an array of different groups, from young people to families and older community members. It is clear that the three pools and surrounding greenspace are a welcoming intergenerational hub. It confirmed to me that such public spaces promote and sustain social behaviours, general wellbeing and physical activity across all ages and abilities.

As housing densification increases in the Woden area, it is crucial to prioritise access to safe, active community spaces. More people should mean more services, not fewer. We spent the afternoon in mid-30 degrees and, knowing that summers will only get hotter, we need a place where those from Woden and the wider Murrumbidgee community can escape the heat and continue to enjoy the outdoors safely.

Invitations were sent to all MLAs; however, none but I attended. I would like to thank Mr David Smith MP for coming and chatting with our constituents about the pool. MLA presence is valuable to the community and powerful in progressing the campaign, so I hope to see other local MLAs supporting future events.

I make a special mention of the community campaign to bring back Big Splash. These issues go beyond a pool to a connected community and their physical and mental health. The Save Phillip Pool community has gathered over 3,000 signatures within the first month. This shows the dissatisfaction—(*Time expired.*)

### **National Multicultural Festival 2025**

**MR CAIN** (Ginninderra) (4.16): I rise today to highlight the upcoming National Multicultural Festival this weekend. It is an extraordinary event that celebrates the

vibrant diversity within Canberra and provides a unique opportunity for all of us to come together and enjoy cultures from around the world.

The festival provides a fantastic platform for our multicultural communities to showcase their rich traditions, art, music, food and culture. It is an event that every member of our community should be excited to participate in.

Last year the festival welcomed nearly half a million attendees, celebrating over 170 cultures, with 300 performances and 264 unique stalls. This year, I will be attending alongside the new shadow minister for multicultural affairs, Ms Barry. We are both looking forward to experiencing the diverse range of activities that have been planned.

I certainly encourage all fellow members of this Assembly, as well as the wider Canberra community, to attend, show their support, and embrace the spirit of inclusivity and cultural diversity. It is an opportunity to celebrate the diversity that our wonderful multicultural community brings to our city.

*Discussion concluded.*

## **Adjournment**

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

That the Assembly do now adjourn.

## **Government—freedom of information requests**

**MS CLAY** (Ginninderra) (4.17): This is a new era in the Assembly. The reins of government are in the hands of just 10 of the Assembly's 25 members, a minority government. There are 15 of us on the cross bench. We were all elected by our communities to make a positive contribution to decision-making and it is our duty to do that for the constituents we represent and serve. Open and accountable government is always important. People have a right to timely and accurate information about decision-making processes that affect them, but it becomes even more important in the context of a minority government, like the one we have for the next four years.

I am now in my fifth year in parliament and I have found that FOI requests are a key tool to help me to: understand what the government is doing, hold the government to account, propose changes and amendments to government plans, get messages out to the public about what is happening and let them share their views, and assess the value of ideas from stakeholders across my areas of interest and responsibility. For the most part, my experience in submitting FOI requests has been positive. Most of my requests have been granted and, as a result, the community, staff, fellow Greens MLAs and I have gained key insights and data that have helped inform and communicate our position on a range of issues. Critically, it makes information public to the community so that they can consider it. They can be brought along with plans and they can share their views on issues impacting them.

However, I have become concerned about the number of FOI requests that have recently been knocked back for the stated reason of cabinet-in-confidence. Cabinet-in-confidence

seems to have become a convenient catch-all and it is not being used appropriately. I have decided to take some of the knock-backs to the ACT Ombudsman. This back and forth is unhelpful and secretive. It is akin to insurance companies automatically knocking back claims because they know a percentage of people will just accept the decision rather than push back. Inevitably, a knock-back adds time and complexity to the FOI process. Public perception is that government is already often slow to act, so let's not make it slower. These knock-backs are also inefficient for government. If information is in the public interest, it would be best if the ACT Labor government proactively published it. If they do not do that, they should grant the FOI request when it is lodged. They should not make us all, including the community they serve, go through the lengthy process of a knock-back, an Ombudsman review and then an eventual release.

Here are two recent examples. Last year, I lodged an FOI application for information about light rail to Mawson. Access was refused due to cabinet in-confidence reasons. The information was prepared for and considered by cabinet, and therefore they said none of it could be released. I appealed this decision to the Ombudsman who agreed it should be released and granted access. The information has been released to the community and it will appear on the register soon.

I am going through this process again now. I lodged an FOI request about the future sale of land at the Hawker shops. Woolworths is seeking to buy the land and extend at Hawker. There is a lot of community interest in this: what kind of development will happen, whether it should be Woolworths only and whether it should be a public tender. There is another community stakeholder who has lodged an FOI and they have been refused access. EPSDD sought advice about the site: trees, traffic, heritage, city services and environmental issues. These are all topics of interest to my constituents. I requested them under FOI and I was disappointed that the initial response was: "We can't release these due to them being cabinet in-confidence." I think it is pretty unlikely that documents like a Heritage Council report are cabinet-in-confidence. I think a lot of those site reports are probably in the public domain already and cannot all be cabinet-in-confidence. I have appealed this decision too, and we will see where it lands.

We have an ACT Labor government that has stated a desire for openness and accountability. It would be great to see this in its actions. We want a much more proactive response when it comes to publishing information without request and granting FOIs that have been requested. Cabinet in-confidence cannot be used as a shield. FOI refusals cannot be used as a delay tactic when it is clearly in the public interest for information to be made public in a timely way. Please publish and release. Make that the first option.

### **Australia Day 2025—events**

**MR CAIN** (Ginninderra) (4.22): I rise to reflect on the recent Australia Day, held across our great country on Sunday, 26 January. Firstly, I acknowledge that our national holiday is problematic for some in our community. I acknowledge and respect their reasons for that and of course encourage reasonable and fruitful dialogue and conversation. I, for one, am happy that there is a day in our year when we celebrate what a wonderful country we have.

To quote the official National Australia Day Council:

On Australia Day, we reflect on our history, its highs and its lows. We respect the stories of others. And we celebrate our nation, its achievements and most of all, its people.

“Reflect”, “respect” and “celebrate”. In my own way of phrasing why I think Australia is a stand-out success, comparatively speaking, in the world today: there are occasions when I think we are one of the sanest countries on the planet, and I am glad to be here. Australia Day is a day that reminds us of the common bond that we share as Australians: our democracy, our shared values, our beautiful environment and the strength, diversity and generosity of our people. Like many Australians, I am truly grateful and privileged to have been born in this wonderful country, and of course welcome those who have come from other places and have chosen to call Australia home. When we discuss difficult subjects, I encourage everyone to see themselves as Australians working together to come up with solutions.

During the weekend, and particularly on the Sunday, I was fortunate to attend a number of community events to mark our national holiday, including the Canberra Festival of Speed at Thoroughbred Park. I note that I was in company with yourself, Mr Speaker, and my Ginninderra colleague Ms Barry. I pass on special thanks to Darren Pearce, the Canberra Racing Club CEO. I also attended the ACT government’s celebration at Regatta Point, at Commonwealth Park, on Sunday morning. Then I joined Ms Barry at an Australia Day concert at the Beijing Garden in Nara Peace Park, hosted by the Federation of Chinese Community of Canberra. Special thanks go to FCCCI president, Mr Hao Gu, for the invitation and organisation.

This was followed by a quick stop at barefoot bowls and a barbeque at the Belconnen Bowling Club in Hawker, hosted by the Canberra Liberals Ginninderra Branch to encourage a gathering of the Canberra Liberals political faithful for Australia Day. That was followed up in Gungahlin for an Afro-Aboriginal cultural fusion event at Yerrabi Pond, hosted by Celebration of African Australians. I acknowledge that my Assembly colleague Ms Barry and also Mr Pettersson were in attendance. Special thanks go to Mr Charles Coker, coordinator of Celebration of African Australians in the ACT.

I was also able to join the Canberra Services Club celebration of Australia Day. Special thanks go to Jon Hunt-Sharman, the club president, for giving me some of his time and including me in that club’s celebrations. This was followed by dinner with the Pakistan Australia Friendship Association at the amazing Taj Agra restaurant in Belconnen. Special thanks go to the president of the Pakistan Australia Friendship Association, Mr Ali Khurram, and his team for inviting me and organising a lovely dinner. Deep into the evening, I then joined the Canberra Seniors at their centre in Turner. Special thanks go to Andrea Dean, CEO of Canberra Seniors, for the invitation and the opportunity to enjoy the company of some of Canberra’s older citizens.

I thank all those across the Canberra community who helped to make this year’s Australia Day weekend so special. It is a privilege to be involved with so many community celebrations, and particularly our multicultural community who join together to celebrate our national day.

Australia, as we are aware, is not perfect. We have much to work on, but let's work on it together.

### **International Holocaust Remembrance Day**

**MR BRADDOCK** (Yerrabi) (4.27): Last week, 27 January was International Holocaust Remembrance Day. It was a sober and sombre reminder of the horrors that occurred during the holocaust, which included the ethnic cleansing and mass murder of Jewish people, Polish people, the Roma, people with disabilities, gay and bisexual men, and political opponents and dissenters, amongst other groups, and it was not that long ago. I acknowledge and empathise with the survivors of the holocaust and their families—the intergenerational impacts of this trauma on peoples who have been subjected to attempted genocide and ethnic cleansing.

I am proud to have met and learnt from the community's diversity that we are so lucky to have here in Canberra. I am sure that other members in this place will agree with me and have had similar positive experiences when interacting with the local community. There is also the importance of truth-telling as a reminder and a practice of the kind of community that we want Canberra to have. It is absolutely crucial for us to be critical and vigilant of sentiments and acts that promote the targeting of any particular group based on religion, ethnicity or identity.

The ACT Greens unequivocally condemn antisemitism and have consistently done so. It is horrifying to see such sentiments live in our community today. I, like my colleagues, have been disgusted by a recent spate of antisemitic attacks that have occurred across Australia. This is not the Canberra or Australia I want to see. There is no place for antisemitism here. I am proud to live in a jurisdiction where we have a Human Rights Act that recognises the inherent dignity of each person. Antisemitism is a gross disregard for human rights.

As articulated by my colleagues and the Jewish Greens, Jewish people deserve the right, just like anyone else, to feel safe in our city, schools, workplaces, homes and places of worship. The distress and fear this causes to school students, workers or members of our community who belong here just as much as anyone else is not right.

I wish to echo the sentiment of my colleagues, which the Australian Greens have highlighted, in their support for the hate crimes bill in the federal parliament. Protections for vulnerable and targeted communities are necessary to keep threats and discrimination at bay. The ACT Greens will continue to work hard to ensure Canberra continues to be a welcoming place for people and communities of all backgrounds.

### **LGBTIQA+ affairs—trans and gender diverse peoples**

**MISS NUTTALL** (Brindabella) (4.29): I rise to speak about the ongoing attacks on the rights of trans people and, perhaps most worryingly, trans kids in Australia and around the world. So many forms of bigotry are on the rise around the world at the moment, given the licence by one of the most powerful people on the planet, with the return of Donald Trump to the White House. The rhetoric alone that we have seen by bigots like

Trump has caused very real harm, and we all have a responsibility to speak out against it. As the last couple of weeks have reminded us, we must stand against not only nasty rhetoric but also active and legally enforced discrimination. In the case of trans, gender-diverse and queer folk in the US, so many hard-fought rights are being eroded with mere strokes of a pen.

The derecognition of anyone who does not identify on gender binary or with the gender assigned to them by the administration's pseudoscientific discrimination of sex characteristics will cause real harm to so many. Refusing to mark passports in line with individuals' gender identity will cause real harm. Forcing trans women out of women's spaces and into men's spaces will cause harm; banning schools from providing support to children as they navigate their gender identity and transition will cause real harm; and rolling back medical support for trans kids will cause real harm.

I know that, as I say this, some will see it as simply an American problem and assume that we here in Australia are better than that, but this absolutely has reverberations around the world, including across this continent. Last week in Queensland, the LNP government, like the Trump administration, introduced dangerous bans on health care for trans children, specifically banning puberty blockers and hormone replacement therapy. Some will argue that these moves are designed to protect children or to wait for a larger body of medical evidence, but these are at best misguided and naive and at worst a dog whistle to cover for attempts to attack the bodily autonomy of trans people. The scientific and medical evidence here is crystal clear. Puberty blockers and hormone replacement therapy are safe and indeed, in many cases, life-saving.

The Australian Medical Association in Queensland has said that they are extremely concerned by this proposal and reminded us that medical decisions should be based on science, not ideological or other clinically irrelevant beliefs. This is what is fundamentally at the heart of this decision: a denial of evidence on what best helps trans kids in favour of ideological rejection of their bodily autonomy. While the Queensland government has said that this ban is pending a review, this conveniently ignores an independent review from last year which found that the Queensland Children's Gender Service provided effective care from referral to discharge and, indeed, should revive a significant increase in staffing.

These anti-scientific bans are nothing more than legally enforced bigotry. They are an affront to inclusivity and, indeed, the principles of universal health care. Health care for all means health care for trans people, and that means allowing trained medical professionals to allow and help them to make informed choices, and, yes, prescribing trans people, including trans children, hormone replacement therapy or puberty blockers when necessary.

I acknowledge that the federal government has now announced a review into the treatment guidelines for trans and gender-diverse young people. Like many in the queer community, I am cautiously optimistic that this review will reinforce the importance of gender-affirming care and put this issue above politics. To do that, we need to listen to experts, not ideology.

I also acknowledge that, once again, having your rights up for political debate can be stressful and awful, and so, as a community, we have an obligation to look out for our trans and gender-diverse friends over the next few months.

If Canberra is to live up to our inclusive reputation, we have to stand up in moments like these. This Saturday, the Trans Justice Project is holding a national day of action, including a Canberra protest in Barton. I urge any members of this place who support an inclusive Canberra to attend this protest and stand in solidarity with trans kids in Queensland—indeed across Australia and the world.

### **Emergency Services—interstate deployments**

**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) (4.34): Many serious threats do not respect borders, and fire is an obvious one. Members would be aware that bushfires have been burning in the Grampians area and Little Desert in western Victoria since late last year. Challenging weather conditions there have arisen again and are persisting.

While we are fortunate to be in the comfort of air conditioning, we have fire crews from the Parks and Conservation Service and the ACT Rural Fire Service, right at this moment, supporting Victorians and the Victorian government's efforts in their fire response. These crews, including two crews from PCS, left over the weekend. They are undertaking a 1:5:1 shift arrangement that provides for one day of travel, five days on the fireground and one day of return travel.

I want to assure the community that, in dispatching these crews, the ACT government carefully considered our own local weather conditions, the bushfire risk outlook in the ACT and the land management responsibilities of those who have been dispatched. Reports are that they are working well with interstate and Victorian fire crews on containment strategies for both fires and that progress is expected to be made with the forecast cooler conditions later this week. Even with that forecast, there is still the possibility of further ignitions associated with lightning strikes as well as thunderstorm winds causing issues on the existing firegrounds. Because of this, we anticipate further requests for crew.

Fire crews across Australian states and territories have a long and proud history of supporting each other through resource-sharing arrangements. This has numerous benefits, from the obvious in responding to the risks and damage and the loss of life, property and environment to ensuring crews remain trained in responding to fires. From my first few months in this role, I have been struck by the capability that exists in the Parks and Conservation Service when it comes to responding to fires. Almost all, if not all, staff are trained in responding to fires, in addition to a dedicated fire management unit and seasonal fire crews who are trained and stood up over a significant period each year.

The support that we are providing interstate this week is not the only time our crews have stood up this bushfire season. On 27 December, a lightning strike created a small fire in a remote, heavily forested area near Wee Jasper, just 15 kilometres from the ACT border. With increasingly dry conditions, the fire began to steadily spread and had the potential to expand rapidly and reach the ACT border. These conditions were very similar to the 2003 fire spread scenario of the McIntyres Hut fire, which, in conjunction with the other fires in the landscape, caused much damage to lives and property in

Canberra. Although under the control of New South Wales agencies due to the fire being in very rugged terrain with no direct fire trail access, our crews quickly offered support to contain the spread and extinguish this fire as quickly as possible and minimise the possibility of escape.

A PCS divisional commander whom I recently met, three remote-area fire trail crews and 19 personnel, alongside several RFS and New South Wales Parks crews, accessed the fire on foot to provide control lines in place and limit any further spread of the fire, using only hand tools. This work was done in a coordinated effort with aerial support, using helicopter and fixed-wing water bombing. After four days of arduous work in extremely challenging terrain, containment lines were completed and the fire was able to be downgraded to patrol status on 1 January.

Also, in late December, PCS deployed a light unit and two crews to the Grampians fire for seven days in the same 1:5:1 arrangement I explained before. That crew was replaced with a fresh crew that departed on 31 December on the same rotation and returned on 6 January. More stable weather conditions then allowed crews to work towards containment measures at that time, but, regrettably, conditions have obviously changed again, requiring the most recent response.

On behalf of the ACT government and in concert with Minister Paterson, I sincerely thank the ACT's bushfire firefighters for their selflessness, for deploying to support other communities and for helping to protect life, property and the environment. I recognise the sacrifices that they have made to do so at a time when others are relaxing, spending time with family and friends and enjoying the summer weather. Canberrans can rightly feel proud and reassured that Parks and RFS firefighters have the skills, knowledge and training to travel interstate to support other jurisdictions in their time of need and feel proud and reassured of the capability and dedication that exists among our friends and neighbours.

Question resolved in the affirmative.

**The Assembly adjourned at 4.39 pm.**

## Schedule of amendment

### Schedule 1

#### Justice and Community Safety Legislation Amendment Bill 2024 (No 2)

Amendment circulated by the Attorney-General

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**1**  
**Proposed new parts 2A and 2B**  
**Page 4, line 17—**

*insert*

### **Part 2A                      Gambling and Racing Control Act 1999**

|           |  |
|-----------|--|
| <b>5A</b> | <b>Review of cap on number of authorisations<br/>Section 50A (1)</b> |
|-----------|--|

*omit*

1 May 2025

*substitute*

31 December 2026

|                        |
|------------------------|
| <b>Section 50A (2)</b> |
|------------------------|

*omit*

1 May 2026

*substitute*

31 December 2027

### **Part 2B                      Gaming Machine Act 2004**

|           |   |
|-----------|---|
| <b>5C</b> | <b>Review of trading scheme<br/>Section 179 (1)</b> |
|-----------|---|

*omit*

1 May 2025

*substitute*

31 December 2026

|           |                        |
|-----------|------------------------|
| <b>5D</b> | <b>Section 179 (2)</b> |
|-----------|------------------------|

*omit*

1 May 2026

*substitute*

31 December 2027