



DEBATES
OF THE
LEGISLATIVE ASSEMBLY
FOR THE
AUSTRALIAN CAPITAL TERRITORY

DAILY HANSARD

Edited proof transcript

30 October 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 **Monday, 17 November 2025**.

Thursday, 30 October 2025

Japan trade mission (Ministerial statement)	3485
Minister for Police, Fire and Emergency Services, Minister for Women, Minister for the Prevention of Domestic, Family and Sexual Violence, Minister for Corrections and Minister for Gaming Reform—government priorities—update (Ministerial statement)	3487
National Police Remembrance Day (Ministerial statement)	3492
Treasurer, Minister for Planning and Sustainable Development, Minister for Heritage and Minister for Transport—government priorities—update (Ministerial statement)	3493
National Disability Insurance Scheme—foundational supports—update (Ministerial statement)	3497
Order of business	3498
Leave of absence	3498
Environment and Planning—Standing Committee.....	3498
Treasurer, Minister for Planning and Sustainable Development, Minister for Heritage and Minister for Transport—censure	3504
Magistrates Court (Indicative Sentencing) Amendment Bill 2025.....	3517
Ministerial Arrangements	3520
Questions without notice:	
Economy—cost of living.....	3520
Taxation—rates and levies	3521
Housing ACT—waiting list.....	3522
Lyneham High School—Seek program.....	3523
Alexander Maconochie Centre—staff conduct	3526
Roads—Athllon Drive duplication	3526
Schools—bullying	3527
Housing ACT—funding	3528
Transport—Canberra-Sydney rail	3529
Tuggeranong Lakeside Leisure Centre—facilities	3531
Lyneham High School—gymnasium upgrade	3531
Planning—Thoroughbred Park.....	3533
Government motor fleet—electric vehicles.....	3534
Vocational education and training—remedial massage	3534
Suburban infrastructure	3536
Supplementary answers to questions without notice:	
Lakes and waterways—water quality	3537
Lyneham High School—Seek program.....	3538
Transport—Belconnen transitway	3539
Papers.....	3539
Civil Law (Wrongs) (Organisational Child Abuse Liability) Amendment Bill 2025.....	3539
Parking—Theatre Lane car park closure	3553
Lyneham High School—Seek program—standing order 118AA	3573
Motion to take note of papers	3573
Health Legislation Amendment Bill 2025 (No 2).....	3573

Statements by members:	
LGBTIQA+ affairs—SpringOUT	3576
Thriving Kids Foundational Support Program	3577
Family Drug Support—Remembrance Day	3577
Canberra Region Amateur Radio Club	3578
Mr Eric Hunter—tribute	3578
Make A Wish Foundation—Hallowish fundraising	3579
Adjournment:	
Sudan—conflict	3580
Ovarian cancer—Frocktober	3581
Health—breast screening	3582
Pegasus Riding for the Disabled	3582
Voluntary assisted dying	3583
Schedule of Amendment	3586
Schedule 1	3586
Civil Law (Wrongs) (Organisational Child Abuse Liability) Amendment Bill 2025	3586

Thursday, 30 October 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.

Japan trade mission Ministerial statement

MR BARR (Kurrajong—Chief Minister, Minister for Economic Development and Minister for Tourism and Trade) (10.01): The government undertook a trade mission to Japan in July with multiple purposes: to deepen our sister-city relationship with Nara, to participate in World Expo 2025 in nearby Osaka, to promote infrastructure investment opportunities, and to advance Canberra's position as a leader in wellbeing, diversity and sustainability. The mission was coordinated by the Office of International Engagement and VisitCanberra, with very strong support from the Department of Foreign Affairs and Trade, and Austrade.

The mission also reflected Japan's continuing role in our international engagement strategy as a priority market for trade and investment. Our three-decade-long sister-city relationship with Nara remains one of Canberra's most valued partnerships. Meetings with Mayor Nakagawa and Nara City officials reaffirmed our shared priorities around community engagement and sustainable growth in housing, education and infrastructure. We noted, for our own future benefit, Nara's significant recent progress with a new convention centre and international five-star hotel that has led to increased tourism and business visitation for the city.

The delegation also celebrated the sister-city relationship with a special ceremony at the Australian Pavilion at World Expo, where Nara's Deputy Mayor Suzuki joined with a lot of Nara City Hall staff and Canberra delegates for a cultural event on the main stage at the Australian Pavilion. The delegation also engaged with Australia's Consul-General in Osaka, Margaret Bowen, and Nancy Gordon, the Commissioner General for the Australian Pavilion at Expo. As well, there was the opportunity to meet with officials from Thailand, Korea, Japan and India, also at Expo, to build stronger diplomatic and business networks that are in markets aligned with our international engagement strategy and signalled an intent for future cooperation across innovation, education and sustainable development.

Promoting Canberra's strong investment environment was another key focus of the mission. Whilst in Tokyo and Osaka, I hosted investor roundtables with leading Japanese companies whose industries align with Canberra's growth strategy. We met with Kanden Realty, Kyushu Electric Power, Sumitomo Forestry, JR West Real Estate, Daiwa House and the Mitsubishi Corporation. Across those organisations, they have collective expertise across property development, clean energy, sustainable construction, transport linked urban renewal and infrastructure delivery. Many of these businesses already have a strong presence in Australia and in Canberra. For example, Daiwa House, through its subsidiary Rawson Homes, is already contributing to the Canberra region's housing supply, with projects in Ginninderry and just across the border in Googong. These discussions highlighted a strong alignment with our priorities, including sustainable infrastructure, renewable energy and liveable urban design, and opened the door to future partnerships to support Canberra's long-term development vision.

I am pleased to advise the Assembly that these Japanese investors expressed confidence in Canberra's economy, our governance and planning frameworks, and in building on existing interests in housing, transport and renewable energy projects. Over the past decade, the territory has seen growing interest and strong investment results from Japanese companies across multiple sectors. For example, the Mitsubishi Corporation played a pivotal role in the consortium delivering our light rail project, demonstrating confidence in our transport infrastructure future. Sekisui House, a leading Japanese homebuilder, has established a long-term presence in our residential market, with developments in the Molonglo Valley, in Wright, and as part of the Springbank Rise development. In the clean tech area, Mizuho Bank has invested in Canberra company MCi Carbon, supporting leadership in carbon capture innovation.

These are a few examples and one of many reasons why the government continues to prioritise Japan in our strategy. Strengthening ties through trade mission programs assists in strengthening relationships to build trust and awareness of the ACT and, ultimately, to achieve the objective of attracting new investment to our city. This was reinforced during discussions hosted by Australia's Ambassador to Japan, Justin Hayhurst, who also highlighted Japan's importance as a source of innovation and investment amidst what we would all acknowledge is a period of significant global uncertainty.

I am pleased to say the trade mission has already delivered results. The Canberra Innovation Network and the Japanese counterpart TEQS have established a pathway for innovation exchange with Austrade Osaka by coordinating follow-up programs. An industry innovation briefing has expanded collaboration with Japanese businesses, and ongoing discussions with the Daiwa House Group, the Japanese multinational construction company that specialises in prefabricated houses, aim to accelerate housing delivery in the ACT through their Australian interests. Daiwa House are expanding their Australian business activities, including into service department management and operation under the Nesuto brand. Members, if you walk out the members entrance and look to your left, diagonally across the road from this building is a Nesuto branded property. It is another practical example of investment in our city.

I have written to investors to reinforce our position as a trusted economic partner, highlighting our trade prospectus and reaffirming future opportunities to deliver

transformative infrastructure for our city. These early engagements and outcomes demonstrate the mission's success in fostering meaningful partnerships that translate into real economic and social benefits for Canberra and the broader region. The success of the Japan trade mission was the result of strong collaboration across government and industry. I need to acknowledge and thank the leadership of the Australian Embassy in Tokyo and the Consulate-General in Osaka, particularly His Excellency Justin Hayhurst, our Ambassador, and Consul-General Margaret Bowen.

I would like to particularly acknowledge and thank the staff of the Australian Pavilion at World Expo, many of whom are Canberrans. They were very pleased to see the ACT joining every other state and territory in participating. I particularly acknowledge Nancy Gordon, the Commissioner General; Amy Plowman, the Partnerships Manager; and the rest of the events team that helped deliver an outstanding events program for our short time at Expo. I also acknowledge our ACT government representatives, including staff at both the Office of International Engagement, and Economic Development for their efforts in making all the arrangements for the mission.

I present the following paper:

Japan Trade Mission—Ministerial statement, 30 October 2025.

I move:

That the Assembly take note of the paper.

Question resolved in the affirmative.

**Minister for Police, Fire and Emergency Services, Minister for Women, Minister for the Prevention of Domestic, Family and Sexual Violence, Minister for Corrections and Minister for Gaming Reform—government priorities—update
Ministerial statement**

DR PATERSON (Murrumbidgee—Minister for Police, Fire and Emergency Services, Minister for Women, Minister for the Prevention of Domestic, Family and Sexual Violence, Minister for Corrections and Minister for Gaming Reform) (10.09): I would like to take this opportunity to update the Assembly on progress that we have made over the past year towards delivering commitments we have made to the ACT community. I am pleased to say that it has been an extremely busy and productive year as we have progressed important work across a number of key areas to improve the lives of Canberrans.

In my police, fire and emergency services portfolio, we are delivering on our commitments to ensure Canberrans continue to live in one of the safest cities in Australia. We are fortunate to live in a city with some of the lowest crime rates in the country, and the government is committed to ensuring that this remains the case. We are already well on our way to recruiting and training more police officers, in line with our commitment to increase police numbers. In the past financial year alone, ACT Policing has had 89 recruits beginning training to become ACT police officers. In the 2025-26 budget, we provided \$113 million over four years to improve pay and

conditions of ACT Policing, in line with the finalised 2024-27 Australian Federal Police Enterprise Agreement. This will support recruitment and retention as we grow our police force by offering competitive conditions.

We have also improved access to justice for sexual assault victims through the implementation of additional staff in the Sexual Assault and Child Abuse Team within ACT Policing. We also funded infrastructure upgrades to the City Police Station and Winchester police station while we continue to work on planning and design for new facilities. More than \$3.4 million has been allocated to support this planning work, which is well underway and a significant investment in crucial infrastructure planning for ACT police.

In July, we issued a request for expressions of interest from third parties to explore property options to replace City Police Station and Winchester headquarters. The submissions we have received will inform the next steps, which will be considered by government later this year. A further \$2.5 million has been allocated to support planning for a new ACT police station in Molonglo Valley. This includes industry consultation and detailed needs and scope analysis for police accommodation in the Woden patrol zone and Molonglo area.

The work that we have delivered so far is critical for ensuring Canberra remains the safe and liveable city that we all know and love. That is why the ACT government is investing in modern purpose-built emergency services facilities, ensuring our dedicated personnel have the tools and spaces they need to respond swiftly and effectively when our community needs them most.

We are well-progressed in delivering the new \$65 million Molonglo emergency services station, which is on track for completion mid-next year. Situated close to both urban and rural properties, the Molonglo emergency services station has been designed with facilities and equipment that allow ACT Fire & Rescue and ACT Ambulance Service personnel to face the unique challenges in their proximity. This includes the procurement of a 4x4 all-terrain ambulance vehicle to traverse remote locations, as well as an I-Zone appliance to provide a compressed air foam blanket on structures and critical infrastructure during bush and grass fires. Work is also commencing on the planning and design for a Casey emergency services station. The location of this new emergency station has been confirmed and the government provided \$1.9 million in this year's budget to progress this work.

As Minister for the Prevention of Domestic, Family and Sexual Violence, I am extremely proud of the incredibly important work that the government has been able to progress over the past year in this portfolio. This month, we have taken a big step towards delivering on our commitment to work with stakeholders to criminalise coercive control. On Monday, 20 October, a steering committee met to advise the ACT government on the development of a standalone offence for coercive control. Coercive control is a key feature in most intimate partner violence, and we know it is present and precedes almost all domestic violence homicides. While many individuals' acts of coercive and controlling behaviour are already illegal in the ACT, stand-alone legislation will support better justice responses to patterns of controlling, coercive and abusive behaviours, reflecting the dynamics of domestic and family violence.

The steering committee will provide invaluable input into the design of a standalone offence, which is expected to be introduced in the Assembly in mid-2026. The legislation will be informed by the findings of consultation with victim-survivors through the Victim Survivor Voice pilot, led by Women's Health Matters. However, we recognise that law reform is not the whole picture; it must go hand in hand with training, education and support for frontline services.

We have also begun the important task of developing an ACT domestic, family and sexual violence strategy. Consultation began in June this year on the ACT strategy and the long-term vision, principles and priority areas. It involved 186 stakeholders, including specialist service providers, Aboriginal community controlled organisations, peak bodies, government agencies and directorates. The ACT government will publish a listening report, synthesising the findings from this phase of consultation later this year. The Victim Survivor Voice pilot is also central to the development of the strategy, consulting with 39 victim-survivors to ensure their perspectives are centred. Further consultation to inform the first action plan and the development of the monitoring and evaluation framework started this month. The government aims to release the strategy, first action plan and monitoring and evaluation framework by mid-2026.

We will continue to deliver on our commitment to funding frontline services. The 2025-26 budget investment in frontline services includes \$24.5 million to arrange frontline domestic, family and sexual violence services, supported by a \$12.9 million contribution from the Safer Families Levy, and \$6 million over three years, from 2026-27, towards implementing The Long Yarn recommendations.

The ACT government is also continuing to implement recommendations arising from the sexual assault, police, review. The continuation of ACT Policing's Operation Foster ensures that all sexual assault cases identified by the review requiring reinvestigation or possible further action are properly investigated, adopting a multidisciplinary best practice approach. Operation Foster has now supported 21 matters that have subsequently been finalised. Seven matters are currently before court and four matters remain subject to active investigations, with a further investigation pending finalisation.

Additionally, the ACT government has invested nearly \$6.5 million over two years towards establishing and piloting sexual assault advocate roles within Victim Support ACT and co-locating them with ACT Policing's Sexual Assault and Child Abuse Team. These advocates will be a central point of contact for victim-survivors and will provide access to specialist supports and services through the police reporting and investigation process. The initiative also includes a Witness Assistance Scheme officer in the Office of the Director of Public Prosecutions.

A highlight of the past 12 months for me personally has been delivering on our commitment to launch an affirmative consent education campaign. In July 2025, we launched the "Great sex starts with consent" campaign. The campaign aims to empower all Canberrans with the knowledge and confidence to seek and give clear, enthusiastic and ongoing consent to sexual interactions and forms part of an overall strategy to reduce instances of sexual violence in the ACT. Between 15 July and 14 September 2025, the campaign achieved 23,994 TikTok views, over 27,000 Snapchat views and 188,500 impressions on Tinder.

There is, of course, still much work to be done, and we will work hard to deliver on these commitments and other important reforms, including our commitment to investigate making a legislative change that extends communication privilege to non-counselling domestic and family violence services.

As Minister for Women, I am pleased to report that we have made significant progress on delivering our key commitments to advance gender equality in the ACT. This includes the rollout of free period products across the territory. As you will know, the ACT became the first jurisdiction in Australia to legislate making free period products available through the Period Products and Facilities (Access) Act. In June this year, the government rolled out free period products in appropriate dispensers in many ACT schools. This initiative ensures these products are easily and discreetly available to anyone who needs them, reducing financial hardship and allowing them to participate in all aspects of society.

The government is also delivering on its commitments under the third action plan of the ACT Women's Plan. I am pleased to publish the second-year reporting against the action plan, reflecting the significant work being progressed within government against identified priorities. As the ACT Women's Plan comes to an end at the end of 2026, the ACT government has started working to deliver an independent evaluation of the plan and how it has advanced gender equality. The findings will inform the development of a new plan.

As Minister for Corrections, I can also report that we have made important progress against a number of government commitments. The 2025-26 budget provided \$2.4 million to fund an upgrade of equipment at the AMC, including work on satellite health clinics. All health services delivered at AMC are currently operated from the Hume Health Centre, which was not designed to cater for the number of detainees currently housed at AMC. The two new satellite clinics will significantly increase the space available to health staff, as well as providing access to new equipment and reducing the need for transport to hospital, because an increased range of healthcare services will be accessible within AMC.

I am also progressing work on establishing the board of inquiry into Aboriginal and Torres Strait Islander deaths in custody. Yesterday, I opened submissions for expressions of interest from the community for a committee to advise the government on key aspects of the inquiry, including the terms of reference and the membership of the board.

It is with pleasure that I provide an update on government commitments in the area of gambling reform. The ACT government is delivering on its commitments to commission an independent inquiry to develop a comprehensive club sector transition plan and to undertake work to outline a progressive reduction in poker machine licences to 1,000 by 2045. In August this year, I announced the establishment of the independent inquiry on shifting the ACT club sector away from a reliance on gaming revenue. The inquiry has since begun consultation with clubs and other interested stakeholders to inform its report and industry transition plan.

We know that poker machines cause serious harm to individuals, families and the broader community. This builds on significant progress we have already made in

reducing the number of machines in the territory, including exceeding our targeted reduction to 3,500 poker machines by 1 July this year. We will continue to collaborate closely with clubs as they diversify their revenue and support their workforce to ensure they remain strong, community-orientated organisations.

I am also exploring amendments to the code of practice to limit operating hours for poker machines. The ACT currently has the second-shortest shutdown period, at five hours. Only Tasmania is shorter, at four hours. I look forward to updating the Assembly on the progress of this work. While the ACT government will pursue a sustained reduction in access to machines over the next 20 years, it is imperative that harm-reduction measures are implemented in venues in the short and medium term. With this in mind, we are progressing exciting work that will see the introduction of mandatory account based gaming in all ACT venues by 2026-27.

A cashless gaming working group was established in May to provide strategic and practical advice to support the implementation of account based gaming. The working group has met three times to date and will continue to focus on the harm reduction measures and frameworks to support account based gaming in coming meetings. This accords with the government's overarching strategy to reduce gaming machine harm and to encourage clubs to transition their business models. In June, the ACT Gambling and Racing Commission released the 2024 ACT Gambling Survey. This provides an important baseline of the current landscape, including gambling participation and rates of harm in the community. It is my hope that, by the time the next survey is published, these reforms will see the number of people experiencing harm starting to decrease.

Last week, we saw a very successful Gambling Harm Action Week. On Monday, 20 October, the Gambling and Racing Commission launched their new language guide which gives people the tools to speak about gambling harm in a way that removes stigma and assists people who experience harm to seek support. On Wednesday, 22 October, I attended an event at ANU for the launch of their Fair Play Hub. This project was completed in collaboration with the Youth Coalition of the ACT and funded through the Gambling Harm Prevention and Mitigation Fund. This provides a point of reference for young people to receive education and support for gambling harm, as well as a source for parents on information relating to gambling-like features in their kids' video games.

This is just one of many important projects funded by the Gambling Harm Mitigation Fund, including a grant to the University of Canberra aimed to understand gambling harms in the digital age, as well as funding to ATODA to look at a cross-sectional approach to harm minimisation and the intersection of alcohol, gambling and other drugs, and a project from Deakin University to understand the normalisation of gambling for women in the ACT.

I am happy to see the increased transparency in the Gambling and Racing Commission's annual report. This is something that is important to me. It is particularly critical for the Gambling Incident Register, so that the ACT community has a clearer picture of the types of harm that are occurring. I look forward to progressing additional reforms to improve transparency across this portfolio. I am also focused on addressing the harm caused by online gambling. In January, I released a listening report on reducing the exposure of young people to gambling advertising. The ACT government

is progressing work to explore options on how we can implement a local solution to limit gambling advertising impacts.

Overall, I can say that the government has delivered a significant amount of work across my portfolio areas in the last 12 months of this Assembly, and I look forward to delivering even more for the people of Canberra across the next three years.

I present the following paper:

Achievements of the 1st year of the term—Ministerial statement, 30 October 2025.

I move:

That the Assembly take note of the paper.

Question resolved in the affirmative.

National Police Remembrance Day Ministerial statement

DR PATERSON (Murrumbidgee—Minister for Police, Fire and Emergency Services, Minister for Women, Minister for the Prevention of Domestic, Family and Sexual Violence, Minister for Corrections and Minister for Gaming Reform) (10.26): National Police Remembrance Day holds deep significance for the dedicated members of ACT Policing and the broader Australian Federal Police, and indeed for all police forces across our nation. It is a solemn and meaningful occasion; a time for reflection, remembrance and gratitude. Today we honour those who have made the ultimate sacrifice in the line of duty and we pause to remember their courage, their commitment and their unwavering service to our communities.

Policing is a profession unlike any other. Every day, officers face challenges and dangers that most of us can scarcely imagine. They stand on the front line of community safety and at times put themselves in harm's way to protect others. Their work demands not only skill and strength but also compassion and resilience. As the Minister for Police, Fire and Emergency Services, I hold a deep respect for the sacrifice made each day by police and all our frontline service personnel and pay my respects to those who have lost their lives in the service of our community.

This year, the national service for National Police Remembrance Day was held at the National Police Memorial in Canberra on 29 September and was hosted by the former Australian Federal Police Commissioner, Reece Kershaw. Commissioner Kershaw retired on 3 October this year. I take this opportunity to thank Commissioner Kershaw for his service and dedication to policing and wish him well in retirement. I also offer my congratulations to the new AFP Commissioner, Krissy Barrett APM. I look forward to working closely with Commissioner Barrett over the coming years.

There are currently 831 names on the National Police Memorial in Parkes. Each represents a member who has served with distinction and is revered not only for the sacrifice made while protecting their communities but also for their service to the nation. On 16 June 2025, Constable Keith Anthony Smith from Tasmania Police was

fatally shot on frontline duties when attending a private residence. Constable Smith's sacrifice and service to his community was formally honoured, with his touchstone added to the National Police Memorial in Canberra this year. The names of the two Victoria Police officers, Detective Leading Senior Constable Neal Thompson and Senior Constable Vadim de Waart-Hottart, who were tragically ambushed and killed while executing a search warrant on a rural property in Victoria, will be added to the National Police Memorial in Canberra next year.

Members of the public were encouraged to attend the national service for National Police Remembrance Day alongside policing agencies and government officials, and the event was livestreamed via the National Police Memorial page. Local services were also held across Australian states and territories to mark this day. The observance of National Police Remembrance Day not only commemorates the individual officers who have lost their lives in the line of duty but also brings together communities across Australia in a shared moment of reflection. These services, whether attended in person or watched online, serve as powerful reminders of the collective responsibility we all share to recognise, honour and support those who serve on our behalf. It is through these acts of remembrance and unity that we uphold the values and legacy of our police and emergency services personnel.

On 13 September, I attended the 2025 Wall to Wall Ride for Remembrance. This year marked the 16th anniversary of the event. Beginning in 2010 with a small group of riders honouring their fallen mates, it has grown into one of the most significant police memorial events in the country. This year, over 1,700 riders participated at the Canberra event. In the last 15 years, the Wall to Wall Ride has raised more than \$1.7 million, which directly supports the vital work of Legacy in providing care and ongoing support to families of fallen officers.

In closing, I would like us to remember that the courage and dedication shown by our police and emergency services personnel is the foundation of a safe and resilient community. To every officer, frontline worker and their loved ones: thank you for your selfless service and the sacrifices that you make each day. Mr Speaker, I invite you, together with the ACT Legislative Assembly and the Canberra community, to join me in continuing to honour those who have fallen, support those who serve, and collectively ensure that their legacy endures in the hearts of all Australians.

I present the following paper:

National Police Remembrance Day—Ministerial statement, 30 October 2025.

I move:

That the Assembly take note of the paper.

Question resolved in the affirmative.

**Treasurer, Minister for Planning and Sustainable Development,
Minister for Heritage and Minister for Transport—government
priorities—update
Ministerial statement**

MR STEEL (Murrumbidgee—Treasurer, Minister for Planning and Sustainable Development, Minister for Heritage and Minister for Transport) (10.31): It has been one year since Canberra decided to elect a progressive, practical and proven Labor government. Our government's priority is housing—enabling 30,000 new homes for Canberrans to build, buy and rent by 2030.

Following our re-election, we have wasted no time in delivering the important reforms that we promised to deliver and to meet our targets under the National Housing Accord, towards which we have already made substantial progress. Last week saw data presented that showed the ACT was leading all states and territories in progress against our share of the National Housing Accord targets. The government's significant reforms will support even more homes, with more choice for people in our city.

Earlier this week I announced the government has referred Draft Plan Amendment 04—Missing Middle Housing Reform to the Standing Committee on Environment and Planning. Our missing middle policy is the largest reform since self-government to deliver more homes by allowing a diverse range of housing options—townhouses, row houses, duplexes and low-rise apartments—in Canberra's existing suburbs.

Growing choice in the type of housing is about growing the options available for Canberrans to move into or stay in the communities they love, whether they are a first homebuyer, looking to upsize to support a growing family, or older Canberrans who want to age in place. These reforms strike a balance between increasing housing supply and flexibility, limiting urban sprawl and maintaining the unique character of our city.

The new Missing Middle Housing Design Guide developed through this reform showcases how these new homes can be built in a way which is well designed, practical, achieves this balance and can meet everyone's needs at each stage of their life.

As Treasurer, these reforms also reinforce Labor's view that the delivery of more housing is a moral and economic imperative. Delivery of the missing middle reforms is anticipated to deliver increasing productivity in the construction sector and create a pipeline of work for smaller builders—locally owned businesses—that deliver more homes for every hour worked.

We know industry is ready for these changes, and it was great to see, through public consultation on the draft major plan amendment and design guide, that the community is ready to support more diverse housing in our city that can suit different life stages, improve affordability and promote vibrant communities. It is now time for members of the Assembly to consider and lend their own support for this last major reform towards enabling well-thought-out and highly supported changes to Canberra's housing.

DPA-04 is just one tranche of major amendments to the Territory Plan targeted at providing more, well-located and increasingly affordable housing. The ACT government has agreed, under the National Housing Accord, to prioritise planning amendments to support diverse housing across a range of areas, including promoting medium and high-density housing in well-located areas close to existing public transport, amenities and employment.

The 2018 Planning Strategy already established that the majority of Canberra's future urban growth should occur within our existing urban footprint, with a focus on areas close to shopping centres and transport corridors. This is echoed through our residential zones, which present a logical and graduated transition from suburban to more urban areas, driven by access and connectivity to these services.

At a strategic level, as both the minister for planning and Minister for Transport, it is my priority to ensure integration of transport and land use strategies. This goes to the heart of machinery of government changes, which have brought these functions together within government as one directorate, including bringing together Transport Canberra and City Services and the Environment, Planning and Sustainable Development Directorate into one directorate—the City and Environment Directorate.

I recently announced, at the Public Transport Association of Canberra AGM, that we will be further integrating land use and transport planning through our stakeholder engagement, and that membership of the Environment and Planning Forum will be broadened to include transport stakeholders, as part of a new environment, planning and transport forum.

As promised at the election, a number of other major plan amendments are currently underway which demonstrate our government's integrated approach to transport and land use planning, known as transit-oriented development—TOD—to enable a lasting pipeline of well-located new homes aligned with transport infrastructure—active travel, public transport and other sustainable forms of transport.

Currently out for consultation are two major plan amendments which go towards realising the vision of transit-oriented development and design moves within the National Capital Authority and the ACT government's City and Gateway Urban Design Framework. They build on the success in delivering urban uplift along the mass-transit spine already delivered by our government along the stage 1 corridor, city to Gungahlin.

Draft Plan Amendment 09—Northern Gateway proposes further zoning changes to enable up to 1,000 new, medium-density homes to be built over time from Downer through to Watson, close to two light rail stops. Closer down the line, DPA09—Thoroughbred Park Precinct proposes to realise a substantive opportunity to deliver a well-designed, diverse and sustainable housing precinct in Lyneham, with shops, community spaces and existing recreational assets such as the racecourse, well connected with new residential opportunities close to two light rail stops and close to the city centre. This follows the approval of a major plan amendment to support more housing close to the Macarthur Avenue light rail stop and garden city cycle route proposed by the Ainslie Football Club.

These changes are supported by our continued investment in new and renewed infrastructure across Canberra, delivering the certainty that our construction sector needs to build more homes for Canberra's future and unlock the potential of more housing. More investments in infrastructure like light rail and active travel connections, as well as improvements to local shops and services, will ensure that new and existing residents are well connected and benefit from change.

They are also supported by our refreshed engagement and consultation with the

community. The public exhibition of the draft environmental impact statement for light rail to Woden reaffirmed the intrinsic connection between the value that the community places on integrated transport and land use planning. Like the north side, Canberrans on our south side should also have not only the appropriate investment in infrastructure, but also the planning framework to enable them to have their say about the design of their district as it grows.

This will be the focus of a new integrated land use and transport plan called the Southern Gateway Planning and Design Framework, which will be developed alongside direct opportunities for the community to have their say on a plan to make sure that the long-term growth of the south side is supported, driven by the delivery of light rail, and is sustainable and achievable.

Work is also progressing on making sure that we are taking advantage of existing group centres to build shop-top housing in the heart of our communities. There is an opportunity to renew and reinvigorate those important community centres, retain existing amenities that are both a necessity and desire of our community, and boost the economic viability and vibrancy of these commercial centres.

I have spoken a lot today about delivery. Throughout this endeavour to support the future growth of our city, we will not compromise on quality. All of this growth, renewal and investment come with a social contract. Consumers need to be protected when making the largest investment of their lifetime in a home. To this end, we have also delivered on a major policy with the implementation of the nation-leading property developer licensing scheme. We will require property developers to rectify serious defects in their projects. This extends the chain of accountability beyond just licensed builders and other licensed occupations. It is an expectation of our community that this happens.

The new system is designed to promote public confidence in the standard of residential development in Canberra and ensures that residential development is undertaken by property developers that are competent and have the capacity to undertake those activities.

It has already been a big first year of the term, as Minister for Planning and Sustainable Development, and it foreshadows the momentum which our government will be taking into the next few years in delivering on our planning reforms. Shortly, I will be publishing my updated Statement of Planning Priorities for 2025-28, which sets out the full agenda that we took to the election in terms of planning reforms, and provides direction and more detailed information about our priorities over the term to deliver on our vision of a better-connected, sustainable and vibrant city which meets the needs of a growing population.

That goes to the areas that the government has been committed to, around providing more housing near high frequency public transport stops, increasing access to convenient and affordable transport, more housing near our commercial centres, reinvigorating our shops, more housing choice in existing suburbs, growing housing options available for Canberrans at all stages of their life, particularly through missing middle housing reforms, more strategic integration of planning, environment and transport portfolios, and there are other priorities as well.

I would like to recognise the dedicated public servants across the former Environment, Planning and Sustainable Development Directorate and the Transport Canberra and City Services Directorate, who now form part of the City and Environment Directorate, and who are working incredibly hard every day to deliver the substantial reform agenda of our government. Over the past year and in the years ahead, I would say that this is probably the highest level of activity that has been seen in planning reform for some time, as we restructure the Territory Plan to enable more housing. We have been implementing the new Planning Act at the same time, delivering broad-based reforms to the Territory Plan, as well as streamlining government processes and integrating our approach to planning and transport.

There is a lot happening, and I look forward to updating the Assembly as we deliver on our commitments and planning priorities to ensure that our city remains a great place to live, with an abundance of housing.

I present the following paper:

Achievements of the 1st year of the term—Ministerial statement, 30 October 2025.

I move:

That the Assembly take note of the paper.

Question resolved in the affirmative.

National Disability Insurance Scheme—foundational supports—update Ministerial statement

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) (10.43): I rise today in response to the resolution passed by this Assembly on 24 September 2025, about the implementation and reporting of foundational supports in the ACT, including the Thriving Kids initiative. I wish to thank members for their continued engagement with and focus on the development of a foundational support ecosystem. Establishing the best early intervention support ecosystem for children in the ACT is an objective that we all share. The ACT government is committed to ensuring that the delivery of these supports is transparent, accountable and, most importantly, meets the needs of ACT children with developmental delay and autism, their families and carers.

In response to the Assembly's resolution, the ACT government will be implementing a biannual reporting framework on implementation of foundational supports, which will include updates on project costings and impacts on future budgets, progress against agreed milestones, consultation processes and key outcomes, government decisions and policy directions, quality and safeguards. I intend to deliver the first biannual report in May 2026, followed by updates every six months thereafter. As I have previously committed to, I will, of course, provide other timely updates in addition to and separate from the biannual updates.

In the significant debate about the Assembly resolution put forward by Ms Barry, I, along with other members of the government, including the Chief Minister, spoke about the sensitive negotiations that are underway with the Australian government to settle both the Thriving Kids initiative, funding and approaches to foundational supports and the National Health Reform Agreement. These negotiations are critical to ensure that the ACT government will be able to provide high-quality services to our community.

While we remain committed to regularly reporting to the Assembly on progress on rolling out these initiatives, I do not intend to prejudice these negotiations or pre-empt any outcomes of this process in doing so. I note that many members during the debate on the motion also noted the importance of not prejudicing these negotiations, and I thank them for their understanding on this matter.

I wish to reassure families of children with developmental delay or autism, whether they are currently on the NDIS or not, that your government is working to establish a more unified ecosystem of support, while also listening to and embedding the community's perspectives and concerns throughout this reform. I look forward to continuing to work with the community and keeping the community informed as we progress through this complex and very important reform.

I present the following paper:

NDIS Foundational Supports—Implementation and reporting—Assembly resolution of 24 September 2025—Government response—Update—Ministerial statement, 30 October 2025.

I move:

That the Assembly take note of the paper.

Question resolved in the affirmative.

Order of business

Ordered that order of the day No 1, Assembly business, be postponed until a later day.

Leave of absence

Motion (by **Mr Cocks**) agreed to:

That leave of absence be granted to Ms Morris for this sitting day for personal reasons.

Environment and Planning—Standing Committee Report 3

MS CLAY(Ginninderra) (10.47): I present the following report:

Environment and Planning—Standing Committee—Report 3—Inquiry into the

procurement and delivery of MyWay+, dated 27 October 2025, together with extracts of the relevant minutes of proceedings.

I move:

That the report be noted.

I rise to table the report of the Standing Committee on Environment and Planning on the inquiry into the procurement and delivery of MyWay+. This is the committee's third report for the Eleventh Assembly. The Assembly referred this inquiry to the committee on 4 December 2024, and the committee amended the terms of reference referred and began the inquiry on 9 December 2024.

The Assembly's referral requested that the committee report by 26 June 2025. However, the issues that emerged during the inquiry have led to the need to hold additional hearings and extend the inquiry past that date. The committee received 109 submissions, held four public hearings and two in-camera hearings, with the transcript of one of these subsequently being published following consultation with witnesses.

This inquiry has highlighted serious problems with a range of aspects of the delivery and launch of the MyWay+ system, and the committee makes a range of findings in relation to these problems. The committee also makes seven recommendations, the purpose of which are to address the systemic issues that this inquiry has highlighted.

On behalf of the committee, I would like to thank all the Canberrans who took the time to write submissions and appear at hearings for this inquiry. Their experience of the MyWay+ system has been vital in informing the committee and made a significant contribution to the committee's report.

I also thank my fellow committee members for their collegiate approach to this inquiry and the committee secretariat for their work. In particular, I note committee secretary James Bunce, assistant secretary Nicola Straker, committee support officer Justice-Noah Malfitano and administrative officer Lydia Chung.

I commend the report to the Assembly.

MS CARRICK (Murrumbidgee) (10.49): I rise to speak on the findings of the committee regarding the MyWay+ project—findings that reveal a troubling pattern of mismanagement, lack of clarity and missed opportunities. This project, which was meant to modernise and improve public transport services for Canberra, instead became a case study in how not to deliver a ticketing system.

While the new functionality for credit and debit card payments was welcome, the scope of the project did not focus adequately on the functionality that people already had and wanted to retain—essential features like real-time passenger information, journey planning and account balance visibility. This lack of focus on the scope led to confusion, delays and ultimately a system that failed to meet community expectations.

The contract deliverables and timeframes were poorly defined, and project milestones were unclear, creating significant problems in the later stages of delivery. Key features,

such as group accounts and ticket machine access, were not ready at launch, despite being fundamental to the user experience.

The user testing process was deeply flawed. Community testing was so poorly executed that it was described by the committee as almost meaningless. It failed to identify critical issues with the app, website and QR code payments—issues that should have been resolved before launch. This failure not only undermined public confidence but placed undue pressure on bus drivers and frontline staff.

The governance failed due to the lack of effective risk management. Despite repeated warnings from stakeholders, the ACT government proceeded with a launch that was clearly premature. There was no proactive strategy to identify, mitigate or respond to risks, whether related to accessibility, data security or operational readiness. This failure eroded public trust and exposed serious vulnerabilities in our digital infrastructure.

Lastly, the project failed from a human perspective. It did not consider the needs of the elderly who are not able to use the account or the app. COTA took 3,000 calls in three months, with little support from the government. The system did not meet the needs of our disability community, with no audio on the buses, and a website and app that are non-compliant with disability standards. People come first, and all demographics should be considered in the design of our systems.

The MyWay+ project is a stark reminder that clarity is not optional; it is essential. Clear scope, defined deliverables, robust testing and strong risk management must be the foundation of every digital project undertaken by this government. The ACT community deserves better, and the ACT government must ensure that future projects are delivered with competence, transparency and accountability.

MR CAIN (Ginninderra) (10.53): I want to focus on some of the findings of this committee. I want to thank my committee colleagues for this in-depth and detailed investigation. I want particularly to commend Ms Clay for her chairing role of both the private and public hearings and our committee meetings, and I thank Ms Carrick and Ms Tough for their collaborative approach. As members can see, we have a report that is without any additional comments or dissent.

I want to focus on something that is, unfortunately, a bit of a theme of this government; that is, community consultation. Some of the findings touch on this. I will read them for the record. Finding 3:

The Committee finds that the community testing of MyWay+ was undertaken so poorly that it was almost meaningless and does not appear to have had any impact that improved the rollout of the system.

Finding 4:

The Committee finds that the ACT Government lost the trust of public transport users by promising basic features, like real-time tracking, that were not delivered at launch.

Finding 5:

The Committee finds that the MyWay+ communications strategy should have provided simple, useful information such as how to use MyWay+ by tapping on and off with a credit or debit card.

I think this is a very significant report—one of the most significant reports that I have had involvement with. The government needs to seriously review its strategy. It needs to review who was put in charge of key elements of this rollout, including the role of the minister.

We are expecting some other action on this report that has been lodged this morning, and I will certainly welcome the opportunity to contribute further.

MR BRADDOCK (Yerrabi) (10.55): Members will observe that I have circulated a motion of censure of the minister. I will seek leave to move that once we have concluded debate on noting the committee report, which is what we are doing now. It is the content of that report that I would like to reflect on now, and I will begin with some quotes from Canberrans who provided submissions and evidence to the inquiry which have been cited in the report. From Andrew Donnellan:

A system seemingly designed by people who don't use public transport.

From Bill Gemmell:

The customer experience can probably be best described as Pythonesque.

From an anonymous contributor:

The website is one of the clumsiest, most user-hateful of the modern era.

From the Council on the Ageing:

Despite our long standing and genuine engagement in the consultation process, COTA ACT is deeply concerned about the significant challenges and confusion older Canberrans have faced during the MyWay+ transition.

From CANAXESS regarding accessibility defects at go-live:

... it effectively shuts out disabled passengers from using the website.

From the Public Transport Association of Canberra, PTCBR:

It is a very ugly piece of software. It is a very ugly user interface. It is not intuitive. It is not fun to use. It is not easy to use. So, straight off the bat, we knew something was deeply wrong with this.

From Sebastian Stellard:

... the app suggests absurd trips such as walking 10+ kilometres along a freeway, rather than public transport.

From Jonathan Campton:

When I finally got cards from the newsagent I actually purchased a lotto ticket as it was clearly my lucky day. While my lotto ticket produced a win, the three MyWay+ cards have only produced continued headaches and disappointment.

These are not my words and these are not the committee's words; these are the words of Canberrans. I think their words help paint a picture of what Canberrans experienced during the MyWay+ rollout—one of frustration, disbelief and pain. The problems began during procurement—although, as the report makes clear, procurement cannot be blamed for the fullness of the debacle. There was a clear lack of mature oversight in the contract management from end to end, which is evident in the end product.

The MyWay+ app is not, in fact, a ticketing app at its most basic level. It is a journey-planner with the ability to log into a separate ticketing tool attached to it. Had the government conducted anything even approaching an adequate level of user-needs surveying, they would have found that journey-planning tools were a comparatively low priority. There are other apps and tools which fulfill the same purpose.

Even then, you would have hoped that it would work as a public transport journey planner at launch. It did not. It would recommend motorcycle rides or three-hour walks ahead of catching the bus. There was also no real-time data feed on the buses; so other journey-planning apps also stopped being helpful. The QR codes produced by the app for ticketing were too difficult to scan and needed to be fixed. The login system was unstable. Registering payment methods was a nightmare. On the other end of the spectrum of problems, there was an infinite money glitch that had to be patched out.

Had the government conducted any meaningful level of user acceptance testing or taken the limited amount of testing that had been conducted seriously, it would have quickly been revealed that this was nowhere near a minimum viable product. User acceptance testing of the billing system, which was not conducted, would have revealed its incompatibility with screen-reader technology that supports the vision-impaired. It would have revealed to the government that a lot of work was still required before the system could be sprung on Canberrans. Instead, we had the decision to go live, and to go live with a clean cut from one system to the other rather than with a changeover period, as would have been recommended by the experience with past projects interstate. It was a go-live that looked like it was more focused on successful marketing and, indeed, electioneering, rather than on a smooth experience for public transport users.

The launch was chaotic. Insufficient physical cards were available—far fewer than would be required and nowhere near soon enough in advance of the launch to be able to remediate supply issues. Validators were insufficiently installed, with many buses and light rail stops not having operational technology. The Park and Ride system for bikes was not transitioned over, and it still continues to operate using the old MyWay card system, which people no longer tend to carry. Parents struggled to manage their children's ticketing in an appropriate way, with the system insisting on distinct email addresses for each traveller, including as one submitter to the inquiry said, a six-year-old. There was no group account functionality.

Communications with seniors broke down. The Council on the Ageing got snowed by

a very significant volume of calls, well in excess of what they were funded to handle. They related stories of seniors throwing away their seniors cards since they no longer worked as a MyWay card and then those very people needed to get them replaced—a function of exceptionally poor communication work from the government. I would like to observe how I have received correspondence from COTA which tells me that they have continued, beyond the time of their evidence to this inquiry, to handle far more calls from older Canberrans about MyWay+ than you would expect of a functioning ticketing system.

We can see the issues in the government's reactions as well. Canberrans' lived experience with the impossibility of the new MyWay+ system were explained away as "teething issues". Bus drivers themselves got accustomed to their ticketing systems not working and would just wave people onto the bus. Drivers do not want, nor do they deserve, challenges and abuse from people over the ticketing system malfunctioning. My thanks go to those Canberra bus drivers who have had to directly deal with the consequences of government's decisions on MyWay+. To quote the report:

MyWay+ appears unique in its direct impact to the public. The problems with MyWay+ occurred in full public sight, with the users of public transport being the primary victims of its various failures.

For now, the failures of MyWay+ are documented in the committee's report and lay before us. I would like to thank all members of the committee and the secretariat for their substantial effort in producing this report. I would like to also thank all those who provided submissions and evidence to the inquiry. Your contributions were invaluable in pursuing this inquiry.

MR STEEL (Murrumbidgee—Treasurer, Minister for Planning and Sustainable Development, Minister for Heritage and Minister for Transport) (11.02): I would start by firstly thanking members of the committee for the work they have put into the inquiry into MyWay+ and for their report, which has been tabled in the Assembly today. I would also like to thank all members of the community and community groups that participated in the MyWay+ inquiry and for providing information on their experience with the new system and the transition to the new system in November last year.

The implementation of MyWay+ has been the most significant upgrade to Canberra's public transport ticketing technology in over a decade and a major digital transformation project undertaken by the ACT government. Our ambition has always been to make sure that Canberrans have access to an account-based ticketing system that provides high-quality service information and diverse payment options. We acknowledge that implementing such a complex new ticketing system has been very challenging, as it has been in other jurisdictions.

Since MyWay+ went live on 27 November last year, all Canberrans and visitors have now been able to tap on and off public transport using a credit or debit card, be it a physical card or using their smart device for the first time. With the report handed down today, we can all agree that the transition to the new system was not smooth, and I acknowledge the impact that the new system has had on passengers and the issues associated with the new system after launch.

All efforts have been made by Transport Canberra, working with contractors NEC to address issues that presented after launch and to improve the user experience. Transport Canberra's customer service team continues to assist passengers daily and remains responsive and available to provide support for the community and customers as required. One of the key changes that we have made since the introduction of the new ticketing system has been to establish a new ICT delivery agency, Digital Canberra, which will be going straight to work with Transport Canberra and NEC in considering the findings of the committee and the recommendations in the report.

We are committed to a program of ongoing improvements to MyWay+, with a priority being further improvements to accessibility. I will talk further about that in the debate that will follow at the noting of this inquiry report. We welcome feedback from the community to help us target future work towards improving public transport in the ACT. The government will be preparing a formal response to this report, and I look forward to updating the Assembly once that has been prepared.

Question resolved in the affirmative.

Treasurer, Minister for Planning and Sustainable Development, Minister for Heritage and Minister for Transport—censure

MR BRADDOCK (Yerrabi) (11.05), by leave: I move:

That this Assembly:

- (1) agrees with the findings of the Standing Committee on Environment and Planning's Inquiry into the procurement and delivery of the MyWay+;
- (2) recognises the role that the Assembly plays in holding the Government to account, particularly in the context of the Westminster conventions on ministerial accountability in our system of responsible government;
- (3) notes the importance of Ministers ensuring senior leaders of the ACT Public Service are held accountable; and
- (4) censures Minister Chris Steel for the ACT Government's performance on the procurement and delivery of the MyWay+.

The MyWay+ debacle will go down in history, much in the same way as Victoria's bungled myki ticketing system implementation did.

In 2005, the Keane Australia Micropayment Consortium was awarded a contract to deliver a smartcard ticketing system for Victoria's public transport network in 2007. Testing actually began in late 2007, and the identified problems resulted in significant delays to the new system's rollout. The former Metcard system was eventually and finally transitioned to the new myki system over a period of a few months at the end of 2012—a five-year delay, with a final price tag of \$1.5 billion in the context of a \$54 billion state budget back in 2012.

The saga included concerns about data security, transaction failures and accessibility by people with a disability—all familiar topics that rhyme with our own MyWay+ experience a bit over a decade later. I raise this, because it is relevant. This is first-hand and recent history in Australia to evidence how public transport ticketing projects can

be complicated and demands serious caution, strong oversight and good project management. The Brumby Labor government lost the 2010 Victorian election, at least in part, due to its failures on myki. This is an area where we know that hubris has consequences.

The committee's report, presented just before, in its early paragraphs outlined how procurement efforts for MyWay+ began way back in 2017. That procurement failed to find a value-for-money option and prompted the idea to join with another state's ticketing system, but that also fell through in 2019. The old MyWay system had its life extended. By now, early warnings that this was going to be more difficult than it seemed at the outset should have started to become apparent to the government.

Recognising that the 3G network was expected to be decommissioned in 2021, procurement for a next generation ticketing system was recommenced. By this time, Minister Steel had obtained responsibility for procurement policy as Special Minister of State, while also having broader responsibility for transport and ticketing as the Minister for Transport. Minister Steel retained those responsibilities right through to the end of last term, when the old MyWay system was turned off. At the start of this term, as the clean-up from this mess began, Mr Steel was reinstated as Minister for Transport, handing procurement responsibilities to Minister Stephen-Smith as the new Minister for Finance.

Minister Steel can be reasonably described as the responsible minister for the whole of the MyWay+ debacle as we know it. The involvement of other ministers along the way is not entirely irrelevant, but only Mr Steel can be characterised as the torchbearer. Under our Westminster system of responsible government, we have the principle of ministerial accountability. The public service is accountable to the parliament, but through their minister. The parliament holds the minister to account and the minister holds their directorate or agency to account. A debacle of this scale, that has had such significant impacts on Canberrans, particularly vulnerable Canberrans, requires accountability. It cannot go without a response from the parliament. It is up to this Assembly to decide how it wants to do that. But, regardless of what mechanisms we choose to engage, it must be engaged through the minister.

The Greens have not lost confidence in Minister Steel. As we know from the Victorian experience I described earlier, this was always going to be a difficult project vulnerable to complications. Nonetheless, the dimensions of difficulty were foreseeable, and Minister Steel has underperformed in the delivery of MyWay+. It is for this reason that I have moved a motion of censure in in Minister Steel.

Responsibility for the MyWay+ roll out cannot simply be attributed to poor performance by the contractor, although that was a contributing factor. Contracts still need to be effectively governed and managed by the public service, such that the government remains in control of the overall project for its full duration. The Independent Project Assessment by Projects Assured found that "the desire to maintain positive working relationships has resulted in an avoidance of robust conversations for issue resolution". It is the public service's dereliction of their duty and avoidance of having robust conversations on behalf of Canberrans that is leading to this robust conversation today in this Assembly.

On behalf of Transport Canberra, the minister must take responsibility for their management of this project and the outcomes that were experienced by Canberrans. The committee's report documents how feedback was provided multiple times to Transport Canberra on issues with the MyWay+ system before it went live. The evidence suggests this feedback was disregarded and/or ignored.

The decision to go live with the "minimum viable product", which totally ignored the needs of vulnerable and disabled Canberrans who would be dependent on MyWay+ to move around Canberra, is to me probably the worst part of this sorry saga—a decision that was shockingly ableist, discriminatory, and quite possible contrary to the law. What compounded the error was a lack of transparency about the issues, even as community feedback started to come in highlighting the barriers that this piece of government software was putting in the way of those who most needed to utilise it for their mobility needs.

The report also documents how concerns were repeatedly raised with the minister and his Office in the lead-up to go-live. But the minister appears to have ignored this advice and feedback from the community and, fatefully, decided to abide with what was deeply flawed advice from Transport Canberra. Even as things started going wrong with the supposedly "minimum viable product" inflicted on Canberrans, the government doubled down, gaslighting Canberrans and their lived experience by describing it as "teething issues". They advertised capabilities that were not yet available. The handling of data security concerns demonstrated a repeated head-in-the-sand approach. It took repeated attempts by members and the committee itself to gain the minister's and the directorate's attention to the fact that a data breach had occurred.

This needs to be taken by the government as a clear warning. This Parliament takes Westminster accountability seriously; a warning that further debacles, particularly of this scale, will attract more serious consequences. I commend my motion to the Assembly.

MS CASTLEY (Yerrabi—Leader of the Opposition) (11.12): One of the first issues I focused on after becoming opposition leader was the rollout of MyWay+. Stakeholders were raising extremely serious concerns and had formed a view that the government was desperately trying to keep the launch date and, in doing so, it certainly looked like the minister was prioritising a political issue over a practical one, wanting to avoid being seen as delivering the system late, even if that meant delivering a system that was not fully functional. Following the launch on 27 November last year, those concerns were confirmed.

Since then, we have learnt that the system was nowhere near ready. The effects of this have been profound, not just in the confusion and frustration of public transport users, nor in the stress and abuse experienced by some of our bus drivers, not even in the truly substantial amount of revenue that has been foregone and continues to be foregone but, most fundamentally, in the community's loss of confidence in the public transport system.

It was for these reasons that I moved a motion to refer the rollout of MyWay+ to a select committee inquiry in December last year. The report of that inquiry, which was tabled this morning, was damning—absolutely damning. It found a series of poor and

questionable decisions which, ultimately, lead to the failure to appropriately manage risk, the failure to manage a complex project, the failure to act with transparency, the failure to meet basic requirements, the failure to properly test and ensure the readiness of the system, the failure to ensure internal oversight and the failure to ensure competent management. There have been failures every step of the way, and one man is ultimately responsible—and that is the Minister for Transport.

It has been almost a year now since MyWay+ was launched and more than a year since the government knew there were serious problems with the system. In all that time, has there been any internal accountability of the minister by the government? Has the minister been subject to any form of adverse action by the Chief Minister or his colleagues? Remarkably, it seems the answer is no, which means the message to other ministers and to their staff, to the public service and to the wider community is a clear one: you can be in one of the most important positions in our government, you can completely fail to deliver a major project and lose tens of millions of dollars, inconvenience tens of thousands of Canberrans for months on end and refuse to disclose the costs of your failure to the community and you will be fine; there will be no consequences for you.

Under Andrew Barr's government, incompetent ministers are a protected species. Worst of all is the fact that this is not the minister's first big failure. He was responsible for the \$77 million HRIMS failure, a failure for which he apologised and told us the government would better manage ICT projects in the future. He was also the minister responsible for CIT when it spent millions of dollars on a "complexity thinker", which the Integrity Commissioner later described as a "serious corrupt conduct". One minister, three major high-profile, high-cost scandals, and the only consequence is that he has been promoted to Treasurer, the second-most important office in the territory government, which is why the censure motion being moved today is so important.

If the executive is unwilling to discipline itself, it falls to the Assembly to impose the discipline instead, because some discipline and accountability is necessary. It is essential. That is what we are here for. There has to be something that compels people to meet the standards that are expected of them to conduct themselves appropriately and to deliver for those who are relying on them.

It is difficult, and I believe the Chief Minister is no fool. He has not forgotten or failed to think of enforcing some consequences, I am sure. I am sure he has weighed the outcomes, the pros and cons of each, and he has come to a decision. I am sure he is weighing up more than the rest of us see or understand. But, that said, the increasing number of scandals and the amount of mismanagement is not random. It is not coincidence. That is why poor decision-making without consequence has morphed into sloppiness, neglect and decadence right across the government.

Finally, I would make the point that it is easy to forget the community are watching. They may not be tuned into every decision, every story or every scandal, but they are actually watching. They know that the Assembly is leading and ensuring accountability when this is actually the responsibility of the Chief Minister. They know that we are doing the job for them. They are seeing it very clearly today and this week.

So the opposition will be enthusiastically supporting the censure motion today. If the

Chief Minister continues to protect his ministers when he should step up and hold them accountable, we will be moving and supporting more censure motions in the future. It is what the community expects and it is what they deserve, and so that is what we will deliver.

MR EMERSON (Kurrajong) (11.18): I rise to speak in support of Mr Braddock's motion today and also to take the opportunity to thank the Standing Committee on Environment and Planning and all the witnesses from the MyWay+ inquiry for their work in investigating the ongoing failures of this system. It has been an immense piece of work and an immensely important inquiry for the many people across our community who rely on public transport and also for those who wish to choose public transport over car dependency but find themselves repeatedly disincentivised from doing so.

The report begins its conclusion with, "This inquiry was extraordinary." Finding 15 notes:

... the ACT Government should have taken a more proactive and genuine approach in acknowledging the many flaws and faults in this project.

The report further finds:

Choosing to launch MyWay+ with minimum product viability at all was a bold call. Choosing to launch it in the face of clear feedback and testing that showed it was not performing the basic functions expected by Canberrans was an extremely poor decision.

This is an exceptional committee report. This is the kind of language we usually see in members' press releases, not in bipartisan investigations of government projects. The use of such strong language in this report indicates exactly how poorly this project was procured, managed and delivered. This is an incredibly damning committee report.

Like many members of this Assembly and members of our community more broadly, I have consistently tried to seek clarification of what exactly went so wrong with this project. I have asked repeated questions about whether the government has violated its legal obligations to people with disability in rolling out a public transport system that was not accessible, only to receive indirect answers that have served both to evade the issue and to evade responsibility for it. I asked this in a letter, in this chamber and through multiple questions through the committee's inquiry. I also referred the matter to the ACT Human Rights Commission.

What one line of questioning did reveal was that a decision was made against engaging a specialist accessibility consultant to audit the MyWay+ system three months before it went live because doing so "would come at additional costs to the program" and "contract system requirements should be sufficient to ensure compliance with accessibility standards". Well, they were not. Such a specialist has since been engaged and, per today's committee report, when the firm undertook a partial accessibility audit of MyWay+, it "found serious accessibility defects" that "effectively shuts out disabled passengers using the website". The committee found that the project therefore "did not follow government accessibility policy as outlined in the ACT government Web Accessibility Policy" and, further, that "at the time of writing, the service still did not have the accessibility features Canberrans expect".

In attempting to determine who made the decision not to perform a comprehensive accessibility audit prior to rolling out a public transport system—a system, I would add, that we can reasonably expect would be heavily relied upon by some of the people least likely to be able to drive safely, like people with visual impairment, and for whom full disability accessibility is therefore actually pretty important—I was met with contradictory responses. When I pursued this issue through the committee’s inquiry, the minister said:

We have previously expressed disappointment to the community that the work that NEC has been doing on accessibility is not as far progressed as we would have hoped.

Implying NEC was at fault for not having performed this audit before rollout. When I asked the contractor, NEC, who was responsible for this decision, they described it as a joint decision. I then took this response back to the government, asking who was party to that joint decision. That question was then taken on notice and the response I received from the minister was that the “program director” made this decision. Still confused, my team asked the minister’s office whether “program director” was the contractor or a government official, and finally received clear advice that it was a government official who made this decision. So it was framed first as NEC’s fault; on further questioning, it was then described as a joint decision; and, following further questioning still, it was ultimately confirmed to have, in fact, been a decision of government.

All other failures aside, in relation to disability discrimination laws, I believe the minister has presided over a project that has put the government in violation of its legal obligations to people with disability. I have failed, despite multiple attempts to seek clarification, to be furnished with any evidence to demonstrate that this is not, in fact, the case.

I understand that public servants are responsible for delivering these projects and for providing advice to government, and ministers respond to the advice they receive from public servants. But the ultimate responsibility, as I think we are agreeing in the Assembly today, lies with the minister in question. I do not imagine I am alone in feeling frustrated that senior public servants have been tasked with defending the government’s performance on now-successive failed IT procurements, as Ms Castley indicated, and in this case, it seems, to also take the fall for the government.

I also note the trend of public comments on these failures being provided by an “ACT government spokesperson”. Who is this spokesperson? I would love to meet them. Is it a public servant? Is it a minister’s staffer? Why the anonymity? Is it not the relevant minister’s role to provide public remarks when there are significant issues with essential government services, like public transport, that are having a significant impact on the lives of Canberrans?

The lack of clear accountability on matters like the failed rollout of MyWay+ erodes trust in public institutions, and this is why it matters. It also erodes confidence that failures like that exemplified by this project will actually lead to constructive change on the part of the government when it comes to delivering future projects of this nature. Of course, as Ms Castley indicated, this issue with accountability predates the delivery

of the MyWay+ system. In a February 2025 government response to an inquiry report from last term's Standing Committee on Public Accounts, for example, the committee recommended:

... the Chief Minister strengthen and clarify the Ministerial Code of Conduct to ensure that ministers actively seek to prevent, and are held accountable for, any significant mismanagement within their portfolio.

The government response was "noted". This recommendation came back on the calamitous mismanagement of the Human Resources Information Management System; yet the lesson that should have been learnt was not carried forward for the MyWay+ system. It sounds like common sense that ministers should be responsible and accountable for significant mismanagement within their portfolio. How this recommendation could possibly be "noted" rather than agreed is of deep concern. The MyWay+ debacle provides further evidence that the government's position on this ought to be reconsidered. Public servants take orders from ministers. Ministers are ultimately responsible. This is uncomplicated. Given the report tabled by the committee, today I see no other option but to support this censure motion.

MR RATTENBURY (Kurrajong) (11.25): I rise today to support the motion from Mr Braddock. He has outlined the issues very clearly in his two sets of remarks today, both in response to the committee report and in his subsequent remarks in introducing this motion. He has made very clear the factual circumstances that give rise to this motion today.

I also want to thank the committee for their extensive work on this report. It is incredibly detailed. It has provided us with a very clear picture of the circumstances. It is a difficult issue, but the fact that the committee was able to come to a unanimous report is a credit to the members, who have taken very seriously what is an important issue in our city.

It has become a practice of some members in this place to point out that, as a former minister, I should be well aware of certain things and understand how they work. Usually, I quietly take it as a compliment, because it gets used as a rhetorical device to try and deflect government responsibility for what the Greens are trying to question or debate. I am certainly not in the business of risking a breach of cabinet confidentiality through making a retort. Today, I want to make some more general comments about what I learned during my 12 years as a minister.

As a minister, it is your job to set the strategic direction for your directorate. While you can and should expect the public service within your areas of responsibility to perform, and perform well, you need to set the expectations against which they should perform. Love it or hate it, within the modern public service there is really only one performance criterion for senior public servants, which is the ability to meet the expectations and retain the confidence of their minister. The corollary is that a minister needs to be clear about how their confidence is retained, and the minister is directly responsible for ensuring that public service values are upheld in their directorate.

As a minister, I insisted that advice given to me should be frank and fearless. While bad news may not be comfortable, it was essential to me that it be conveyed. Senior public servants knew that if they tried to spin an overly rosy picture, they could expect even

greater interrogation. They knew that I performed another role as well as being a minister. As a member of the Assembly, with an inbox open to constituents, I would—like all of us here—receive from the public a range of tip-offs, warnings and deeply held concerns. Other members would also send me their own correspondence containing issues raised by their own constituents, with queries to respond to and, possibly, problems to solve.

My directorate knew that I would take such correspondence seriously. If there were inconsistencies between what the public were telling me and what the directorate was telling me, I would require explanations, until I was satisfied that I could reconcile the government's position with the lived experience of Canberrans. To put it in the more common vernacular, whilst trying to remain within the bounds of parliamentary language, you could say that it is a minister's job to be the ultimate bulldust detector.

It is laid bare in the committee's report that public correspondence on the problems with MyWay+ prior to go-live were extensive. To me, that is the most disappointing element of this matter—the apparent failure by the minister and his team to take seriously the warnings coming from outside the directorate and instead take the assurances of NEC and Transport Canberra at face value.

The minister has a really difficult role. I know he does. Amongst the non-executive members of this place, I am obviously uniquely placed to understand that, and weighing up this information is really challenging. Nonetheless, the committee have given us a report that cannot go unaddressed. They have highlighted the many opportunities to stop and check, the opportunities to question what was going on, and the extensive public feedback from organisations whose voices matter. They are not just somebody complaining because they are a bit cranky about it; they are organisations who the government funds to represent key constituencies in our community, and they should be listened to in these contexts.

I think particularly of COTA in this example. Mr Braddock has spoken about this not just today but throughout the year. For the Greens, a particular frustration is the impact that this has had on some of the most vulnerable in our community, particularly the elderly, who have found it very confusing and difficult to transition, people with a disability, who are so reliant on public transport, and the families trying to get their younger children an account that worked—all these kinds of things. I will not reiterate the litany of challenges here, but it has been incredibly disappointing that particularly those groups representing cohorts in our community who are so heavily reliant on public transport were not heard before the go-live.

That is why Mr Braddock today, on behalf of the Greens, has moved a censure motion, to ensure accountability for the impacts that the failures of the MyWay+ rollout had on the community, to underline the lessons that must be taken from this—lessons that the committee has laid bare in its report—and to emphasise that this Assembly feels a distinct responsibility to be clear about our level of expectations. That is why we have moved this, and I commend Mr Braddock's motion to the Assembly today.

MR STEEL (Murrumbidgee—Treasurer, Minister for Planning and Sustainable Development, Minister for Heritage and Minister for Transport) (11.31): The implementation of MyWay+ has been a very significant digital transformation project

for the ACT government. It is the biggest change in ticketing technology in over a decade. I certainly agree that the transition to the new system has not been easy and has not been smooth, and I acknowledge the impact that the issues with the new system have had on passengers and their experience in using public transport in Canberra.

As minister, I take responsibility for the issues with the system. I take responsibility for the fixes that were put in place to address the issues that arose, and for the continuing work that is being undertaken to improve the ticketing system for all Canberrans. Given I have taken responsibility for the rollout at all stages, I do not support the censure motion being proposed today, but I do acknowledge the issues that have arisen in the transition to the new ticketing system that have given rise to this motion.

I again thank the committee and the numerous Canberrans and community groups for their submissions which helped to inform the recommendations and findings of the committee's inquiry into MyWay+. I and officials participated in the inquiry, and I believe we did so candidly. We proactively volunteered information that the committee had not requested to make sure that it had all information—including some adverse information—it needed to be able to fully inform its work in assessing the rollout of the project.

Complex digital projects are challenging. The ACT government is not alone. It is amongst other jurisdictions having these challenges when implementing a new public transport ticketing system. The committee has recognised this in their report. I welcome their recommendations as to how we can apply what we have learned through the MyWay+ project to better practice in managing large and complex ICT projects across the ACT government. The ACT government has recognised the need for the ACT government to grow the capability and expertise within the public service in managing complex ICT projects and to improve cybersecurity resilience, which we take seriously.

As we established Infrastructure Canberra to provide central expertise and coordination in the delivery of complex infrastructure projects across directorates, so too we have now established a new ICT delivery agency, Digital Canberra, to meet this need. Digital Canberra will now work with Transport Canberra, and also with the contractors, NEC, to consider the findings of the committee's report as part of their work to reform how the ACT government delivers large and complex ICT projects.

Our ambition has always been to make sure that Canberrans have access to an account based ticketing system that provides high-quality service information and diverse payment options for Canberrans. Since MyWay+ went live on 27 November 2024, all Canberrans and visitors to the city have been able to pay with a credit or debit card, be it with a physical card or using their smartphone or smart device, for the first time. At the same time, I acknowledge that there have been issues with MyWay+ since it went live, as noted by the report, and I take responsibility for the performance of the system and the ongoing work to improve MyWay+, to ensure that Canberrans have access to the high-quality services that they expect.

I acknowledge the significant finding of the committee that the user testing that occurred prior to launch was not adequate. I agree that this could have prevented some of the issues at launch, but probably not some others that were not known prior to the launch date. I do not agree with the position that has been put that we ignored advice

from those involved in the user testing. When it was received, it was acknowledged and considered in the context of the advice also provided by Transport Canberra, but that advice came incredibly late in the decision-making process around going live, and that meant that it was difficult to address some of those issues prior to the launch. However, a lot of that feedback has gone into ongoing improvements to the user experience that were programmed by NEC.

I also acknowledge that only a minimum viable product was available at the launch date, and this should have been more clearly communicated to the public to make sure that they had a better understanding that not all of the functionality would be available at launch and that there would be a transition period to the new system.

The days following the rollout of MyWay+ saw a number of issues occurring and they were responded to as quickly as possible. On the first day of operation, there were issues with accessing MyWay+ accounts through the ACT Digital Account, attributed to a server load issue, with a permanent fix being employed by midmorning. Some light rail platforms were not operational, with a correction between system interfaces employed to have them all operational within 48 hours. Some fixes took a bit longer than a matter of hours, such as improvements to the MyWay+ card supply arrangements with retailers, following the unexpected walk-back from two major supermarket suppliers in providing access to physical cards, which required overnight and on-demand top-up deliveries to be used to meet customer demand at retail outlets. There are 50 retail outlets now on board providing those physical cards.

Unexpected challenges also affected the rollout of real-time passenger information and replacement ticket vending machines, meaning that they were unfortunately delayed, but they are now operational. Other issues, such as with the performance of on-bus validators and the MyWay+ pass, or QR code, resulted in a number of technical solutions being implemented to address them as best as possible. There is still further work to be done, noting that these are still not performing as expected. They are continuing to be the subject of fixes and alternative solutions, including—as has been indicated in the MyWay+ inquiry report—the exploration of the use of an NFC digital token.

I am committed to continuing the program of ongoing improvements to the MyWay+ system. Our priority is further improvements to accessibility, with iterative improvements already implemented across MyWay+ hardware, such as validators, passenger information displays and digital interfaces, including the mobile application and customer portal. Improvements to date have been guided by the expert advice and lived experience of people with a disability through the independent consultant Get Skilled Access, who have been engaged by NEC and have been consulting with Transport Canberra's Accessibility Reference Group, which I established as minister to provide greater guidance to the now City and Environment Directorate on access issues across the directorate, including for public transport. I acknowledge that the improvements to accessibility took too long to be made by NEC and not in accordance with their contract, but I am pleased that the work to address accessibility with Get Skilled Access has been comprehensive and will deliver real user benefits.

We will also continue to work on delivering other features, including group accounts and expanded payment options, and improvements including integration of the

interchange passenger information displays with the MyWay+ system. We welcome feedback from the community to help us target future work towards improving their public transport experience.

I close by again thanking those in the community who have made the quite significant change to MyWay+, including those who took the time to make submissions to the committee and tell the ACT government and the Legislative Assembly about their experiences and what can be improved. I acknowledge the impact that the transition to the new ticketing system has had on Transport Canberra passengers and also staff. I take responsibility for that transition but also for the ongoing work to improve the system. I thank the committee for their work, and I will be taking on board all suggestions to improve our ticketing system and to improve the delivery of ICT projects more broadly across the ACT government. I look forward to providing the Assembly and the community with a further update when the government delivers its formal response to the committee report.

MS LEE(Kurrajong) (11.40): I thank Mr Braddock for moving this motion. I heard from many constituents numerous times over a number of months and weeks about the issues with their MyWay+ card—issues with the readers, issues with accessibility, issues from those who have English as a second language, issues from those who are within our seniors community, issues with people who are required to catch public transport, perhaps for the first time, because of life circumstances, and issues that they have had with the entire system. We now see from this committee report that these issues were avoidable and that this government made a decision to proceed with the launch, despite strong evidence and advice from multiple stakeholders that it was not ready.

I was a member of this committee when we launched this inquiry, as a result, of course, of the motion that referred it, because by that stage—and it was only December—it was already clear to anyone who had even a passing glance at the public transport system that it was already a colossal failure. When that inquiry was launched, it drew so much attention from every sector of the Canberra community.

This report is nothing short of damning. The scathing findings of this very diligent inquiry go to show why this motion by Mr Braddock was necessary. The key findings show a complete and utter failure on the part of this minister who, as much as he may shirk away, has the ultimate responsibility for the many failures of this launch and of this system. Let us reflect on a number of the key findings, and I know that many speakers have already outlined them:

... the change to a single-phase delivery was a poor decision. This led to a lack of clarity on project milestones, and unclear timing for when these milestones were to be delivered.

... the community testing of MyWay+ was undertaken so poorly that it was almost meaningless ...

... the ACT Government lost the trust of public transport users by promising basic features, like real-time tracking, that were not delivered at launch.

This is one of the most damning findings:

... MyWay+ was clearly not ready for launch on 27 November 2024 and that multiple stakeholders had pointed this out to the ACT Government and officials. The decision to launch anyway on that date was clearly flawed.

The significant failures in this scathing report, which have already been pointed out, are laid bare now, as it is published, for everyone to see. But we also need to be reminded of not only the system failures but the way that, repeatedly, the minister was warned, and what may be described by some as a deliberate attempt to palm off blame. As Mr Emerson pointed out, “No, it was a decision of NEC.” “No, it was a joint decision.” No, ultimately it rests with the ACT government.

Of course, this is not the first time that this minister has done this. Let us not forget that this is the minister who presided over the \$78 million HRIMS debacle—at that point also shirking responsibility. And let us not forget the millions of taxpayer dollars that have been wasted through contracts described at best as dubious in nature. He can shirk all the responsibility he wants by saying CIT has its own governing board, but he was still the minister. At that time, when the opposition revealed just how bad that situation was, not only did he shirk responsibility and say, “Hey, nothing to do with me,” in fact, it was worse. He took credit for the finding that ultimately came out to the public about corruption on the part of the CEO. This is the same minister who, this year, delivered the worst budget in ACT government history.

This report can only be described as a colossal failure of a minister. At some point, the Chief Minister must say, “Enough is enough.” Even today, in this debate, the minister used the right words: “Yes, I’m the responsible minister, and I take responsibility.” But those words—forgive me, Minister—are now becoming meaningless to thousands of Canberrans who hear it and then see nothing happen.

That is why Mr Braddock’s motion today is incredibly important, and that is why I will be supporting it.

MR COCKS (Murrumbidgee) (11.46): If the Chief Minister is not going to act when the government fails, the Assembly has to. Let us be clear: this is definitely a disaster. It is an absolute disaster at the hands of a minister who has a track record on this. This is a minister who has presided over disasters in the past, and we have seen it happen again. I can only assume that part of the reason that we have got to this point is that there were no repercussions previously for the minister in not managing to live up to the expectations of the Canberra community.

Canberrans deserve better. They should be able to expect better from this government, yet time after time, especially in the digital space, we have seen failure after failure. It is not acceptable. Canberrans deserve better.

I would like to touch for a moment on some of the things that have already been raised. It has been clear from this report, as Mr Braddock pointed out, that these problems were foreseeable, and that the government failed to learn not only the lessons from its own experiences in other digital projects, but also the lessons other jurisdictions had learned through their own projects.

A government must be able to respond to the things that are going on around the country and not persist with their heads in the sand around a solution that is clearly not going to work. The government knew that the solution was not going to work. I went back through some of the messages I was receiving before the go-live date. Weeks before, I was getting messages from people who had been involved in some of the testing and saying, “The MyWay+ app is an absolute disaster.”

We tried to warn the government. The people involved in the testing tried to warn the government. It seems that everyone was trying to warn the government and the minister, but they failed to listen. It is a trait that has persisted through so many of the debates we have had in this place. Every time there is criticism, instead of listening and responding, the government instead chooses to put its head in the sand, double down, and try and spin its way out of trouble.

To some extent, it feels like we are still seeing that today. It still feels like, in the minister’s response, there is a minimisation of the extent of issues that were experienced and still are being experienced, because the system is not fixed. It is absolutely not fixed. Parents are still contending with a flawed system as they try and get their kids either signed up or, if they bought enough credit to start with, they are now starting to try and battle their way through a system where they have to sign up and adjust things to reload credit onto those cards. The system is not fixed. It remains a disaster.

Canberrans need to be able to expect good services from the government. They thought they were going to get it; instead, we have a rushed system that the government should have known was about to fall over. It is not like this was a short-term, rapid project. This is a project that we were hearing about in, I think, 2016. Mr Speaker, in 2022, you were raising concerns about the progress of the new ticketing system for public transport.

The problems were foreseeable. They were raised with the government; they were raised with the minister. Then, on go-live day, we had chaos. One of the messages I got on go-live day was, “Gosh, what a mess today. If only someone had seen this coming.” If only they had, Mr Speaker.

As it turns out, many people did. The minister did not, and the Assembly will hold the minister to account.

MR BRADDOCK (Yerrabi) (11.51), in reply: I want to close by reading into *Hansard* the final conclusions of the committee’s report, specifically points 5.33 to 5.38:

This report outlines a series of major problems within the project occurring concurrently in October and November 2024. Compounding delays in hardware installation, an inability to complete project documentation, an inability to coordinate community testing, an inability to collate and action the feedback from the community testing, a lack of a shared understanding between NEC and Transport Canberra of what constitutes a minimum viable product one month before launch, taken together surely would have led to a conclusion that a further delay to the public launch was necessary.

The evidence also indicates that the Minister and project team were aware of the problems. The hardware installation delays were communicated internally and to

the Minister. Projects Assured raised major issues around the implementation and documentation of the project milestones necessary for the intended functionality at launch. Community testers provided feedback that was clearly at odds with the internal testing undertaken. Community groups provided unsolicited feedback to both Transport Canberra and the Minister's office.

That all these factors were not put together by any individual or group within the project and only came to light once the system went live, is unclear. In the Committee's view, this leads to the conclusion that oversight of the MyWay+ project as a whole was lacking. The various forums that constituted the project's governing structure were unable to put all of the pieces together and form a view that further delays in the public launch were the best way forward. It appears that no individual or group had a sufficiently broad view of the project's implementation to be able to effectively see the many issues that emerged in October and November 2024 and advise the Minister for Transport that further delays were necessary. There was a serious failure of management for this project and that is why it delivered such poor outcomes for Canberrans.

The Committee also notes that, in the two ministerial briefings on the public launch from 8 and 25 November 2024, the apparent key considerations put forward for determining the launch date have heavy political undertones.

Specifically, in asking the Minister to consider two potential launch dates in the 8 November briefing, the key issue that was put forward was the public announcement of fare free Fridays, its proximity to the first sittings of the 11th Assembly and the possible prioritisation of other public announcements. For the 25 November briefing, the reputational cost of not adhering to previous announcements is listed as the critical reason on the front page of the brief.

The Committee questions these considerations from which to make a key decision about whether to launch. The Committee does not know the cause, but notes that they do not indicate a culture of providing frank and fearless advice or delivering competent management to deliver an essential service.

It is these failings that have led to this censure motion today. These conclusions are at the heart of why ministerial oversight and accountability matter. The buck stops with the minister, and the parliament accordingly must hold them to account.

Question resolved in the affirmative.

Magistrates Court (Indicative Sentencing) Amendment Bill 2025

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

Title read by Clerk.

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) (11.56): I move:

That this bill be agreed to in principle.

I am pleased to introduce this bill today. As members may recall, as part of my update to the Assembly in May on criminal justice reform areas, I announced the ACT government's intention to introduce an indicative sentencing scheme for the ACT Magistrates Court. Less than six months later, thanks to the huge efforts of stakeholders, the directorate, the Magistrates Court and the Parliamentary Counsel's Office, to name a few, I am pleased to be able to introduce this bill today.

This is a scheme designed with the express intention of having a positive impact on the experiences of both victims and defendants interacting with the criminal justice system. Experience shows us that a defendant may initially be reluctant to admit responsibility for their conduct out of fear of the consequences, particularly if they are concerned that the sentence will be one of imprisonment. That reluctance can lead to delays in finalising a case, especially if it proceeds to trial.

Indicative sentencing is a process which enables a judicial officer to inform a defendant at the defendant's request of the sentence that would likely be imposed if they were to plead guilty. A defendant would be able to request a sentence indication in relation to many of the offences that can be heard in the Magistrates Court, excluding family violence offences, sexual offences and dangerous driving occasioning death.

The objective of requesting the sentence indication, and the court providing it, is to reduce uncertainty for a defendant by providing transparency in relation to the sentence and assist them to make a decision more quickly regarding their plea. Effectively, the court is providing more information to the defendant before they plead about what would happen if the guilty plea is entered into. Providing this information to the defendant means they have the best information available to them to inform their plea decision.

Where the court indicates they would impose a sentence other than full-time imprisonment, a defendant who is guilty of the offence may be more likely to accept the sentence indication and to enter a guilty plea. This will allow the defendant the opportunity to take steps to change course and, ideally, avoid further interactions with the criminal justice system. Alternatively, where the court indicates a sentence of full-time imprisonment, the defendant has more notice, providing them the opportunity to make necessary arrangements before commencing a custodial sentence.

Reflecting the particular vulnerability of both defendants and victims in these matters, safeguards have been included in the scheme to mitigate risks to vulnerable or unrepresented defendants and to ensure that the decision is an informed one. Requesting a sentence indication in our bill is only available to adults.

To ensure the scheme is available in as many matters as possible, a defendant will be able to request a sentence indication up to and including the first day of a scheduled hearing. The bill sets out the minimum information that the court must receive in order to give a sentence indication. To ensure the defendant is fully informed, the court must explain the process and recommend that an unrepresented defendant obtain legal advice before deciding whether to accept an indicated sentence.

The bill specifically provides that requesting a sentence indication is not an admission

of guilt. It is open to the defendant to reject the indicated sentence and to proceed to a hearing. If this occurs, the magistrate that hears and decides the charge is not bound by the sentence indication given by the magistrate who gave the indication.

Where the defendant has sought the sentence indication that the court would impose if the defendant pled guilty and the court decides to give an indication, the court must not impose a sentence more severe than the indicated sentence if the defendant then accepts the indicated sentence and does plead guilty. In addition, the court will not be able to impose an indicated sentence unless the defendant has obtained, or has had a reasonable opportunity to obtain, independent legal advice about the indicated sentence. The bill protects information provided by the defendant and the victim from being used in other proceedings and from publication.

The benefits of indicative sentencing are not limited solely to defendants. In allowing for the earlier finalisation of matters, there is an opportunity for victims to reach closure sooner than may have otherwise occurred. Where a defendant accepts an indicative sentence, victims will not be required to provide what can often be emotional evidence in court, nor be subject to cross-examination. Giving evidence, of course, can re-traumatise a victim by requiring them to recount what may have been one of the worst experiences of their lives. This is particularly the case for offences involving a personal or a violent element.

However, victims' voices can still be heard. Where a defendant has applied for an indicative sentence, victims will still be able to share their experiences through less confronting means by providing a written victim impact statement outlining the harm they experienced as a result of the offending. This will ensure magistrates consider the impact on the victim when determining the appropriate indicative sentence.

These benefits and the positive effects for both victims and defendants, together with the safeguards to remove any risk of them being exploited through it, demonstrate the value of providing for indicative sentencing in our criminal justice system, promoting timely, transparent and informed decision-making.

In addition, by providing a general understanding of potential sentences, indicative sentencing can help to reduce the backlog of cases in the court system. Indicative sentencing has been shown to be an effective case management tool that reduces delay in finalising matters and ultimately increases the throughput of the court. Shortening the overall time to finalise proceedings may also have flow-on benefits and reduce the overall number of people on bail and people who are remanded in custody, streamlining proceedings and creating efficiencies for the courts, the Director of Public Prosecutions, ACT Policing, defence counsel, including Legal Aid, and corrections—all agencies who are under pressure, and this bill is designed to support them, too.

This is a significant bill. As such, the bill requires that a review into the operation of the amendments made by it be conducted within three years of the reforms commencing. This will provide a valuable opportunity to assess the impact of the scheme on defendants and victims, and to determine whether the scheme is proving efficient and effective.

I am very grateful to the stakeholders for the valuable input to the development of this

scheme and the drafting of this bill. Members may not know—and may be pleased to know, particularly Mr Hanson—that, in fact, the first stakeholder with whom I met when I became the Attorney-General was the DPP, and it was in that very first meeting that the DPP suggested that indicative sentencing was something that would make a meaningful difference.

Indicative sentencing was not on my dance card. It was not an election commitment, but I took her advice seriously and, with the support of stakeholders, in less than a year we have been able to get to this place. I thank all stakeholders for their willingness to engage, particularly the Chief Magistrate, and I certainly welcome further scrutiny of this bill. I also thank the Parliamentary Counsel and the directorate for gently, but candidly and fearlessly, explaining to me that the drafting of this bill needed more than six weeks.

Ultimately, the introduction of this bill today is an action that demonstrates the government's ongoing commitment to improvements to the criminal justice system, specifically in relation to, and in recognition of, the experiences of defendants, victims and witnesses. It demonstrates our commitment to pursuing practical and meaningful initiatives that support the operation of the justice system and ultimately enhances access to justice. I commend the bill to the Assembly.

Debate (on motion by **Mr Hanson**) adjourned to the next sitting.

Sitting suspended from 12.05 to 2.00 pm.

Ministerial Arrangements

MR BARR (Kurrajong—Chief Minister, Minister for Economic Development and Minister for Tourism and Trade) (2.00): Minister Paterson is away from question time today due to personal reasons. Minister Berry will take questions in the Women and Prevention of Domestic, Family and Sexual Violence portfolios; Minister Cheyne will assist in the Police, Fire and Emergency Services portfolio; and Minister Orr will assist in the Corrections and Gaming Reform portfolios.

Questions without notice

Economy—cost of living

MS CASTLEY: My question is to the Chief Minister. CPI data published yesterday by the ABS showed that prices rose by 2.8 per cent in Canberra over the past 12 months—almost double the rate from the previous quarter. Is it still the government's position that the cost-of-living crisis is over?

MR BARR: Certainly the quarterly figures from yesterday were higher than the market was expecting. I do note that inflation in the ACT is lower than the Australian average. Indeed, even in that quarter, I think the increase in Canberra was lower than many other cities. Cost of living remains a challenge across the nation, but it is somewhat less—a fraction less—in the ACT than it is elsewhere, as measured by the Australian Bureau of Statistics inflation data.

MS CASTLEY: Chief Minister, is the 15 per cent rise in electricity costs making it

harder for local families to balance their family budgets?

MR BARR: It certainly is the case that electricity bills are one of the larger areas of expenditure for any household or business. So it is important that we continue to see the rollout of cheaper energy generators. There is no doubt that, of all of the new forms of energy generation, renewables are the cheapest.

What we also need to see is more battery storage, and we are pleased with the progress of the Big Canberra Battery project. I do note that, yesterday morning, the Deputy Chief Minister and Minister Orr were able to unveil another element of the Big Canberra Battery program at Stromlo High School in Weston Creek. This is a further practical example of community and public institution level large batteries together with the grid-level batteries that we are seeing deployed here in the ACT.

MR HANSON: Chief Minister, does the government intend to do anything further about the cost-of-living pressures still felt by local families?

MR BARR: Obviously, I would not use question time to announce future government policy, but we do continue to be focused on areas of cost-of-living pressure. We have a number of existing initiatives and we have a broader policy agenda, particularly around—as I mentioned in answer to the earlier question—supporting more renewable energy generation, because that is the cheapest form of new energy generation. But we also acknowledge the need, as part of a broader energy market response, to see more battery storage.

I would add that the commonwealth government has a particularly useful program at a household level that has significantly reduced the cost of household batteries. From the last figures I saw, more than 100,000 Australian households have already taken up that scheme since it commenced on 1 July, and ACT households are, as you would anticipate, enthusiastic adopters of this offer.

Taxation—rates and levies

MS CASTLEY: My question is to the Treasurer and is also about CPI data. The ABS reports that the cost of local rates and charges was up 7.6 per cent over the last year, similar to the average for the period since the government embarked on tax reform. How much longer will the government keep hiking rates and charges for local families?

MR STEEL: I thank the member for her question and note that in every budget we will consider increasing indexation to a range of ACT government rates and charges. That will also be considered in the context of the 2026-27 budget process as well. Of course, as we do that we are trying to balance both the cost of delivering critical services to the community, being able to fund those costs and also not wanting to put additional burden on to households and businesses who are paying those rates and charges beyond what is necessary to support the services that Canberrans rely on. I do note though that throughout the year, when including the September quarter CPI figures, that Canberra is on the lower end of the scale in terms of the increase to CPI which is at 2.8 per cent, when cities like Brisbane went up throughout the year 4.7 per cent, 4.5 per cent in Perth and 4.3 per cent in Hobart. So we are at the lower end of the scale in terms of the increase to inflation that we have seen across the country and indeed, we are below the

Australian increase of 3.2 per cent overall.

MS CASTLEY: Treasurer, did you consider the fairness of hiking taxes this much, for this long, when you decided to introduce or increase 25 taxes in this year's budget?

MR STEEL: I thank the member for her question. She might recall that at the time of the budget I was very clear that for a number of years the ACT government had been taking pressure off households and businesses by not increasing rates, in some cases freezing some of our fees and charges for around five years during the pandemic and the inflationary period that followed, in order not to put additional burden on business. But we did need to make some decisions in this budget as monetary policy was easing and there was further room in people's budgets to be able to make sure that the territory could continue to fund the services that they rely on, including things like free public health care that also assists them to access services without any additional cost. It is something that our government prioritises to make sure we can support people with the health care that they need, when they need it.

MR COCKS: Treasurer, why in your response to Ms Castley's question did you suggest the increases to rates were indexation when they are running at double the rate of CPI?

MR STEEL: I thank the member for his question and point him towards the budget papers where there was an average increase of 3.75 per cent but there were additional measures that were undertaken as well by the government. That 3.7 per cent average rate increase was consistent with the commitments that we made to the community at the election. A range of other decisions were also made and that broadly reflected the need to continue to make investments in our health care system, which Canberrans expect to be delivered.

Housing ACT—waiting list

MS CLAY: My question is to the Minister for Homes and New Suburbs. Minister, in November 2024 there were 2,975 households on the public waiting list. On 31 March 2025, there were 3,189 applications for public housing and on 30 June 2025 there were 3,402 applications. The public housing waiting list has been increasing this term. How many households are on the public housing waiting list now?

MS BERRY: Thank you. Right now, 3,486 are on the public housing waiting list. Of those, 100 are on the priority housing needs waiting list. However, Housing ACT has been working hard to get more people on the priority housing needs list into homes quicker, and over the last two years they have been able to halve the rate of time that a priority housing needs applicant waits. In 2023, it was around 8½ months. Now, it is around 4½ months waiting time. That is a significant development that Housing ACT has worked on to get people who have a priority housing need into homes quicker. That is due to the growth that has been happening now in our public housing Growing and Renewing program. There is still a way to go before we complete the Growing and Renewing program and begin the 1,000 new homes by 2030. However, what we are starting to see is that growth is meeting the needs of priority housing. It does not meet the needs of all our housing applicants, but it is certainly making a difference.

Obviously the number of housing applicants has increased and has increased quite a bit in the ACT; we are not immune from the crisis that is impacting the rest of Australia. However, we have a range of policies in place to build more homes across a range of different areas, including public housing, to meet the needs of people in our community who might not be able to get into a home of their own.

MS CLAY: Minister, how are you monitoring Canberra's total housing needs across the community housing and the public housing waiting lists?

MS BERRY: Thank you. Understanding the waiting lists is particularly important. Community housing providers manage their own waiting lists. However, we have had conversations between Housing ACT and Community Housing Canberra to understand how we could better work together with regards to the needs across our waiting lists.

Community housing providers growth—or existence—in the ACT is relatively new. Community Housing Canberra started here in the last 10 years or so. When they started in the ACT they had 420 homes. Community housing providers in total now have 1,968 homes, and 821 of those are public housing properties managed by community housing providers.

So we are certainly building in the public housing space, and there are opportunities for community housing providers to build more homes for people who need them in the ACT, across the board. We need to continue to work on these partnerships that are having the best outcomes for housing growth in the ACT, particularly with a federal government that has provided a number of funding initiatives, alongside the ACT government's funding initiatives for growth in public housing and community housing.

We are really starting to see the impact of that. However, we are battling against the tide, with ever-increasing growth in the number of people in our community who need to get into a home and cannot afford to do that on their own.

MR RATTENBURY: Minister, since the Growing and Renewing program commenced, how many public housing dwellings have been built or purchased?

MS BERRY: Thank you. Since July 2019 to 30 September 2025, the Growing and Renewing program has completed construction of 815 dwellings, purchased 209 dwellings, purchased 120 land sites, demolished 303 dwellings for redevelopment and sold 663 end-of-use public housing properties. As of 30 September 2025, a further 193 homes are currently under construction, and 19 homes are in the design and planning stage. Again, as of September, the public housing portfolio stock number was 11,885, above the baseline of 11,704, with a target of at least 13,200 by 2030.

Lyneham High School—Seek program

MR EMERSON: My question is to the minister for education.

Lyneham currently offers the Seek program, which provides a pathway for neurodivergent students who find mainstream classrooms challenging but whose strong academic abilities mean they are poorly served by the limited offerings available through learning support units. Mark Krumholz recently contacted my office because

he was advised the program will be discontinued after this year. His son has flourished in the program after struggling in mainstream classes and being insufficiently challenged in learning support units. The intellectual and social sanctuary that the Seek classroom offered his son has been critical to enabling his growth. If Seek closes, his son and the kids like him who depend on it will receive poorer education unless their families can afford, and choose, to enrol them in private schools. Mr Krumholz and his wife believe strongly in public education and they want their son to continue his education with his friends at Lyneham High. Minister, will you intervene to ensure the Seek program continues at Lyneham High.

MS BERRY: Mr Emerson will know that I will not comment on individual manners in a public way in the Assembly. However, I would note I am aware of the Seek Program and of the decision of the school to discontinue that program. All our schools are available and accessible for all students, regardless of their needs. I encourage families who do need additional supports to talk with their school, with their school leadership team and/or with the Education Directorate to make sure that their child is getting everything that they need. All our schools have resources to provide that additional support. I would encourage families who want to have that additional support for their children at our schools to seek that out.

MR EMERSON: Minister, do you agree with Mr Krumholz that his son and other neurodivergent children should be a priority and that this should be demonstrated through the continuation of the Seek Program, not just because it is the ACT government's duty to provide education, but because the ACT education system should be embracing and nurturing their differences?

Ms Cheyne: Go on, Mr Speaker.

Mr Pettersson: Don't make me do it for you.

A member: That was a bit of a preamble.

Mr Pettersson: It's a nice question; it's just against the standing orders.

MS BERRY: Yes, it is a nice question that does ask me for an opinion on a—

Mr Hanson: Well, then it's out of order.

Ms Cheyne: And so it's out of order.

Ms Castley: It's out of order.

MR SPEAKER: Are you making a point of order?

Ms Cheyne: Yes.

MS BERRY: I haven't finished yet! I have had four of you recommend that I do so, so yes, I will make a point of order. The question asked for an opinion—even though it is a nice question—and I ask your ruling, Mr Speaker, on whether it is in order.

MR SPEAKER: I would probably rule that it is out of order, but given you have suggested that it is a nice question, if you want to answer it, you can.

Mr Hanson: Mr Speaker, you can't decide that if it's a nice question then it's in order and if it's a nasty question then it is out of order. Then I'll never get a question answered!

MR SPEAKER: Let me just draw a line through it and say that it is out of order.

MISS NUTTALL: Minister, what specific programs are available to neurodivergent children who are academically gifted here in ACT public schools?

MS BERRY: Well, there are a range of programs, and our schools do provide a range of different supports for students with different abilities across all of our public schools. That is the purpose of the public school system—that every child, regardless of their ability, has a place at their local school. Members may recall that I have talked at length about the pilot program of inclusion staff in our Tuggeranong network schools, and about the impact that that is having on students and the whole school community—ensuring that that school is inclusive of every student regardless of their needs. It is not just the individual student—the family and the whole school get supported with professional support from psychologists and inclusion experts.

We are planning to roll that out in Belconnen and across our whole network, but it is making a difference; I have seen it for myself. The impactful changes that I am seeing at those schools that are working through that culture shift amongst their school community are having a huge positive impact on individual students. Again, I would suggest that families work with their schools to get the best possible supports that they can. Outside of school, there might be a range of other different supports that are available to them that they can work with the school on making sure that they are working together.

Miss Nuttall: A quick point of order, if that's okay. I seek your guidance, under 118AA, as to whether the minister has answered the question specifically of what programs are available to neurodivergent students who are academically gifted.

MR SPEAKER: I note your raising of that point of order, and we will assess that before the end of the sitting day.

Mr Emerson: I was going to raise this at the end, but I have the same question regarding the first question, which was whether the minister would intervene in relation to the continuation of the specific program.

Ms Berry: I said no.

MR SPEAKER: Again, we will take that on board. I would note that the minister commenced her answer by stating—as she often does, rightly—that she will not comment on individual matters in her portfolios. But I am not making a ruling on it at this stage. We will have a look at it and come back at you before the end of the sitting day.

Mr Rattenbury: On that point, Mr Speaker, I understand your observation, but Mr Emerson's question did not ask the minister to comment on an individual circumstance. He asked her whether she would intervene to protect the program, not the individual student.

MR SPEAKER: I understand, and we will examine in due course.

Alexander Maconochie Centre—staff conduct

MS CARRICK: My question is to the Chief Minister, and it is about leadership. Chief Minister, the Supreme Court of the Australian Capital Territory found that Ms Julianne Williams was entitled to declaratory relief for the use of force and the strip search to which she was subjected on 11 January 2021 at the Alexander Maconochie Centre. These actions were found to be incompatible with her rights under the Human Rights Act 2004. Her Honour Justice McWilliam observed that “if there is anything to take away from the conduct that occurred, it is that those who are applying the policies and their requirements daily need all the support they can get from those who lead them”. Chief Minister, have you publicly apologised to Ms Julianne Williams for the conduct at AMC that was incompatible with the Human Rights Act? If not, when will you do so?

MR BARR: I thank Ms Carrick for the question. I believe the government has issued a statement and responded to that matter. I think it may also have been the subject of some discussion in this place.

MS CARRICK: Chief Minister, what steps have been taken by your government to ensure that the treatment endured by Ms Williams will never be repeated?

MR BARR: As this is a matter that sits with another minister, I will take the detail on notice.

MR EMERSON: Chief Minister, are you providing the progressive leadership and supports needed for employees to implement government policies at AMC in accordance with the Human Rights Act?

MR BARR: Yes.

Roads—Athllon Drive duplication

MR COCKS: My question is to the Minister for City and Government Services. Minister, Athllon Drive is an important arterial road connecting Tuggeranong and Woden. It has taken Labor well over a decade to get around to duplicating this road, as advocated by the Canberra Liberals since at least 2012, and it is nearly a decade since the government claimed it would take light rail to Tuggeranong via Athllon Drive, but the development application indicates the duplication will be unable to accommodate a tram. Minister, did you, your directorate or your contractors seek input from Transport Canberra on the design of Athllon Drive?

MS CHEYNE: Mr Speaker, may I seek clarification? Does he mean on the design of the duplication of Athllon Drive?

MR COCKS: Yes.

MS CHEYNE: My understanding is yes. I think I expanded on this in my additional comments yesterday—that there has been some added complexity as we have moved through the design phase. We are starting to understand more from Transport Canberra and now iCBR about the design of the road network and being able to accommodate future public transport options. The short answer to Mr Cocks’s question is yes. Did it begin back in 2012 or 2016, when we were first discussing it? I would not know, but I believe that it has been part of recent design conversations, in terms of both the feasibility and getting us to the point where we are today.

MR COCKS: Minister, were any requests for engagement or advice refused by Transport Canberra or did they result in no response?

MS CHEYNE: I will find out. I will take it on notice.

MR HANSON: Minister, on how many occasions outside of formal cabinet meetings have you met with the transport minister to ensure that the projects are compatible?

MS CHEYNE: I note that, until recently, the minister, Mr Steel, was both ministers. I assume he was contending with the two issues in his head at one time. I certainly know that it has been a priority project for him to see it delivered. I do not believe that we have had any detailed discussions outside of the cabinet room, but there have definitely been plenty of discussions in that place that I am not talking about and that you just asked about or made reference to. I would say that it has not been without discussion. Equally, I would expect that it is at the officials’ level that the complexities of these issues are worked out rather than, necessarily, Minister Steel or me sitting down with a bit of sketch paper.

Schools—bullying

MR HANSON: My question is to the Minister for Education. I refer to the final report from the rapid response to bullying review from the federal government, published earlier this year. The review includes plans for Australian schools to act on bullying complaints within 48 hours and that measures such as suspensions or expulsions “can be appropriate in some circumstances”. Minister, how long does it currently take to respond to bullying complaints in ACT schools?

MS BERRY: We talked at length at the education ministers meeting about, depending on the circumstances and investigations that might be involved, whether 48 hours could be a clear line in the sand of when a bullying complaint could be responded to. I think the guide will be that in at least 48 hours there would be some kind of response to individuals about an investigation or something occurring. Again, it would depend on different circumstances—on the timeframes, whether a complaint was made, who was involved and, for example, whether there was an investigation outside of the school taking place, and which individuals were involved in a particular complaint.

So I cannot provide an absolute number, because it would depend on the circumstances. But certainly the advice is to, as soon as possible, at least get back to victim who has

made a bullying complaint. It may not have the whole answer or outcome of what actions are being taken, but at least the person who has made the complaint is being heard—and then further action being taken to address both the individual who has been impacted by the bullying and also the people who have perpetrated the bullying behaviour.

MR HANSON: Minister, what are the current guidelines for suspensions and expulsions in ACT schools?

MS BERRY: We do not expel students from ACT public schools. Suspensions are used for schools to work with individuals to come up with a safety plan to ensure the safe return of an individual who has been suspended from school for, say, bullying behaviour and then to have a re-entry interview with students to make sure that there is a safe environment, that teachers are prepared and that there are the appropriate occupational violence systems in place to make sure that everybody is safe. But, no, we do not expel students in public schools. We have a human right here in the ACT that education is a human right. So managing behaviour in schools is done through that suspension process, which is available on the website, but also through the work that the ACT public schools are doing in implementing positive behaviours for learning.

The federal government's initiative around bullying is a communications and awareness program of work as well as individual programs that can be used by schools to address bullying as it occurs. That is one response to bullying. It is not the silver bullet, but it will certainly have some impact. When I talk to school communities about bullying, it needs to be more than just a program dropped into a school; a culture shift is required across the board within our schools but also outside of the school gate as well, including in places like this where we can show leadership and an example of appropriate behaviour.

MR MILLIGAN: Minister, are the rules on responses, suspensions and expulsions applied equally across all schools and, if not, why not?

MS BERRY: The answer is that it will depend on the circumstances. A different approach would need to be applied in each different circumstance. It would also depend on the nature of the incident that has occurred. Across all of our schools there is a guide of principles and processes to follow. But each individual circumstance would most likely be unique, and so the response to each of those might need different approaches and responses.

Housing ACT—funding

MS BARRY: My question is to the Minister for Homes, Homelessness and New Suburbs. Minister, your own directorate raised concerns about the financial sustainability of Housing ACT in question time briefs for 2 to 4 September. What have you done since receiving those briefs to address the financial sustainability of Housing ACT?

MS BERRY: We are obviously meeting, my office and I and Housing ACT representatives and the Health and Community Services Directorate, to understand the challenges going forward, and then working with Housing ACT to ensure that our

tenants needs are being met and that Housing ACT staff needs are being met. We are still working through those processes and what would be appropriate. Obviously you cannot just disemploy people if they are employed to do a particular job, but we are working out different kinds of ways that the work could be implemented that still provides those important services to people in our community who need them.

MS BARRY: Minister, what are you doing to reduce the impact of your policies on the workloads of your staff imposed by your “two to attend” policy?

MS BERRY: We are working closely with Housing ACT to understand the needs of our tenants and I think I have answered questions in this place previously, or in questions on notice, where we have a two per household visit policy to ensure the safety of our staff and concentrating those efforts on housing tenants who are most in need of that additional support. That does not mean that Housing ACT cannot be contacted by other tenants who might have issues to raise. That has always been the case. It just means that the attention will be focused on those most in need.

MR COCKS: Minister, how do you ensure that your actions respond adequately to the concerns of your own officials?

MS BERRY: I might just get that question asked again. It did sound a little bit like asking for an opinion, but—

MR SPEAKER: Again, Mr Cocks?

MR COCKS: Thank you. I do not believe it is an opinion. Minister, how do you ensure that your actions respond adequately to the concerns and advice of your own officials?

MS BERRY: I have confidence in the information that I am provided about the work going ahead. I also have quarterly meetings with the public housing tenants group. In fact, I am having one tomorrow with a group of public housing tenants who are very upfront with any issues that they are experiencing or that any of their peers or colleagues are experiencing within Housing ACT properties. So, in addition to being provided advice by a highly professional workforce within Housing ACT, I also get advice from public housing tenants themselves, to understand what is happening, what is working and where we could do better.

Transport—Canberra-Sydney rail

MR WERNER-GIBBINGS: My question is to the Chief Minister. Chief Minister, can you update the Assembly on the ACT government’s work to improve the Canberra to Sydney rail connection?

MR BARR: I thank Mr Werner-Gibbings for the question. Improved rail connectivity between Canberra and Sydney is a key priority under the *ACT and NSW memorandum of understanding for regional collaboration*. Passenger rail services between Canberra and Sydney operate across three separate rail networks and on highly congested rail lines used by freight, regional, intercity and suburban train services.

ACT officials are involved in discussions with all relevant stakeholders, including

Transport for NSW, the Australian Rail Track Corporation and the commonwealth government to support strong collaboration—which will be essential to coordinating and delivering improvements to rail services. The ACT and NSW governments have established a steering committee to develop options to improve the Canberra-Sydney rail services, with a focus on the short and medium term. The steering committee is identifying specific initiatives to reduce travel times, to improve reliability, to increase frequency and to ensure the train service meets the needs of existing and future passengers. ACT government officials are leading the work, which will identify and provide practical recommendations to improve rail services. To be very clear, the work is focused on identifying incremental improvements to the existing rail service that are achievable within a shorter timeframe.

MR WERNER-GIBBINGS: Chief Minister, what benefits would a faster and more reliable rail service bring to local residents, visitors and the broader regional economy?

MR BARR: A faster and more reliable rail service will create, obviously, more reliable travel between two of Australia's most productive city economies. It will also make frequent travel between Canberra and Sydney on the train more practical.

For Canberra residents, it means greater connectivity, shorter travel times, more dependable services and better access to employment, education and opportunities along that rail corridor. For visitors, a modernised and efficient rail connection will strengthen Canberra's position as a tourism destination, which would, of course, support the tourism industry, our events industry and business travel, and would contribute to the continued growth of our visitor economy. For the broader regional economy, improved rail connectivity will diversify industries, strengthen supply chains and build a more resilient regional workforce.

Ultimately, this is about more than just faster travel; it is about creating a stronger and more integrated Canberra region.

MS TOUGH: Chief Minister, what are the key economic and environmental benefits of improving the Canberra-Sydney rail line?

MR BARR: I thank Ms Tough for the supplementary question. Improved rail infrastructure and transport connectivity will help revitalise underutilised areas and unlock land for housing and commercial development, while supporting a more compact and connected urban growth corridor.

For the ACT and region, a modernised rail connection will deliver real and measurable benefits. It will strengthen the regional towns along the rail corridor. It will make it easier for people to live regionally and to work in the ACT, supporting population growth across that corridor whilst easing pressure on Canberra's housing market.

For Canberra's visitor economy, a faster and more comfortable rail option will attract more domestic tourists. It will support us in hosting more conferences and major events, all of which will generate local spending and create jobs in hospitality, accommodation and services.

Upgrading the rail line will deliver environmental and urban planning benefits. Rail

travel produces fewer emissions per passenger than petrol or diesel car travel or air travel, and a faster service would make it a more attractive and a more sustainable alternative. Over time, a faster and more efficient rail system powered by cleaner technology will be an important part of meeting our goal of net zero emissions by 2045.

Tuggeranong Lakeside Leisure Centre—facilities

MISS NUTTALL: My question is to the Minister for Sport and Recreation,

Minister, I have received feedback from constituents that the female toilets in the Tuggeranong Lakeside Leisure Centre are very sub-par in their conditions. Is it the government's intent to improve the condition of these toilets? If so, when?

MS BERRY: Thank you for that feedback. I have not received that feedback previously. I understand there were some upgrades at the Tuggeranong leisure centre. I cannot recall which year, but I know that there had been some upgrades at the centre. I can take that advice on notice and ask my directorate to investigate the quality of the toilets. Then a future decision could be made to provide those upgrades.

MISS NUTTALL: Minister, will the takeover of the Lakeside Leisure Centre by Belgravia affect pool and gym membership options like it has at the Active Leisure Centre in Erindale? What options would members have to essentially retain their legacy membership options?

MS BERRY: I do not believe there will be too many significant changes. It is a slightly different circumstance, with Belgravia managing—not taking over, but managing—Tuggeranong leisure centre on behalf of the ACT government as a public owned property. In the case of the Active Leisure Centre at Erindale that was a that was a service that was previously managed by the P&C of the college, through a long historic arrangement. The ACT government has then now provided the contract for Belgravia to manage that service, and they will obviously be making changes at that service to ensure that it does provide an efficient and appropriate service to the ACT community but also particularly the school students and staff at Erindale College.

As I said, I am not aware of any changes. If Miss Nuttall is aware of any that she wants to bring to my attention, then I would encourage her to email those to my office, and then I can seek advice on them.

MS CLAY: Minister, how closely are you referring to the government's existing *Aquatic Facilities Planning Framework 2013-2033* when you make contract and maintenance decisions for these local aquatic facilities?

MS BERRY: Well, as Mr Clay may or may not be aware, the ACT government will be working on a new aquatic strategy for the ACT and will begin that work to, I guess, upgrade and replace the existing strategy, which is from some years ago now. I would say that a lot of things have changed since 2013, when that strategy was first implemented,. So a new strategy will be developed, and we will work with our aquatic user groups to ensure that we are meeting the needs of our city now and into the future.

Lyneham High School—gymnasium upgrade

MR HANSON: My question is to the Minister for Education and Early Childhood. Minister, I refer to your promise of a new gym for Lyneham High, which has since been changed to “only an upgrade”, and called a “broken promise” by school parents. A former principal has stated:

We all have every right to feel betrayed, disillusioned and duped by the proposed “refurbishment” of a floor ...

... “at best” showed a lack of understanding of the unsuitability of the existing gym.

At worst, these words are a clear indication of disrespect for the school community and an insult to suggest that the “lipstick on a pig” approach would provide anything other than ongoing unsafe and unsuitable sporting facilities ...

Minister, why are you proposing a floor that has been deemed unsafe and unsuitable?

MS BERRY: First, I need to correct the record again, Mr Hanson. I did not promise a new gymnasium at Lyneham. That is a message that has been circulated through the community by various people, and it is not true. I did not make that promise. I understand that the school does have an aspiration for a new school gym. However, the decision that was made for an upgrade of the existing gym is the commitment that I and the Labor government made.

That does not mean that a future gymnasium could not be built at Lyneham. It is just not the thing that is being delivered as part of the ACT government’s current commitments. In any case, the current gymnasium does serve a purpose, and these upgrades will provide more opportunities for the school to be able to use that gymnasium in a range of different ways.

As I said, I need to correct the record. Regardless of what people think—I have said this publicly numerous times—that was not a broken promise by me because I did not make it. That does not mean that I have not heard that the school community wants a new gymnasium. I just need to make sure that the message is clear that that was not a commitment that the government made. The commitment was made for an upgrade to the current school gym.

MR HANSON: Minister, is the existing gym safe and is it suitable?

MS BERRY: It depends on the purposes for which you would want to use the gymnasium. Yes, it does need an upgrade, which is why the government has made that commitment. But it is not suitable for other sporting activity because that is not the use of that particular infrastructure. As I said, we will be upgrading that to make sure that it is fit for purpose for different kinds of uses.

We can continue to work with the Lyneham school community on their aspirations for their school, as we do with every other school across the city, within reasonable expectations that we need to manage. The bucket of money is not limitless, so we need to manage that, within the budget constraints that the Education Directorate has. With any project that we conduct across the ACT, there is a budget, and we need to make

sure that we manage it appropriately.

MS CASTLEY: Minister, what do you say to the parents and teachers who feel betrayed, disillusioned and duped?

MS BERRY: I understand that they may be feelings that people have. That has been, I think, exacerbated by incorrectly advising people that I have made a promise when I had not. That is desperately unfair. It does not matter how many times I say it; I do not seem to be able to correct the record. But I will say it again: it was not a promise that was made by me. The commitment that was made was for an upgrade of the existing gymnasium.

Again, I have offered publicly—in fact, I will write to the school and offer to go down there and speak with the school community personally about their aspirations for their school environment. Perhaps I can clear up some of this myth and legend, and we can work towards the future of another fantastic public school in the ACT. Lyneham has a great reputation. It is a fantastic school, and I want to see it continue to be that way.

Planning—Thoroughbred Park

MS CLAY: My question is to the Minister for Planning and Sustainable Development. The Territory Planning Authority has released major plan amendment 08 for the Thoroughbred Park Precinct. The Territory Planning Authority has refused to accept an application from the Canberra Racing Club for a major plan amendment for Thoroughbred Park but has formalised the documents provided by the Canberra Racing Club as background papers for major plan amendment 08. What does “formalised” mean? And what sections of the Planning Act govern that?

MR STEEL: I am sure that the member is not asking for a statement of legal opinion, but I will take it on notice and see what I can provide in terms of getting advice from the Territory Planning Authority about their powers under the Planning Act. But they do have the power to refuse a proponent-initiated major planning amendment, and that is what they have done. In lieu of that, they have decided to undertake their own major plan amendment which would incorporate the Thoroughbred Park Canberra Racing Club site, but also the adjacent sites to make sure that there is an integrated approach to the planning of the entire precinct. I think that is good, but, of course, the community can have their say on the amendment at the moment and make their comments accordingly.

I appreciate that the Greens have the position that they oppose the Canberra Racing Club and will presumably oppose any continuation of recreation in that area. The government and the Territory Planning Authority are not proposing to rezone the Canberra Racing Club in a way that would prohibit racing, and I appreciate that you have a different view on that, but there is a community consultation process at the moment and the community can, of course, have their say on what is being proposed. I think the Territory Planning Authority is right to consider the previous work done by the Canberra Racing Club, in terms of their planning work. This is a fairly high-level change to the Territory Plan, but, in the future, if this were supported following any community feedback, and that being considered and the planning committee making any recommendations, we would expect that a subdivision design application would

come forward from the club for their site, which would have a far higher level of detailed design for the community to have their feedback on as well.

MS CLAY: Minister, did the Territory Planning Authority carry out any due diligence on the studies that it has formalised?

MR STEEL: I expect so. I am happy to take that question on notice and come back with some further detail about the due diligence they have undertaken.

MR BRADDOCK: Minister, noting that one of the formalised documents is a response by the Racing Club to comments from agencies, does the Territory Planning Authority endorse the responses provided by the Racing Club?

MR STEEL: I cannot speak for the Territory Planning Authority without their advice, so I will seek their advice and come back to the Assembly.

Government motor fleet—electric vehicles

MR RATTENBURY: My question is to the Minister for Climate Change, Environment, Energy and Water. Minister, can you provide the Assembly with an update on the progress of the ACT government transitioning its vehicle fleet to zero-emission vehicles?

MS ORR: I will take that question on notice and seek the most up-to-date information from the directorate.

MR RATTENBURY: Minister, what is the current government policy on the use of petrol, hybrid and electric vehicles in the ACT government fleet?

MS ORR: Again, I will take that question on notice and come back with the detail.

MISS NUTTALL: Minister, when do you expect the transition to a zero-emission vehicle fleet to be complete?

MS ORR: Again, I will take that on notice with the other questions and get the most up-to-date information to respond.

Vocational education and training—remedial massage

MR MILLIGAN: My question is to the Minister for Skills, Training and Industrial Relations. Minister, many people in the remedial massage sector were disappointed with CIT's decision to not continue offering the Diploma of Remedial Massage. This is a course which appears on the government's critical skills list and provides enormous benefits to Canberrans. Minister why was the Diploma of Remedial Massage cut from the CIT's course offerings?

MR PETTERSSON: I would like to thank Mr Milligan for the question as Mr Milligan is highlighting the high regard that CIT is held within our city. As Mr Milligan would know, the Diploma of Remedial Massage is offered by more than just one provider in this city. It is not just CIT that offers this diploma. At the centre of these community

concerns, I think, is a really important point to highlight, that here in this city, our community values the public provider of vocational education, Canberra Institute of Technology. The Diploma of Remedial Massage is held in the highest regard in the industry, and I acknowledge the representations from industry that would like to see this course continue at CIT. As members would be aware—

Mr Hanson: Point of order.

MR SPEAKER: Yes, Mr Hanson? If we could stop the clock.

Mr Hanson: The minister has had a little while. The question is why was it cut and he has not come to that point yet.

MR SPEAKER: The minister has a minute to get to the answer and I am sure he will. Minister.

MR PETTERSSON: Thank you Mr Hanson and thank you Mr Speaker. I am, of course, getting to that very particular point, but I think members would appreciate the context to my answer. I have engaged constructively with local industry and CIT on this matter. As members would be aware, the decision of individual course offering is not a decision for me. It is the decision of the CIT Executive and the independent governing board. The powers and the decisions that I am able to make are in relation to the fields of study that CIT must provide for. I understand that consultation is continuing and I am hopeful that there will be—

Mr Hanson: On the point of order. You have explained who makes the decision. Why was it cut?

MR SPEAKER: You have made your point of order. Mr Pettersson, you have 20 seconds remaining.

MR PETTERSSON: Mr Speaker, inherent in the question is an incorrect assumption. The course has not been cut. There is a distinction that should be made. There were not students enrolled in the course. The course was not necessarily cut.

MR MILLIGAN: Minister, what community consultation took place before the decision of the CIT to cut the remedial massage course? It is not on offer at the moment is it?

MR PETTERSSON: I do reject the premise. I do not believe the course has been cut. There is a difference between a course being cut and students having not been enrolled in that course. There is a difference, and I appreciate that members would like to debate that point, but there is a difference. Mr Speaker, there is ongoing consultation between CIT and local industry. I have been briefed on how those consultations are going. I am optimistic that there will be a positive resolution, noting that the Diploma of Remedial Massage is offered by other providers in the ACT. This is really a question of local industry showcasing how great the qualification from CIT is, such that they are determined to see the public provider continue to provide it because they do not want to rely upon other providers. This is an endorsement of the value that CIT has to our community and I am confident that continued consultation will deliver a good outcome

in the course offering of massage that CIT will continue to provide. They have made no decision and will not make a decision to cease the field of study of massage at CIT.

MR HANSON: Minister, will students and businesses be impacted by any further cuts in critical course offerings at CIT, or in perhaps your words “courses where no one is enrolled”?

MR PETTERSSON: CIT continuously monitors its course offering to ensure that it is fit for purpose. I am proud to see that CIT has a laser focus on future-focused industries important for the future of the ACT with its new priorities through the centres of excellence in cyber and electric vehicles. I am confident that the course offerings that CIT will take into the future are fit for purpose and I will work constructively with CIT and the wider Canberra community to make sure that course offerings are fit for purpose.

Suburban infrastructure

MS TOUGH: My question is to the Minister for City and Government Services. Minister, can you outline some of the key suburban infrastructure projects delivered over the past 12 months and the difference they are already making in our communities?

MS CHEYNE: I thank Ms Tough for the question and for her advocacy for suburban improvement, particularly with—between yourself, Mr Speaker, and the members behind me—the number of young people we have had here recently in the chamber supporting local infrastructure upgrades.

Over the past year, the ACT government has continued to deliver the suburban infrastructure that keeps Canberra moving and that makes our city a better place to live. We have focused on the projects that make a practical difference to people’s daily lives: upgrading local roads; improving safety on our footpaths and intersections; and investing in new community spaces. There is the new Inner North Playground in Watson; the Yerrabi Pond District Park in Gungahlin; upgrades to dog parks in Lanyon and Franklin; and the new shared paths and pedestrian crossings connecting key schools and shops across Canberra. In delivering public amenity upgrades to shopping centres like those at Evatt, Calwell and Narrabundah, and completing the duplication of Gundaroo Drive, our government has shown that we do not just talk about delivering for our suburbs; we do it.

Our focus is on improving the day-to-day lives of Canberrans, ensuring that they can get around our city safely and that we have the facilities and amenities that the community deserves.

MS TOUGH: Minister, what new suburban infrastructure projects and upgrades can Canberrans expect to see delivered over the next 12 months?

MS CHEYNE: Over the next 12 months, Canberrans will see continued investment in the local infrastructure that underpins quality of life in every suburb. We have provided for this in the budget and in our future planning. We look forward to getting through a serious program of design and delivery.

In particular, we will be progressing the planning and delivery of the play space upgrade program and the footpath renewal, infill and missing links program across Canberra. Work will also continue on improvements to local road infrastructure and pedestrian safety, including additional pedestrian crossings and intersection improvements.

Canberrans will begin to see progress on upgrades to shops throughout the territory, with design work underway for major upgrades at the Erindale, Mawson and Charnwood shops. We will deliver lighting improvements in Kambah, Yerrabi Pond, Florey, Page and beyond, with construction expected to commence on those in early 2026.

These are practical, on-the-ground projects that make neighbourhoods more accessible, more sustainable and more enjoyable.

MR WERNER-GIBBINGS: Why is this continued investment in local infrastructure so important, and how does it support the government's broader vision for a more connected, sustainable and liveable Canberra?

MS CHEYNE: I thank Mr Werner-Gibbings for the question. Of course, this investment is not just about bricks and bitumen; it is about building the kind of city we want Canberra to be. We deliver because good local infrastructure is fundamental to how people experience their community every single day. As each and every one of us here is a local member, that is what our inboxes are largely full of.

It is about how children get safely to school, how families spend time together in public spaces, how local businesses thrive and how our city stays connected and inclusive as it grows. Our approach is about shaping a more liveable, sustainable and equitable Canberra, one where every suburb benefits from the services and amenities that make life easier and more enjoyable, with a government delivering for all of Canberra.

Mr Barr: Further questions can be placed on the notice paper.

Supplementary answers to questions without notice

Lakes and waterways—water quality

MS ORR: In regard to Ms Castley's question yesterday on lakes and the recreational water quality guidelines, I can add to the answers provided. The guidelines are primarily designed to manage public health in our recreational waters and, in this respect, are largely guided by public health guidelines from the National Health and Medical Research Council. Any updates to these national guidelines could trigger a review of our own guidelines. Additionally, any significant changes or developments in the public health risk of the lake could trigger a change to the guidelines.

The Health and Community Services Directorate undertakes weekly recreational water sampling and testing for microbial pathogens during the recreation season, which is late September to late April. The ACT recreational water guidelines provide a framework for decisions to close parts of the lake or all of the lake for primary and secondary contact activities.

In regard to Ms Castley's first supplementary question, asking why the guidelines for

the ACT to improve water quality have not been revised since 2014, the ACT Guidelines for Recreational Water Quality are a framework for managing the use of recreational water sites, again focusing on the public health risks. The guidelines provide microbial testing protocols and blue-green algae alert levels that are used to advise the public on the level of risk. Updating the guidelines will not, in and of themselves, improve water quality in the lake. The government addresses the quality of the lake through the Healthy Waterways Program.

The National Health and Medical Research Council has, however, included a review of its recreational water guidelines in its 2025-27 forward work plan and, subject to this, the ACT government will monitor the progress of this review and consider whether our own guidelines will need updating.

In regard to the supplementary question asked by Mr Milligan regarding engagement with the NCA in relation to water quality, I can confirm that the City and Environment Directorate meets quarterly with the NCA on water quality and operational matters related to lakes management. In addition to this, there are ad hoc meetings in the context of current work around the catchment and management initiatives.

Lyneham High School—Seek program

MS BERRY: Mr Speaker, I wanted to ask a question on your having to go away and make a ruling on whether I had answered the question or not.

MR SPEAKER: Yes.

MS BERRY: If I answer the question now, does that take that responsibility away from you, or do you still have to go away and make a decision?

MR SPEAKER: I would suggest that, under normal circumstances, that would not be an option, but I would also suggest there is some chance that I will be leaving early today—unwell—and, as a consequence of that, if you want to have a crack at answering it now, we might get it out of the way.

MS BERRY: I am sorry to hear that you are feeling unwell, Mr Speaker. With the question that Miss Nuttall asked me around gifted and talented students, I can provide an answer. This information can be Googled on the ACT Education website. I will go into a bit of the detail. Schools determine and provide flexible education programs to meet the needs of a diverse range of students, including gifted and talented students.

Guidance is provided to schools to identify potentially gifted and talented students using multiple sources of information, including subjective and objective measures. Schools are required to implement a combination of the following strategies as appropriate, including curriculum compacting, extension programs, additional tasks such as portfolios, projects, research questions and inquiry models, where students get to formulate their own questions about the world to investigate, enrichments, open-ended questions, activities, assignments, opportunities for critical and creative thinking, hypothesis testing, problem solving, online learning mentors, and specific expertise.

Mr Speaker, knowing that you are unwell, the list goes on. It is in the ACT

government's education policy. As I said it can be found in more detail on the website. I think that should satisfy the question.

MR SPEAKER: Thank you, Ms Berry. We still have another one to consider on the substantive question, but that could be easier to deal with. I look forward to the occupant of the chair giving some advice on that a bit later.

Transport—Belconnen transitway

MR STEEL: Earlier in the week, Mr Braddock asked about the status of the Belconnen transitway project. I am pleased to provide an update. The Belconnen to City Transitway Feasibility Study is on schedule to be completed in early 2026 and the Bruce precinct traffic model is currently being updated to capture the latest growth factors, including the north side hospital project, to provide a more realistic base case for validating the proposed options. The recommended upgrade options identified in the feasibility study will then be used to inform further design development and implementation of bus priority measures, including consideration of budget business cases.

Papers

Mr Speaker presented the following paper:

Annual Reports (Government Agencies) Act, pursuant to section 15—Annual Report 2024-2025—Office of the Legislative Assembly—Corrigendum, dated 29 October 2025.

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

Annual Reports (Government Agencies) Act, pursuant to section 13—Annual Report 2024-2025—Education Directorate—Corrigendum, dated October 2025.

Artificial grasses—Alternatives and transition from—Assembly resolution of 6 May 2025—Government response, dated 30 October 2025.

Children and Young People Act—Therapeutic Support Panel for Children and Young People 2025 Report, dated 26 September 2025.

Dickson shops taskforce—Progress report and improvement—Assembly Resolution of 6 March 2025—Government response, dated October 2025.

Civil Law (Wrongs) (Organisational Child Abuse Liability) Amendment Bill 2025

Debate resumed from 25 June 2025, on motion by **Mr Rattenbury**:

That this bill be agreed to in principle.

MS CHEYNE (Ginninderra—Manager of Government Business, Attorney-General, Minister for Human Rights, Minister for City and Government Services and Minister for the Night-Time Economy) (3.08): I am very pleased to speak in support of this bill,

and I will also be moving government amendments to the bill.

Before I begin, I want to take a moment to acknowledge the depth of personal trauma that has been shared by many over the last year, and to honour the courage it has taken for survivors, some of whom, I understand, are here today, to bring stories forward to members in this place, including to me, to the committee which inquired into the bill, and to others in support of this reform.

The High Court's November 2024 judgement in *Bird v DP*—a pseudonym—confirmed the position at Australian common law that an organisation can only be held vicariously liable for harm caused by its employees; that is, where the perpetrator of the abuse has a genuine employment relationship with the institution. Even if a perpetrator's relationship with an institution was such that they were representing it or working under its authority, the institution could only be held vicariously liable for the perpetrator's actions if there is a genuine employment relationship.

The common law for vicarious liability applies in the ACT, so this judgement directly affects us. In particular, for victim-survivors of institutional child sex abuse, the judgement means it is much more difficult to pursue institutions and to hold them to account in circumstances where the perpetrator was not formally employed, like a clergyman, or a volunteer in a leadership position.

The judgement was a significant setback, distressing, and exposed a significant gap for victim-survivors who would otherwise be seeking justice and to hold an institution to account. It was also chilling in a policy, political and justice sense because, over the last decade, Australia has made significant progress in recognising and responding to the scourge of institutional child sexual abuse, and in providing meaningful pathways for victim-survivors to hold those institutions to account.

However, there was a silver lining in that the judgement clarified the limitations of the common law and positively signposted that, for this to change, legislative reform is necessary to clarify the duty of care that an institution owes to victim-survivors where the abuser is not a formal employee but has a relationship with the institution that is akin to employment.

Attorneys-general across the country have been considering this issue over the past 12 months. It was on the agenda for my very first Standing Committee of Attorneys-General meeting in November, a week after the judgement, and two weeks after I had become Attorney-General. There was a genuine aim in that room of achieving a nationally consistent approach in response to this. However, while a nationally consistent approach is highly preferable, so too is providing legislative certainty as soon as possible.

In that vein, after it became apparent to me in February that work in the national space was not moving at quite the speed we would have liked, here in the ACT we had begun work on the required reforms. However, and genuinely pleasingly, we soon learned that, having also identified the significance of the issue—and I again acknowledge that Mr Rattenbury and his colleagues asked questions about it in the very first week of sittings for the new Assembly—Mr Rattenbury had moved even more quickly, with a bill drafted for the Assembly's consideration.

Plenty of issues are above politics, but this one is a particularly clear example. Rather than duplicating effort, we have been pleased to work constructively with the Greens to finalise the required reforms over recent months. We have valued the engagement, too, with the opposition, and I acknowledge Mr Hanson for reaching out and working with our office to come to what I think is a united position across the chamber today.

I cannot go on without sincerely acknowledging the work of Mr Rattenbury in bringing this legislation to the Assembly, and doing so swiftly, following the judgement. In many ways, his doing so is the reason we are able to debate this today and to resolve the uncertainty this year. My hope is that it gives my state and territory colleagues a prod to get on with it as well. Pleasingly, earlier this week the Victorian Attorney-General made clear that she was introducing legislation that, on the face of it, appears very similar before the end of the year.

It is important to acknowledge that, while the High Court's decision influenced vicarious liability claims, with this bill and the decision, neither of them limit the availability of some other civil litigation options for claimants in the ACT. Following the Royal Commission into Institutional Responses to Child Sexual Abuse, the government has undertaken substantial reform to implement those recommendations, reflecting our commitment to improving access to justice for all victim-survivors.

These reforms include the removal of limitation periods for all civil actions relating to child sexual abuse in the institutional context. This reform provided victim-survivors in the ACT an opportunity to seek justice from institutions regardless of when the abuse occurred. I refer also to the reform of laws to end the use of the Ellis defence in 2018 to ensure that survivors are able to take civil actions against institutions regardless of their legal structure, and enabling the court to set aside unjust child abuse settlements so that victim-survivors can seek just compensation. This was achieved through 2022 reforms.

At the same time, the definition of "child abuse" has been expanded to include physical abuse, allowing all victim-survivors in the ACT to bring claims for damages regardless of when the abuse occurred or the type of abuse experienced.

In addition to access to justice via the civil justice system in the courts, the ACT stood among the first jurisdictions to join the commonwealth government's National Redress Scheme. Our participation in the scheme enables victim-survivors of historical child sexual abuse in the ACT to access counselling and psychological services, monetary payments and direct personal responses.

I am confident that this is a bill that builds on those previous law reforms that have aimed to better support victim-survivors, as well as the government's actions to safeguard children and to prevent organisational child sexual abuse.

Going to the heart of the bill, this is a bill that will broaden the classes of people that organisations may be vicariously liable for in relation to the perpetration of child abuse and strengthen protections for children in organisational settings within which we entrust their care and protection.

The bill holds that organisations who are responsible for a child are vicariously liable for child abuse perpetrated by certain categories of non-employees. I acknowledge that, without the passing of this bill, institutions can avoid accountability for child abuse perpetrated by individuals they have not formally employed. I commend the intent of the bill to enhance the legal pathways available to victim-survivors seeking justice.

The government is bringing forward some amendments today to the definition of “employee” included in the bill, which I will discuss shortly. Where child abuse has been perpetrated by a relevant individual, an organisation will be vicariously liable if the statutory test is met. The court will determine liability with reference to the circumstances of the relationship between the perpetrator and the organisation, including whether the organisation has placed the perpetrator in a position of power, control, authority or ability to achieve intimacy over the child. This is the common law test for organisational vicarious liability for child abuse perpetrated by an employee articulated in *Prince Alfred College Inc v ADC* and it has been codified by this bill.

This bill will, very meaningfully, apply retrospectively, meaning regardless of the time of the abuse, victim-survivors of historical child abuse can access an avenue to bring forward vicarious liability claims against organisations. By applying retrospectively, the bill acknowledges that, on average, it takes over 22 years for a victim-survivor to tell someone about their abuse and even longer to decide on the next step of their journey to justice.

I understand, from submissions to the inquiry and my engagement with stakeholders, that the principle of retrospectivity is regarded by advocates as a crucial mechanism for supporting victim-survivors to pursue civil litigation, irrespective of when the offence occurred. There was no doubt in my mind, when we were considering the reforms that were necessary, that retrospectivity needed to be part of it.

It is important to note that if—when—this bill is passed today, the ACT will be the first jurisdiction in Australia to retrospectively extend vicarious liability of organisations for child abuse perpetrated by non-employees. As I said earlier, it is my hope that other jurisdictions follow suit. I commend the Victorian Attorney-General for clarifying two days ago that she will be introducing legislation to address the implications of the High Court’s decision. She and I both look forward to updating the Standing Council of Attorneys-General to encourage nationally consistent legislation.

Finally, this is a bill that extends the existing provisions in the Civil Law (Wrongs) Act that allow victim-survivors to apply to have the court set aside institutional child abuse settlement agreements. These provisions will now apply to settlements that happened before the commencement of this bill and involved child abuse perpetrated by a person whose actions an organisation could not be held vicariously liable for prior to these reforms.

The court may set aside abuse settlement agreements if satisfied that, when the agreement was made, there were legal barriers to the person being fully compensated through a legal cause of action. For individuals who entered into settlement agreements in relation to abuse by non-employees or whose actions organisations could not be held vicariously liable for prior to the reforms that we are discussing today, there was clearly a legal barrier in place at the time that they agreed to a settlement.

I will now talk about the government amendments. The amendments that I will be moving in the detail stage are to the meaning of “employee” under section 114BC of the bill and will omit individuals associated with an organisation. Employees, for the purposes of vicarious liability of organisations for child abuse, will instead be defined to include individuals “akin to an employee”.

The bill that we are discussing is, of course, a substantial reform which extends the application of vicarious liability for child abuse matters. These amendments are seeking to balance that extension of organisational liability and accountability for institutional child abuse with the need for the careful consideration of the circumstances of the relationship between the perpetrator of abuse and the organisation before vicarious liability is attributed to the organisation.

These amendments ensure that this reform responds to the High Court’s decision in *Bird v DP*, which considered whether vicarious liability applies to a relationship between a wrongdoer and a defendant that is akin to employment. Importantly, it will enable the courts to undertake an assessment as to whether an individual meets the statutory test, which will be considered on a case-by-case basis with reference to the circumstances of the relationship between the wrongdoer and the organisation.

Aligning the scope of the definition of “employee” with other states and territories which have already legislated to expand organisational vicarious liability will enable the ACT courts to rely on the jurisprudence regarding the meaning of “akin to an employee” from other jurisdictions. This is beneficial, particularly in a small jurisdiction like ours, where the available jurisprudence can be limited.

To avoid any doubt, I confirm that these amendments are not intended to exclude religious leaders, such as priests or ministers, or any other member of the personnel of religious organisations, whether or not they are ordained, from the meaning of “employee”. Where such an individual carries out activities that are part of the ordinary activities carried out by the organisation and for the benefit of the organisation, it is intended that they will be “akin to an employee” of the organisation under section 114BC(2) of the bill. The government amendments will retain the bill’s regulation-making power to prescribe circumstances where an individual is akin to an employee or, indeed, is not akin to an employee.

In proposing the amendments, we have had regard to the findings of the inquiry into the bill, which found that the scope of the definition of “employee” was contested, even amongst those who support expanding vicarious liability, and that this is a policy question for our Assembly to consider. We have considered other advocacy from stakeholders, including religious organisations, and the scope of the extension of vicarious liability in other Australian jurisdictions. The amendments, which will enable civil claims to be brought for child abuse perpetrated by persons akin to employees of organisations that are responsible for children, ensure that the extension of vicarious liability is appropriately targeted.

In closing, these are reforms that continue this place’s commitment to strengthen legal remedies and pathways to recognise the complexities associated with cases of historic child abuse, and the importance of improving the experience of victim-survivors

engaging with our legal system and making it safer and more accessible. Supporting this bill is one of the many steps that the government is taking and will continue to take to build a safer and more accountable system, one that removes avenues for perpetrators to exploit organisational settings to facilitate offending and one that offers stronger protections for children and victim-survivors in the ACT.

Again, I sincerely thank every single person who has likely relived their trauma in sharing with us why legislative reform was so necessary. I do not think any of us required much convincing to see why. Again, I acknowledge the work of Mr Rattenbury and his office in introducing this important bill, and his commitment, which I know about, to improving civil remedies for victim-survivors of historic child sexual abuse.

In particular, I would also like to acknowledge officials from our directorate and, importantly, Elsa Sengstock from my office, who is the policy legal mind; put her on a task and she will produce some pretty amazing results. I certainly cannot claim credit for this legislation. I can acknowledge just how hard she has worked on this and other reforms soon to come. Her clear advice and diligence in getting us to this point of agreement are greatly appreciated. I am very lucky to have her. Ultimately, this is legislation and reform that honours victim-survivors, and I am very pleased to be able to support it on behalf of the government today.

MR HANSON (Murrumbidgee) (3.27): The Canberra Liberals will be supporting this bill, and we will also be supporting the government amendments. The bill, as has already been explained, is in response to the High Court of Australia decision, *Bird v DP*, which declined to broaden the common law doctrine of vicarious liability to apply to relationships which were “not strictly between an employer and employee”. The High Court stated that “the issue is squarely in the hands of the parliaments”. That is what brings us here today. I also note the statement, which I thank the minister for forwarding to me, from the Victorian Attorney-General, which indicates that they will be legislating in this space.

It would be good—and I had this discussion with Mr Rattenbury this morning—if there had been a consistent approach to this across jurisdictions and if we had seen consistent action to make sure that this was being applied consistently across jurisdictions at the same time, but we are at where we are at, and we will be supporting this process. It has not been without some flaws, unfortunately.

The Canberra Liberals have supported all the reforms on organisational child abuse, and we will support this bill and the amendments, as I indicated. I will speak only briefly to some of the key points of the bill and some of the issues that have been raised, because the intent of this bill and the detail have already been well articulated.

The key element of the bill is to extend liability beyond the strict employer-employee relationship and include those who are “akin to an employee”. This is defined in the bill as situations where the individual carries out activities that are either part of ordinary activities carried out by the organisation and for the benefit of the organisation; also, if the organisation placed the employee in a situation that supplies the occasion for the perpetration of the child abuse, and the employee takes advantage of the occasion to perpetrate the child abuse.

I note that the term “akin to an employee” is an existing concept that is already recognised in other laws in several states. With this definition in place, and the use of the term “akin to an employee” in other laws, the Canberra Liberals agree with this change.

However, one of the amendments in the Greens bill goes further than “akin to an employee”. It seeks to include anyone “associated” with the organisation. This is defined as anyone who “is associated with the organisation to which the exercise of care, supervision or authority over a child has been delegated in whole or in part”. This goes, in my view, too far, and it is the substance of the government amendments.

As I understand it—we have been briefed, and from my reading—those amendments address this issue, and I thank the government for the consultation on those amendments. We agree with the government’s approach, and we will only support the bill if those amendments are agreed to. I understand that they will be agreed to by the Greens, and I thank them for accepting what are, I think, quite important points.

Another issue that is important to note is that this bill operates retrospectively—specifically, “any proceedings commenced but not finally concluded before the day the Act commences”. It raises the issue of the presumption against retrospective legislation, both as a legislative principle and having regard to the specific recommendation of the royal commission that reforms only be prospective. However, without it, obviously, historical victims may not have the ability to make claims at all, no matter how they may have suffered. We also note that this is a civil bill and that historical crimes are a separate issue. With those issues considered, and in the interests of giving historic victims a path of recourse, we support this proposal.

An area that is worthy of mention, unfortunately, is that of consultation on this legislation. We are aware that this bill has been available for some time and that it has been looked at by the scrutiny committee and a committee of the Assembly. However, since the tabling of the Assembly committee’s inquiry, the Canberra Liberals have received several submissions from stakeholders stating that they were not notified of the bill or the inquiry. I understand that Ms Barry made a statement in the Assembly this week regarding that issue.

Some of the concerns that have been raised are legitimate. One submission stated:

We write to raise our serious concerns regarding the lack of stakeholder consultation.

We are two of the largest catholic religious institutions with relevant interests in this matter and were not invited to make a submission. We know a majority of our colleagues are in a similar position.

They noted:

The recent report from the committee does not include the feedback of any catholic institution let alone the many religious and non-religious institutions and not-for-profit organisations likely to be significantly impacted by its provisions.

It is most relevant that one of the largest single stakeholders in this space was only

invited to provide comments after the report had been published.

That is unfortunate, and I am not suggesting that it was in any way intentional. It is an unfortunate occurrence.

Scouts ACT have also raised a number of concerns. It is not because these organisations are trying to deny their past, but it is important that their responses are put on the record as well. Scouts ACT have stated that they “support efforts to strengthen protections for children and acknowledges the deep and lasting harm caused by child abuse within institutions, including our own”.

I want to thank those that have reached out and assure them that their concerns have been noted. I feel that I have been assured that the consultation issues were certainly not deliberate or intentional, and they have been noted by the committee in the Assembly, although it does not alter the fact that it was an unfortunate process.

In terms of the government amendments, they limit the extent of the proposed bill, including removing “associated persons” clauses, significantly reducing the scope of the bill. Certainly, with the consultations that we have conducted, and giving consideration to all those who will have to comply with the changes made today, we support that approach. The government have indicated that they will not pass this bill unless those amendments are successful. We all seem to be on the same page, which is good. With these types of legislative changes, if all members of the Assembly support them, that is very useful, in my view.

As I said before, we have supported every reform that has been brought forward since the royal commission into organisational abuse, and we do so with a deep commitment to bringing justice to those who have suffered so much for so long. We also have a deep commitment to the rule of law and due process.

I would like to thank Mr Rattenbury’s office—Kate—and the Attorney-General’s office—Michael and Elsa. I note all the work that has been done by PCO and the directorate in engaging on this matter. We have listened to stakeholders, and we have considered the legislation. I hope that these reforms will bring some comfort to those who have been victims of abuse. We will always be on the side of those people that are victims, so we will be supporting this legislation.

MS CARRICK (Murrumbidgee) (3.36): I also wish to support Ms Cheyne’s amendment to Mr Rattenbury’s bill. The introduction of the amended part 8A.1A marks a step forward in our collective responsibility to protect children from abuse within institutional settings. This new provision, as mentioned before, makes organisations vicariously liable for child abuse perpetrated by their employees.

Importantly, the definition of “employee” has been broadened to include individuals akin to employees, those who carry out activities that are part of the ordinary operations of the organisation and for its benefit. This ensures that organisations cannot evade responsibility simply because the perpetrator was not formally employed. This reform strikes a careful balance. It extends organisational liability and accountability, while also requiring thoughtful consideration of the relationship between the perpetrator and the organisation before liability is attributed. This requires fairness and precision in the

application of the law.

We must also confront a difficult truth. According to the *Four Corners* investigation, as many as one in 100 people may be sexually attracted to children. While this is deeply unsettling, it underscores the urgent need for vigilance. We must ensure that predators do not infiltrate our early learning centres, our schools or our community organisations.

This bill is not just about legal liability, it is about creating a culture of safety. We must ensure that children's wellbeing is at the centre of every decision and every action taken by organisations. We must foster environments where harm is more likely to be identified early and where concerns are met with swift and appropriate responses. The safety of children is not negotiable. It is our highest duty. With this legislation, we take another step toward fulfilling that duty.

MR EMERSON (Kurrajong) (3.38): I rise to speak very briefly in support of Mr Rattenbury's bill which seeks to ensure that organisations that harbour child abusers are held appropriately liable for harm caused to victims under their care. There is no more egregious offence than one that involves a child being violated by a person who they were taught to trust, to listen to, even to idolise, someone who was supposed to protect them but instead did the opposite.

In a world putting the safety and wellbeing of children first and foremost, we would see organisations taking responsibility, proactively clamping down on cultural and procedural gaps that have enabled such offending to occur under their roofs and willingly providing appropriate redress to support victims and their families to move forward. Sadly, this has not been the world we have lived in.

We have instead seen disappointing attempts by organisations where child sexual abuse has been rife, or it has even been covered up, with abusers simply moving on to continue their abuse in other areas, and we have watched those organisations gaslight victims through horrific court proceedings that have left them bankrupt and traumatised and far worse off than before they courageously tried to hold their abusers to account. Attempts by organisations to circumvent responsibility for the heinous actions of the people operating within them is inexcusable and those organisations can only be considered to be complicit in that abuse.

To the victims of child sexual abuse and their families, particularly those whose access to justice has to date been blocked, I am sorry, and I think we all are, that this has been your experience. In this context, I was very glad to see this bill introduced into the Assembly in response to the statutory gaps identified through the recent High Court finding. I applaud Mr Rattenbury for bringing this bill forward and Ms Cheyne for working collaboratively to support its passage. I also want to acknowledge and thank all the advocates and victim-survivors joining us in the gallery today and watching on from afar.

I note that the committee's recommendation was for the Assembly to pass the bill and, as has been indicated, look forward to its unanimous support, along with the government's amendments to this bill, so that organisations in the ACT are held liable for abuse perpetrated under their watch and so that the intense pain and trauma caused by those abuses is appropriately acknowledged.

MR RATTENBURY (Kurrajong) (3.41), in reply: I start by acknowledging the support in the public gallery today for the bill. It is testament to the impact of this legislation that people have come from around Australia to see it pass. It is because of you, and for you, that this is happening. Others are joining us online and I am pleased you can witness the proceedings. I would like to acknowledge the many victim-survivors of sexual assault who have so generously and courageously allowed us the privilege of walking alongside them as they share their stories, some through their lawyers, some directly. Without their expertise, their courage and resilience, this work would not be possible.

Today we are going to discuss some difficult material, and we have been, and it may potentially evoke strong emotional responses for people. Sexual violence is prevalent in Australia and in the ACT. If the content discussed today raises issues for anybody that is following these proceedings, please do seek confidential support from the Canberra Rape Crisis Centre. I would also like to thank Canberra Rape Crisis Centre CEO Tiff Karlsson and the head of her crisis service, Danielle Bragg, for coming today and for being available to provide support over the course of the day's proceedings, if needed.

Thank you to Joe Stroud and Clare Leaney, who are here from the National Survivors Foundation and National Survivors' Day, and I commend them for the important work that they do. Thanks are also due to many legal practitioners and academics in the ACT, New South Wales and Victoria. Peter Karp, you kick-started this with a draft bill many months ago and have been a staunch ally every step of the way. Michael, it is wonderful you have made it here with Peter. We are glad you could come and thank you for that.

To James Masur, heartfelt thanks for being available seemingly 24/7, taking calls during trials and for generously sharing your expert legal analysis over the course of the last 12 months. Ali Pettit and Hassan Ehsan, you have demonstrated nothing but good humour and grace over the last months while you fielded so many questions to help land this piece of work. Your clients, some of whom are here today, are indeed in the best of hands. Thank you to your clients as well for making it here. I can only imagine what fortitude this has taken and your presence is very much valued.

Dr Judy Courtin is also here from Victoria, another powerful advocate who has been encouraging of this bill. To Harri James and Jarad Grice of Your Reference Ain't Relevant, as well as Josh Byrnes, who I am pleased is also here with us today, your advocacy continues to create change. Thanks also to Josh and his sister for their support of the bill. I spoke of Josh's comments when I introduced the bill a few months ago.

I would also like to acknowledge the people who I have spoken with privately, at their request, who work in positions within some of the institutions that will be impacted by this legislation. While these people do not feel they can publicly support the bill, they have been courageous in expressing to me in confidence that they do, as well as their hope that it will result in changes to their workplaces, practices and policies. There are kind and decent people everywhere and it has been good to be reminded of that at moments during the long journey of this bill.

I also want to acknowledge and thank Kate Bills from my office who has worked

tirelessly to ensure that this bill is done and done right. Those in the community who have worked with us to develop and progress this bill will no doubt add their thanks to Kate for her dedication to hearing their voices and translating them into this legislation.

Now, as I turn to the specifics of the bill, I will table a revised explanatory statement. Today the ACT will become the first jurisdiction to implement the statutory reforms that the High Court said were the responsibility of parliaments in their ruling on *Bird v DP*. The bill amends the Civil Law (Wrongs) Act 2002 by extending an organisation's vicarious liability for abuse to cases where child abuse is done by someone who is functionally equivalent to an employee in all relevant ways.

It addresses the High Court's decision in *Bird v DP* from last year, which held that, essentially, Catholic priests are employed not by the Church but by God, despite receiving, among other things, JobKeeper and superannuation entitlements, and therefore victims cannot sue for vicarious liability. The decision means institutions can avoid taking responsibility for crimes perpetrated by people associated with their organisation or in positions akin to employment but who are not technically employed. For instance, this means that priests are not considered employees so churches are not liable for their abuse. It also includes organisations like sporting codes, scouts and girl guides, where volunteers and others are under the control and protection of the organisation.

The decision was despite the recommendations of the Royal Commission into Institutional Responses to Child Sexual Abuse that survivors have a vehicle to establish institutional liability for wrongs committed against them as children. Given the High Court ruled out expansion of vicarious liability through common law, this bill is required to ensure survivors who were abused by people in positions akin to employment are able to access justice. It is necessary because, without it, institutions that have had children abused in their care can avoid responsibility for the actions of those they effectively employed.

Without this bill, there is an unjust asymmetry between, for example, a child abused by a teacher in a classroom in a religious school and a child abused in the same school but by the priest in the sacristy instead. The devastating lifelong impact of abuse in childhood and the multigenerational harm it causes cannot be overstated and nor can the willingness of large institutions to use every loophole to evade responsibility for it.

The purpose of the bill is to ensure that the organisations who harboured individuals who were akin to employees when they abused children can be held vicariously liable for the abuse. It is intended to provide clarity around those who fall into these categories, operate to broaden the common law doctrine of vicarious liability to apply to relationships which are not strictly between an employer and employee and create equity between survivors.

The bill we are discussing today will have the effect that children who were abused by people carrying out a role in the organisation, or activities for the benefit of the organisation, can access justice. Those people will now be considered employees and the organisations will need to accept responsibility for the child abuse incurred on their watch. Importantly, as has been noted, the legislation will operate retrospectively, which is vital to ensure equity among survivors and hold perpetrators accountable

regardless of the time of the offending.

I will make a few brief comments about the submissions and comments received in the committee inquiry process. I am a member of that committee and it is fair to observe that, even from a perusal of the submissions, this is an issue that is very close to many people's hearts, either due to their personal experience or the impact on their organisation. Firstly, thank you to the individuals and organisations who took the time to prepare and send in a submission. It is clear there is great support for the bill, with minor differences of opinion largely around the scope of the definition of employment, which the government's amendment addresses and which I will speak to later.

The organisations that put their names to submissions and comments that opposed the bill were Scouts ACT, Cricket ACT, the Catholic Archbishop of Canberra and Goulburn and the Marist Brothers and Christian Brothers. It is a chilling list. Canberrans know all too well that in many of the most horrific cases of childhood sexual abuse in the territory over recent decades these are some of the organisations who were responsible for bringing children into contact with those who would abuse them—their scout leader, cricket coach, teacher, or priest.

In the case of the Marist Brothers, one barrister reflected they remain amongst the most aggressive and unrepentant of the Catholic orders in their conduct of institutional abuse litigation and they seem only to have been emboldened and more adversarial since the royal commission. Given the disproportionate role played by the Catholic Church in the systematic abuse of children in Australia, particularly by the Marist Brothers and Christian Brothers, I think that a lot of people will find it hard to attribute them with the moral authority or social licence to oppose reforms aimed at improving institutional accountability.

Both congregations were the subject of dedicated case studies by the royal commission (Nos 13 and 11) and each was found to have presided over some of the gravest and most systemic abuse in Australian history. Their decades-long failure to protect children, acknowledge wrongdoing or provide redress until compelled by public inquiry, I think, makes it challenging for them to claim to represent community organisations acting in good faith.

I would like to thank the Attorney-General and the government for their support of this bill today. From early on the Attorney indicated a clear willingness to work constructively on the issue and the passage of the bill today reflects that collaboration and that commitment. As the Attorney-General has flagged, the government will be moving an amendment and we will not be opposing that amendment. While it does narrow the scope of my original bill, I am comfortable that it sufficiently addresses the High Court's decision and provides a sound basis to move forward. I am comforted by the regulation-making power that remains so that an individual is akin to an employee of an organisation if a circumstance prescribed by regulation applies to the individual. This allows for further steps to clarify the scope and meaning of the term in the event that further legal challenge or new circumstances reveal the need for such steps.

It is my intention that this bill does apply to clergy and religious leaders, and that the church is an organisation. As set out in the government's supplementary explanatory statement:

The amendments are not intended to exclude religious leaders, such as priests or ministers, or other members of the personnel of religious organisations, whether or not they are ordained, from the meaning of ‘employee’. Where such an individual carries out activities that are a part of the ordinary activities carried out by the organisation and for the benefit of the organisation, it is intended that they will be ‘akin to an employee’ of the organisation under s 114BC (2) of the Bill.

I want to thank the government for that clarity in the supplementary explanatory statement and also welcome the Attorney’s further reinforcement of that here in the chamber today. It is important we clarify the intent of this legislation so that when it is interpreted by the courts and others further down, they clearly understand the objective of the legislature today. I also want to thank Mr Hanson, on behalf of the Canberra Liberals, and the two independent members of the Assembly for their support for the legislation.

Let me close by again thanking those of you who have made it here today and who are watching online. I hope this legislation has the result we all want and that its impact extends beyond the territory and encourages other Australian jurisdictions to move forward and address the challenge laid out by the High Court’s ruling. The passage of this bill today should act as a clarion call to other jurisdictions. It is now almost a year since the High Court made its decision and made it clear it was a matter for parliaments to address the clear issues raised in that case.

From that point, the necessity of action was clear. Parliaments have an obligation to ensure that the institutions who have failed over decades to protect children are compelled to acknowledge their wrongdoing and improve their institutional accountability. With survivors waiting, now is the time to act. As Dr Judy Courtin observed:

With the passing of this Bill, the ACT can stand tall and proud as the country’s forerunner with these critical legislative reforms for victims/survivors of institutional child abuse. The ACT parliament is courageous in standing up for the rights of victims/survivors. The ACT’s legacy will be enduring and provides the requisite type of leadership and mettle expected of our elected members of parliament.

Again, thank you to the advocates, barristers, lawyers and, most importantly, survivors of childhood abuse, who have helped get this bill over the line. I wish you all the best in your journeys and I hope you feel proud of the work you have done here. I commend the bill to the Assembly.

Question resolved in the affirmative.

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) (3.56): I move amendment No 1 circulated in my name

[see schedule 1 at page 3586] and table a supplementary explanatory statement to the amendment.

Just briefly, as foreshadowed, this amendment gives effect to the meaning for employee as being akin to an employee, as opposed to the definition that was provided in the bill that was introduced. And then, further, the amendment provides that:

- (2) For this section, an individual is *akin to an employee* of an organisation if—
 - (a) the individual carries out activities that are—
 - (i) a part of the ordinary activities carried out by the organisation; and
 - (ii) for the benefit of the organisation;
or
 - (b) a circumstance prescribed by regulation applies to the individual.

It goes on to section 3 which reads:

A regulation under subsection (2) (b) may also prescribe a circumstance in which an individual is not akin to an employee if the circumstance applies to the individual.

So it is a neat amendment, Madam Assistant Speaker, but I think as has been made clear today, we do wish to be as clear as possible about the intent of it. Certainly our reasons for doing so do include aligning the ACT with other Australian jurisdictions which have legislated for organisational vicarious liability for child abuse in New South Wales, South Australia, the Northern Territory and Tasmania.

In effect, the amendment enables the courts to undertake an assessment as to whether an individual meets the statutory test for “akin to an employee,” which will be considered on a case-by-case basis with reference to the circumstances of the relationship between the wrongdoer and the organisation. This approach balances the extension of organisational liability and accountability for institutional child abuse with the need for the careful consideration of the circumstances of the relationship between the perpetrator of abuse and the organisation before vicarious liability is attributed to the organisation. Finally, the amendments provide for that regulation-making power to prescribe circumstances where an individual is or is not akin to an employee.

It is a simple but very important amendment that I have moved today. I greatly appreciate and enjoy the support of the chamber in clarifying this important reform and I commend it to the Assembly.

Amendment agreed to.

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

Bill, as amended, agreed to.

Parking—Theatre Lane car park closure

MS LEE (Kurrajong) (4.00): Together with Mr Milligan, I move:

That this Assembly:

- (1) notes that:
 - (a) the Government has closed the entire Theatre Lane car park from October 2025 for at least three years for the construction of the new Lyric Theatre;
 - (b) the Theatre Lane car park provides essential access for people with a disability, theatre patrons, staff, local businesses and patients accessing essential medical services;
 - (c) with the closure of other car parks in the area, short-term parking options in the city precinct are limited; and
 - (d) with the Government closing the loading zone in front of Bailey's Arcade, the Theatre Lane car park provides an offset loading zone that is vital for local businesses operating in the area;
- (2) further notes that:
 - (a) the Government failed to adequately consult with local small business owners on the impending closure of the Theatre Lane car park;
 - (b) the closure of the Theatre Lane car park and other car parks in Civic will have a significant impact on the viability of many small businesses in the city precinct;
 - (c) many of these businesses have already endured years of disruption – from light rail construction works, bus route changes, the pandemic and repeated road and car park closures;
 - (d) local businesses have reported that visitors to the city centre are in decline due to concerns with increasing anti-social behaviour in the area; and
 - (e) the closure of the Theatre Lane car park will contribute to the declining visitor numbers as accessible parking is a key factor influencing people's decision to travel into the city; and
- (3) calls on the Government to:
 - (a) adopt a partial access model for the Theatre Lane car park, maintaining at least 40 to 60 percent of spaces throughout the construction process;
 - (b) guarantee that there is adequate disability and short-stay parking in the Civic cultural precinct during the construction phase of Lyric Theatre;
 - (c) commit to retaining an offset loading zone in the Theatre Lane car

park that supports local businesses;

- (d) table quarterly updates in the Assembly on the progress of the construction works and the number of public parking spaces that have been retained in the Theatre Lane car park; and
- (e) undertake regular, substantive and ongoing consultation with businesses and services affected by the closure of the Theatre Lane car park.

First, can I thank the many hardworking business owners who have engaged so collaboratively with me and my office, and I acknowledge their presence in the gallery today. Thank you for making time to attend your parliament. You are always welcome, of course, but I know that you are always very busy running businesses, so thank you for making the time to attend.

This matter was brought to my attention because these business owners feel that they have been ignored. They feel that they have been let down and betrayed by this Labor government. This Labor government are making decisions that have a significant impact on these businesses and the people of Canberra who access these businesses, but they are not hearing them.

I am sure that Labor members will get up and talk about all the consultation that they say that they have done. They will probably quote the number of businesses that they have spoken to and the many stakeholder meetings that have taken place, all the doorknocking events, all the flyers that have been distributed and the like. But let us be frank: we have heard all this before. Time and time again, we hear from businesses, from the community sector, from individuals and from families that are being ignored by this government in their so-called consultation, which many describe as a tick-box exercise. They feel that their views are not actually being listened to, but they do it just so that they can say, “Hey, that’s now done.”

Let us be clear. This motion is not about delaying the construction of the Lyric Theatre. This motion is not about opposing development in the city precinct. This motion is about fairness, and this motion is about respect. It is about treating small businesses and all Canberrans with respect, with fairness, and listening to them when they need to be heard.

When I met with these business owners—some of them who are in the chamber, as I mentioned—I was struck by their passion for what they do to make Canberra an even better place. Whether it is delivering essential medical services or a service in hospitality, retail or recreation, I was struck by what they do in working hard to make Canberra the best place, not just for them and their families, but for all of us.

I was also struck by how passionately and fervently they engaged with officials and with a developer in trying to get someone to understand their concerns in relation to the Theatre Lane car park. And I was struck by their reasonableness. They are not calling for a halt to the construction, they are not calling for the whole car park to be reopened, they are not calling for compensation; their real concern is for this Labor government to listen to their concerns and to be treated with respect and fairness.

The reality is, and we all accept, that there will be an impact on the Theatre Lane car park with the construction of the Lyric Theatre. There is no doubt about that. But ignoring the calls of these businesses and the Canberrans accessing their services to keep a small portion of the car park open is the height of arrogance. It lacks empathy and it skirts a government's duty to its people.

We all heard the Chief Minister in this chamber last week, in response to questions about this very matter, and the way that the Chief Minister explained that there are plenty of disability car parks available in other precincts. But the reality, Mr Deputy Speaker, is that these car parks—and I think these were Mr Barr's own words—are a couple of hundred metres away. That is fine for you and me, and that is fine for a lot of us, but that is not what we are talking about. We are talking about these businesses who have already faced so many challenges over the past couple of years. We are talking about Canberrans who access these services and who have issues with mobility, whether it is because of a wheelchair, a walking frame, a moon boot or crutches, or whether you are dragging a couple of children around, as well as shopping. A couple of hundred metres might not seem like much, but it does have a huge impact, particularly when we have the mess that we see around the construction area, and it does pose a safety risk for them.

The government's own business engagement reports regarding light rail stage 2A tabled earlier this year specifically mentioned access to business during construction and reduced parking as a key concern raised by businesses; yet they are compounding these issues by fully closing one of the last remaining car parks in the area.

We have also heard from many Canberrans who have said that closing that car park in its entirety will have an immediate impact on their ability to safely access the city precinct. As many in this chamber will be aware, there has been significant reporting of instances of antisocial behaviour in Civic. Closing off this car park entirely will leave many Canberrans with little or no choice but to walk greater distances to access suitable parking, and I have heard from many Canberrans who are concerned about what this means for their safety.

I understand that there are a number of amendments that will be moved today, and I will speak to those separately. What I will say is this: we know there are complex issues in terms of balancing the need for this construction and ensuring that adequate car parks remain. But we have to try. It is not good enough unilaterally to make a decision to close an entire car park and refuse to be open, refuse to negotiate in good faith a solution that suits the needs of these hardworking Canberra businesses. As one business owner told me, "For us, this isn't just a shop. For us, it's our mortgage, it's food on the table, it's about our livelihood, and it's about my family's future."

My motion today, that I have brought, along with Mr Milligan, to the chamber, is brought on behalf of the business owners who are sitting in the gallery, those who I met with only a few weeks ago, the almost 500 Canberrans who have signed a petition that calls for the same thing, and for all Canberrans who come into the city and who come to access services in this precinct.

What my motion calls for is pretty straightforward, it is pretty reasonable and it is deserving of support. I ask all members in this chamber to look at the gallery, to go and

speak to these business owners, look them in the eye and ask them to tell you what the challenges they face are, what their concerns are, and say to them, “I’m here to support you.” That is what they deserve, and nothing less. I ask them to do that so that they can consider, when they are making a decision, when they are going to vote on my motion, that they have looked them in the eye and listened to what their concerns are before they make that final call.

I commend my motion to the Assembly.

MR MILLIGAN (Yerrabi) (4.09): I want to thank Ms Lee for bringing forward this motion today jointly with me. Of course, I acknowledge the business owners that have taken the time out of their day to come along and hear the debate on this motion today, because the issues that you guys are facing are having a devastating impact on your businesses.

We have spoken many times in this chamber on this exact issue. The issue is the government’s lack of respect for business owners in the ACT. The government acknowledged that they had failed local businesses during stage 1 of light rail construction. They even said that they had learnt their lesson and would consult with the community before future stages of construction. Despite this commitment from the government, business owners along the west side of London Circuit have been devastated by the impacts of stage 2, and they have felt abandoned and alone.

I presented a motion earlier this year calling on the government to acknowledge the impact that their construction was having on local business owners, and the government agreed to consider further supports for better consultation. Once again, despite the commitment from the government, business owners around Bailey’s Corner were caught out with the closure of the east side of London Circuit, including the removal of loading zones. At the time we were told by the government that they were providing overflow loading zones and accessible parking in the Theatre Lane car park. This month, that whole car park was closed and fenced off, including the overflow loading zones.

Mr Barr: That’s not true.

MR MILLIGAN: The government now say that the loading zones are back. You jumped in a little too soon, Chief Minister. But the delivery drivers and business owners are struggling to keep up with the ever-changing traffic conditions outside their businesses.

It seems to me that the ACT government do not understand what it takes to run a business. My parents owned and operated many cafes and restaurants in a number of different states. From an early age I was helping them to run that business, and I saw how hard they had to work to run that restaurant and café, and the hours that are put in to run such a business.

Every business starts with a spark; it starts with an idea for a new product or even a service. These businesses need nurturing to make sure that they can grow that spark into a flame, so that they can turn that flame into creating employment and so that they can bolster the local community and be innovative and creative. It is the government’s

role and the government's job to work with the business sector to provide the oxygen they need to breathe to grow that flame and to grow that business. Unfortunately, what we are seeing here is the government suffocating that flame. That flame is disappearing.

Starting a business is pretty much like buying a home. When you buy a house, you do your research. You research the amenities in the local area. You have a list of ideas and requirements that you want for that house—the kitchen, the bathrooms, the number of bedrooms and garages. Mr Deputy Speaker, I can tell you that it is just the same for a business. Whether you are looking for a business to lease or a building to buy, you make sure it has the right kitchen, the right eating area, and that there is parking available in the area. If there is no parking available in the area, no-one can visit your business. There are other businesses out there, such as medical businesses, that need parking near their areas, and they are struggling as well.

Cafes and restaurants, particularly at Bailey's Corner, rely a lot on foot traffic. They rely on a lot of people walking past and thinking, "I might jump in there and have my lunch, or let's come back there for a coffee later on." They have to be there to see it. Unfortunately, with no car parks in the area, there will be no-one around to walk past these businesses, because it probably seems too far out of the way for a lot of people.

We have all witnessed the devastation that light rail construction has had on businesses, from Gungahlin to the city. Many of those businesses have closed down. There are not many of those businesses still operating today that were operating during the first stage of light rail. It just became too difficult. There was too much of a distraction for them to operate their business, so they closed their doors, and there were a lot of empty shops along that route.

Unfortunately, I fear that we might see on London Circuit exactly the same thing. A lot of these businesses will close their doors because they do not have the foot traffic coming through. There are not enough supports out there to support these businesses. A simple thing like removing car parks has a devastating impact on these businesses. It is a no-brainer, really.

That is why I was encouraged to support Ms Lee today with this motion. When she came to speak to me about this, I thought, "It's a no-brainer; we've got to get behind this, and we've got to support these businesses."

The "call-ons" are reasonable. It is about taking responsibility and providing the support that the government needs to provide. I notice that there are a couple of amendments that will be moved by a few members of the chamber. I might address a couple of those amendments after they have been presented. I commend this motion to the Assembly.

MR BARR (Kurrajong—Chief Minister, Minister for Economic Development and Minister for Tourism and Trade) (4.16): I thank Ms Lee and Mr Milligan for bringing this issue forward. The government understands the challenges that are associated with the disruption of simultaneous construction of a major public transport project as well as a major new arts facility. The issues raised in the motion are acknowledged, and we will endeavour to respond to those issues as best we can. I move:

Omit all text after paragraph (1)(d), substitute:

“(2) further notes that:

- (a) the Government has been in regular contact with business owners in the CBD precinct regarding impacts of construction through multiple forums including face-to-face meetings, monthly city construction updates (print and email), pop-ups in the car park, and direct emails to identified building owners, property managers and businesses;
- (b) the entire site is required for early works to commence. These works will take place over the entire area that has been closed off. The area is required to enable the works to be done safely – for construction workers, theatre staff and the general public;
- (c) a temporary loading zone has been retained in the Theatre Lane car park to allow delivery vehicles to continue to access nearby businesses;
- (d) all permit and accessible parking spaces have been relocated to the nearby City Hill and Hobart Place car parks;
- (e) the Government will identify opportunities for additional accessible parking in the vicinity of the Theatre Lane car park;
- (f) the 2025-2026 Indicative Land Release Program has the City Hill car park (Block 1 Section 116) being released for sale in 2025-2026; and
- (g) the remainder of the Theatre Carpark (part Block 19 Section 23) is identified as an urban renewal site that will be sold by the City Renewal Authority at some stage in the future; and

(3) calls on the Government to:

- (a) develop a parking plan showing how sufficient accessible car parking spaces will be provided for people visiting the Lyric Theatre and other businesses, services and community facilities in the Civic Cultural District when sites are developed;
- (b) undertake consultation on the parking plan at (3)(a);
- (c) continue working on opportunities to increase accessible parking spaces in the vicinity of the theatre lane car park based on expert advice;
- (d) continue to undertake regular, substantive and ongoing consultation with businesses impacted by the construction projects in the CBD, including through monthly City Construction Information Group meetings;
- (e) commit to retaining a loading zone to support local businesses; and
- (f) table annual updates in the Legislative Assembly on the progress of the construction works and the number of parking spaces that have been retained or relocated in the Theatre Lane car park vicinity.”.

The amendment that have moved goes to the detail of what we can commit to do and largely aligns with about two-thirds of the actions that Ms Lee and Mr Milligan have called for the government to respond to.

At its heart, there is a challenge in that there are limited options. There is no best option; there is a series of least worst options, particularly in this period. What will occur over the coming months is that elements of construction will conclude and facilities and access will be able to be reopened. Infrastructure Canberra and the City and Environment Directorate have been working closely to secure new parking spaces due to the development of the Lyric Theatre. They have been involved in numerous site

inspections, development of temporary traffic management plans, physical site investigations and assessing options against Australian standards and relevant codes.

There is a technical review required for DDA parking. That review concluded that options in Ainslie Place, for example, were not currently feasible as clearances either side of a vehicle that would be required under legislation could not be met in that location. For that reason, the permit car parks in the Theatre Lane car park were relocated to the nearest available government car parks, which as Ms Lee indicated and, as I indicated in my response to a question in question time last week, are several hundred metres away from the existing site. They are in the City Hill car park, and the DDA car parks that have been provided are the closest ones. They are on the corner of London Circuit and Constitution Avenue. The other location that the DDA car parks were relocated to was the Hobart Place car park, which is just across the road from the Melbourne Building. These were the closest and most feasible options in existing government-owned car parks.

There are, of course, other accessible car parking options available in car parks that are not government owned. In the immediate precinct, that includes the Constitution Place car park—so literally just outside this office—where there are seven accessible car parks, and in the new Nangari Street car park, which opened only a few months ago, which is again just outside this building and across London Circuit. On the western side of Northbourne Avenue, the options for accessible car parking are in Hobart Place, where there are 12 places. In Mulwala Lane there are six and then in City West, the Marcus Clarke car parks, at 121 Marcus Clarke Street, there are 16 combined spaces.

There is also a car park, which I am not sure many people are aware of, the One City Hill car park, which is obviously next to the Law Courts, where there are four accessible car parking spaces, together with another three in Gordon Street on that side of City West. The City Hill car park, which is the one just on the other side of the ACT government building, has 20 places. All of the accessible car parking spaces that were in the Theatre Lane car park have been relocated and they have been distributed in the locations that we can find.

The other issue that was raised, and is again a very legitimate one, is loading zone access. Directly out the front of, I think it is 161 London Circuit, there is a dedicated loading zone and after-hours taxi zone. If people park neatly—if I can put it that way—there is room for five vehicles, five loading zone spaces, in that section. Then, as I was picking up on a point Mr Milligan was making in relation to the current access for the Theatre Lane car park, there are also loading zone spaces in that area. So not all of the Theatre Lane car park has been closed.

What we are committing to is Infrastructure Canberra and the City and Environment Directorate investigating further options. The trade-off here will be converting some of the loading zone spaces in the zone adjacent to London Circuit. It has potentially been able to be converted to accessible car parking spaces. So there are 11 current loading zone spaces between what is on London Circuit and the six that are in the Theatre Lane carpark—meaning there are 11 loading zone car parks. It is possible to rebalance between loading zone and accessible parking, I am advised, and we are exploring that.

The other bit of information for Assembly members and those in the gallery is, of

course, that the Bailey's Corner loading zone that is currently closed will be reopened once that work is completed. My understanding is that will be in the first quarter of 2026, obviously subject to weather and no external events. Following this, the temporary loading zone adjacent to London Circuit could then be converted to further accessible car parking or other parking as required. So there will be further opportunity to expand car parking in the area as works complete.

Infrastructure Canberra will review opportunities to develop feasible and safe options for reconfiguring the space between the realigned London Circuit and the theatre project site to add supply of additional car parks to this area to best meet the needs of local business and the community. They will consult in advance of making any decisions around how additional car parking spaces that may be able to be created, once work is complete, will be distributed.

But I do need to be clear that the area that has been fenced off, that entire site, is required to allow for key early works to commence. The commencement on those works has already happened. The site establishment has been configured to meet safety requirements, material layover and vehicle access and turning circle requirements. There will be two large tower cranes that will be on site as part of the current scheduled program. The turning radius of those two large tower cranes are 70 metres and 55 metres respectively. There must be a clearance zone around that. It is not allowed, and it would be unsafe, to have anyone parking or passing under those two construction cranes.

The early works on the site include the site preparation that people will see being undertaken now. The work is also allowing the Playhouse to remain open for the duration of the Lyric Theatre construction. There are service relocations that have to occur. These works take place over the entire area that has been closed off. This area is required to enable the works to be done safely for the construction workers, for theatre staff and for the general public. The footprint of the new theatre is approaching 5,500 square metres. It is a large construction site. This is where one element of Ms Lee's and Mr Milligan's motion simply is not possible; we cannot keep open 60 per cent of the Theatre Lane car park. The theatre project eats into that space. So I need to be clear that that is just not possible.

What we do intend to do, as the light rail stage 2A projects conclude, is reopen a section of the Theatre Lane car park. The first thing that will happen is work before Christmas on identifying a switch of some loading zone spaces to accessible car parking spaces. The next thing that will happen is that, when the construction in front of Bailey's Corner is complete, the loading zone that is currently fenced off due to that construction will reopen. The third thing that will happen is that, once the further works for light rail stage 2A, which are directly opposite the Sydney Building, is complete a section of the Theatre Lane car park can reopen—and it will—and there will be engagement with local business in relation to the mixture of car parking that can be provided there—the balance between accessible and general parking and whether any further loading zones will be required beyond that that is already there on London Circuit and that will be reopened as part of the completion of works in front of Bailey's Corner. Those are all things the government can commit to and are all contained within the amendment that I have moved.

What we will also do is develop a parking plan showing how sufficient accessible car parking spaces will be provided for people visiting the Lyric Theatre and other businesses, services and community facilities in the broader Civic Cultural District once all the construction work has been completed. We will undertake consultation on that parking plan. We will continue to work on opportunities to increase accessible parking spaces in the vicinity of the Theatre Lane car park. We will do so based on expert advice and compliance with relevant safety and disability guidelines.

We will continue to undertake regular, substantive and ongoing consultation with businesses impacted by the construction projects, including through monthly City Construction Information Group meetings, and we commit to retaining loading zone access in the London Circuit precinct to support local businesses. We will table annual updates in the Assembly on the progress of construction work and the number of parking spaces that have been retained or relocated in the Theatre Lane car park facility.

I believe that this is a comprehensive response, acknowledging the constraints that we face. This is a disruptive period—the government acknowledges that—but it is a temporary disruption. What comes after is a facility that will drive demand nearly every night of the year for thousands of people to come into this location. It is very clear from the experience of the existing Canberra Theatre and the Playhouse that that does drive a lot of business activity, particularly at night-time but also around matinees and other events that are staged and held within the Canberra Theatre Centre.

Once complete, a 2,000 seat Lyric Theatre, retention of the 1,200 seat historic heritage Canberra Theatre, the 600 seat Playhouse and the 300 seat Courtyard Theatre will present a world-class theatre and cultural district for a city of half a million people. It is an important project, and I particularly thank and acknowledge Ms Lee for indicating that, in moving this motion today, her intent is not to seek to delay or to stop the theatre project from going ahead. I appreciate and acknowledge that.

What we are endeavouring to do is to make the best of a difficult situation at the moment, but it is temporary and, as soon as things can be reopened in stages, we will do so and we will seek to respond to the immediate issues that have been raised about accessible parking, particularly as it relates to businesses where the current location of accessible parking is just a little bit too far for a number of their clients. I take from the commentary of all of this that that is the main issue we need to address, and I commend my amendment to the Assembly.

MS CLAY (Ginninderra) (4.31): I rise to speak to the motion brought by Ms Lee and Mr Milligan about the impact of the construction of Lyric Theatre on parking arrangements for people with a disability and others wanting to access businesses, the Canberra Theatre and Playhouse and the other services in the area. I want to thank Ms Lee and Mr Milligan for bringing this really important matter to the Assembly and I want to thank the business owners for taking the time out of your day to come in here.

The city has been undergoing a transformation for many years, principally through the repurposing of surface car parks for offices, residential dwellings, commercial activities and community facilities like the Lyric Theatre. This building work has transformed the city, making it a more vibrant and dynamic destination that attracts people of all ages and backgrounds with a mix of commerce, culture, entertainment and civic

functions. For example, during this week the Canberra Theatre has been playing host to the Ausdance Music Festival “Life on Mars” and in a few months we will have the Multicultural Festival once again reminding us how diverse and full of colour Canberra’s community is. But, while these sites are being developed, it is very disruptive for the adjoining businesses and the other services, and they have to face extended periods where parking is not readily available. It is also more difficult for people who want to access the businesses, as it means alternative travel arrangements, and it sometimes takes a lot longer for people to get to where they need to go.

The construction of the Lyric Theatre requires the remainder of the Theatre Lane car park to be used as a site compound. That can include storage areas for construction materials and equipment, parking areas and site offices and facilities, which are enclosed to ensure separation of construction vehicles and activities from pedestrians and other general traffic.

We have had a lot of conversations this week with the Chief Minister’s office. Thank you for that. There has been a lot of information provided, and I think we have heard quite a lot of the results of that in an update today. As a result of that, we understand that, if the compound area was reduced, the operations that are needed to support the construction of the theatre would be compromised and that would lead to longer construction timeframes. The safety of the general public would also be compromised. So, Ms Lee and Mr Milligan, it was a great idea that you brought to the chamber. It was a really important problem, but we do not think that the solution presented is feasible for a busy construction site.

The motion notes the lack of adequate consultation with local small businesses. The Chief Minister’s office has set out the engagement. We obviously expect the government to consult regularly and thoroughly and well with business owners who are affected by this. We have heard that there are face-to-face meetings, pop-ups in the car park, regular construction updates and emails to building owners, property managers and businesses. If that is not the case, please get in touch and let us know.

That engagement has led to some changes, and the Chief Minister outlined quite a lot of the car parking changes. The Greens were extremely concerned about access to accessible car parking. We were very concerned that we retain at least as much as there is now, and that is clearly what we are doing. We were also concerned about the distances involved. We have heard a fairly detailed update today about what the government has done on that issue, and we have seen some detailed amendments passed.

We have been working with the Chief Minister’s office on the issue of accessible car parking, on the need to do public consultation on the parking plan and on making whatever changes can feasibly be made in the site, following expert advice. On the basis of those conversations, the update we have heard today and the amendment that we have circulated, I am comfortable that we have seen the government do as much as can feasibly be done in this situation. So the Greens will be supporting that amendment.

The government have told us that they are committed to ongoing consultation with the businesses impacted. Again, we hope that that happens well and thoroughly, and please get in touch if that is not the case. We also understand that there is obviously going to

be more construction activity in the future with the City Hill car park scheduled for sale in the 2025-26 year, according to the latest Indicative Land Release Program. The remainder of the Theatre Lane car park is also identified as an urban renewal site at some stage in the future.

There is extensive information about available car parking spaces on the City Services website. We have had a look. We have encouraged the government to develop the parking plan, and we have seen that in the amendments. I think this will be of great assistance. We have explained that that needs consultation, and all of those things are going to happen.

I note that the traffic and parking report which accompanies the development application for the Lyric Theatre expects that up to 18 per cent of theatre attendees will utilise the available public transport systems, including light rail and buses. We certainly hope that expectation is met or, better still, that that expectation is exceeded. We have encouraged the government to make sure there is excellent footpath and bike path connectivity to the Lyric Theatre, especially from the light rail and the bus stops, and we will be monitoring this closely. We need our planning and building to help people walk, wheel and ride around our city, and we need to be doing this routinely, as a matter of course, with every project, with every upgrade and with every change.

I want to thank Ms Lee and Mr Milligan for bringing this matter before the Assembly. I think we have some good information and some useful adjustments that can be made on the site. The Greens will be supporting the government amendment. I have seen the amendments circulated by Mr Emerson, and we have been working with the Barr office. I believe Mr Emerson's amendments go to a similar direction and a similar issue. My assessment is that all of these amendments are compatible, and we are happy to support those amendments as well.

MR EMERSON (Kurrajong) (4.37): I want to speak in support of today's motion and thank Ms Lee for her collaborative work on this issue with me and with business owners who are affected by what is happening in the city, including by sponsoring a petition that was brought forward by one of the business owners who is present in the gallery today, which, as Ms Lee indicated, has already garnered a number of signatures, which is fantastic. I also thank Mr Milligan for co-sponsoring this motion and speaking at length about the importance of reflecting on the small business experience and engaging more closely with it.

I was personally contacted several weeks ago by a tattoo artist named Daina, who works in the city. She expressed concerns about how she was going to get to work. She is recovering from a broken ankle, has been on crutches for months and is now in a moon boot, but is soon to return for another operation—which is a separate story, which perhaps we can debate when we are considering health-related matters—and will be on crutches again soon. She has been using one of the accessible parking spots in the Theatre Lane car park. If car parks there are not reinstated, it will be months of additional time before she will be able to come back to work, because the extra travel time required on foot, so to speak, or on crutches, is prohibitive for her. She found out about the closure of the car park through media reporting on the Mooseheads car park farewell party. That experience is perhaps reflected among multiple business owners: that was how they found out that this was happening.

It is a tough time to work in Civic. It is a very tough time to run a small business in Civic. It is difficult to attend medical appointments. Some people have managed it today, but it is hard to get into the Assembly and lobby members on matters that are relevant to you. Today is really about engaging with those issues that are active now.

I do not think that anyone here in the chamber, whether on the floor or in the gallery, is opposed to large-scale infrastructure projects. People are excited, I think, to see what the city will look like on the other side of this transformation. I think we need to have not just more conversations and consultation about how we mitigate the human impact along the way, but actually more action, more meaningful measures that show a level of support that is commensurate with the level of disruption that we are seeing in the city.

We should be taking proactive steps to ensure small businesses survive until we reach the other side, in order to enjoy the benefits of what is happening in the city. This is something I have been speaking about, as have other members of this Assembly, since the light rail stage 2A construction commenced, and other disruptions, including in Garema Place, also emerged.

These have been raised; obviously, there are many, multiple construction projects that are ongoing concurrently, and multiple business owners who are represented here today will be very familiar with them. It feels like a kind of repeated wave of new disruptions that are affecting their lives.

We are also here to talk about how we ensure that Civic remains a welcoming place for people with disability and mobility restrictions. Some of the messages I have received since speaking about this issue are worth sharing in the chamber:

As a wheelchair user, I just don't go to the city anymore. It's too incredibly dangerous to do so. The accessible parking has always been a nightmare, but every year the government finds new ways to remove the accessible parking spaces within the city. Intentional or not, the ACT government has sent a very loud message to disabled Canberrans about how welcome we are within our own city.

Here is another one:

As someone who has a disabled parking pass, the accessible parking around the corner is almost always completely full, meaning we have to park at the law courts and have to pay for the parking that isn't even accessible, so we are literally paying money to still not be able to go where we need to without causing pain.

Another one:

It's horrible. Our doctor is on London Circuit. My daughter and myself both have disabilities. Now we have to park at the Canberra Centre.

The next one:

I live in Canberra and, as a disabled person, I haven't been into the city for over 12 months because it's just so difficult and inaccessible. Not to mention half of the

paths near the courthouse aren't even accessible anymore because of the construction.

The next one:

I'm at the optometrist a few doors down and our patient base have found it easier to get to Tuggeranong, to our practice there. The patients that can't get there who come here constantly apologise about being late because of how horrid the parking situation is. Many patients we have are older and require the accessible parking.

Here is the final one that I will read out today:

As a person who gave input into making the new theatre accessible, they conveniently left out that they're doing this months before they've even started works or expecting it to be built. Could it not have been started closer to when they start building?

These are some of the direct experiences of people with disability or other mobility restrictions or those who are seeing the impact on people who we should be prioritising in these decisions.

I also want to speak to the small business impact. We often talk about small businesses being the backbone of the economy, and the business impact. I have probably also said it myself—that there are businesses in the chamber, or there are people in the chamber, and they run businesses. And these impacts are real. Ms Lee and I, as she mentioned, attended a meeting of over a dozen affected business owners a couple of weeks ago. It was really confronting—the level of stress and, I would say also, trauma from disruptions over perhaps the last five years, starting with the bushfires that we all forget about, right before COVID, and everything they have been hit with since then. It is heartbreaking to speak with people who are part of our community and feel that they are not seen and heard in the decision-making processes.

I ran a small business myself through the pandemic. It was brutal, and many of these businesses will have done the same. There was that feeling of having put so much effort into something and into trying to build momentum. Other decisions—and, of course, other factors, not just government decisions; I acknowledge that it was a pandemic—meant that what I was trying to have happen, and had tried to have happen over so many years, completely stopped, and that momentum was completely halted.

To me, it felt like the government had not really been involved in the operation of my business at all. The first involvement, the first experience, was, "There are going to be serious restrictions on what you're able to do." Many of the early restrictions—they were improved with time and adjusted—did not make any sense, given the business that I was running.

I am sure this is the experience that many of the affected business owners are having in the city at the moment—not just on the back of the pandemic and all these different construction works, but a feeling like, "I've put all this effort into something." Mr Milligan spoke about it. "I'm probably loaded up with debt. This is something I really care about and I'm providing a service to my community that I care about." But that is not acknowledged.

Too often, we reduce small business owners to the business side of things and just think, “Every business owner is a millionaire. They’ve got all the money that they need. They’ll be fine. They’ll just shut up shop, and open something else on the other side of this particular disruption,” and the human impact along the way is forgotten about.

That might be the case for some, but it is definitely not the case for the majority. These things have a real impact on the people behind these businesses—their customers as well, who are often gathering at these kinds of community hubs that we have with cafes and so on—and on their families, which is something that does not get recognised. Running a small business is not something that you stop doing when the small business closes the doors at the end of the day. It is constant; it is perpetual. You wake up in the middle of the night stressed about something. If someone cannot make it to their shift—perhaps they cannot get into the city anymore because there is no parking for them—who is on the hook to cover the shift? It is always you, and it is a pretty rough experience.

What I am hearing from small business owners across the ACT at the moment is that they are asking, “Why am I doing this?” What I worry about is: who is not going into business now, because that is what so many small business owners are experiencing? If their friends say, “I want to try something,” they are probably saying to them, “It’s not worth it. You’d be better off getting a comfortable job where you’ve got a guaranteed salary and you can work from home, rather than having to deal with what’s going on in the city.”

With all of that in mind, I am not here to speak against the projects that are underway; I am here to speak on, in favour of and to echo the human impact of the works and really urge the government to take them seriously and do whatever they possibly can to mitigate those impacts. As Mr Milligan indicated, these are reasonable asks in today’s motion.

There are some elements of Mr Barr’s amendment that has been circulated that I am comfortable with, but there are just a few too many that I am not, so I will not be supporting Mr Barr’s amendment. For instance, I want to do a comparison, for the benefit of members and those in the gallery. The original motion notes:

- (a) the Government failed to adequately consult with local small business owners on the impending closure of the Theatre Lane car park;
- (b) the closure of the Theatre Lane car park and other car parks in Civic will have a significant impact on the viability of many small businesses in the city precinct;
- (c) many of these businesses have already endured years of disruption—from light rail construction works, bus route changes, the pandemic and repeated road and car park closures ...

The amendment proposes to remove all of that, and I want to vote in support of that, but the amendment seeks to replace it with this:

- (a) the Government has been in regular contact with business owners in the CBD precinct regarding impacts of construction through multiple

forums ...

That is not something that I can vote in support of, given what I have heard directly from affected business owners. The amendment also states:

(b) the entire site is required for early works to commence.

I find it very hard to believe; it seems very coincidental that the exact footprint of the entire site would all be needed. It is a crazy coincidence, isn't it? If the car park happened to be smaller, we would still build the theatre. We would still build the theatre, perhaps by stacking site sheds on top of each other as a solution. I think that if we were serious about finding a solution and working with Multiplex to open up more of these car parks, we could do so.

Maybe 60 per cent is not realistic, but what about 40 per cent? I am not sure. There has to be a percentage of that site whereby, if we wanted to serve the community and help people to survive and get to the other side—people like Daina, people like those running businesses in this part of the city—we would find a solution.

I am encouraged that the Chief Minister has spoken about a willingness to find solutions. If we go down there and have a look at it, there is space for solutions. I really hope that they are found, on the back of this motion today.

The original motion also calls for quarterly updates on the progress of the works and the number of parking spaces. The amendment calls for annual updates. I think quarterly updates are what is needed at the moment, given the level of disruption and the level of human impact that I am hearing about from people in our community.

I want very briefly to reflect one more voice because, to the extent possible, I am trying not to make this just what I am thinking about here, in relation to the consultation and the impact. There are business owners in the chamber today, but I will not name them because they did not ask to be named. They said:

The availability of nearby parking was a critical factor in my decision to sign my commercial lease—

This happened relatively recently. They continued:

as client accessibility is essential to the service I provide. When the original car park closure occurred, I was not informed, and I subsequently provided my email address to an engagement officer onsite to ensure I would be notified of any future changes. Despite this, I once again received no direct communication regarding this most recent closure, instead finding out from my mum, who heard something on the radio. This repeated lack of notice has caused significant operational disruption and undermines confidence in the ACT government's consultation processes with small businesses.

I hope that these messages are heard here in the chamber today and that they lead to a change in the way that we are engaging or not engaging with people affected by these major works.

I will not be supporting the amendment. I will be supporting the motion, and I will move my amendments and speak to them very, briefly after the vote on this amendment.

MS LEE (Kurrajong) (4.50): I thank all members for their contributions to the debate on this motion. I think it is incredibly important for everyone, especially the business owners in the gallery who have taken time out of their busy day to join us, to hear from members in this place—those of us who are privileged to be able to take a vote and make a decision on issues that really impact Canberrans, these people, on a day-to-day level.

Mr Barr, in moving his amendment, spoke at length once again about the number of alternative car parks that are available. I acknowledge that there is no perfect solution. We understand that, and business owners understand that.

As I said in my opening speech, this is not a group of people who are asking for compensation or for the whole car park to be reopened. They are very reasonable. They are passionate Canberrans who also understand that projects need to happen, because it is about building our city centre. They are not opposed to development in the city precinct. They acknowledge that the Lyric Theatre project is happening.

They have been calling out and spending their time raising their concerns about a specific issue; that is, partial access to Theatre Lane. And we get the same response: “There are car parks here, here, and here.” One of the areas that Mr Barr spoke about was next to the law courts and Gordon Street. Let us put that in context.

Yes, you can describe Gordon Street as being a couple of hundred metres away, but it is so far away for those who have disability access needs. Gordon Street is so far away that, for the future light rail stage 2A route, it is a whole stop away. We are not talking about an area where they can just go across the road.

We are told again and again, “Hey, there are heaps of spots.” That was not the issue that these businesses have raised. The issue that these business owners have raised is not about that. It is very specific. Frankly, it demonstrates why they are so frustrated. Once again, they are told the same thing in this debate, when they have tried to say, “That is not the specific issue that we’re concerned about.” That is incredibly frustrating.

With the loading zones at Bailey’s Corner, I acknowledge that Mr Barr mentioned the first quarter of 2026. By that stage, it will well and truly have gone beyond the timeframe when businesses were told they would be reopened—well and truly. This is cold comfort. There was also mention that, as the works for stage 2A and the closures there start to conclude, there are parts of Theatre Lane car park that will be open. How long will that take?

When the businesses were first consulted about the closures due to the light rail stage 2A works, they were told it would be three years. It is very cold comfort to these businesses to be told, ‘Hey, as that comes online, some of Theatre Lane may be reopened.’ Three years: that is what they were told. It is well and good to say, “But it’ll be much better in the end.” I think we all agree on that. I do not think that is in question. We all know that, once the Lyric Theatre is built, it probably will be great, and it will

be great for the businesses. But in the meantime, the businesses must survive. They must survive so that they can be there to see that it is going to be great. It is cold comfort now to be told, “But just wait; it’s going to be really good.” That is not in question. They need to survive.

It is cold comfort for the business owners who have significant concerns about the issues that they are facing right now. I refer to the business owner who told me that a customer, who had been a loyal customer for 26 years, rang and said, “I can’t anymore.” Twenty-six years and, all of a sudden, they have said, “No. This is what is actually the thing that breaks me.”

There was the business owner who told me, through tears, that in the 10 hours she was open she had one customer. She had one customer and could not cover the cost of wages, let alone rent, electricity, water and everything else that comes with it. There was the business owner who told me that, when you run a business, you do not log off at five. You are on, 24-7. That is what these business owners are going through. I do not think there is any question that, once it is all complete, sure, but what about now?

Mr Emerson has gone through, in quite a lot of detail, a comparison of my and Mr Milligan’s motion, and the amendment that Mr Barr has brought, and why he is not supporting Mr Barr’s amendment. I will not repeat what he said, because it is almost like he read my speech, so I do not need to do that. They are exactly the reasons why I will not be supporting Mr Barr’s amendment. The lack of consultation, which I have heard, which Mr Milligan has heard and which Mr Emerson has heard directly from these businesses, means that, in good conscience, I cannot agree to an amendment that completely dismisses that.

I also cannot agree to an amendment that says, “Hey, once a year, we’ll give you an update.” That is not good enough. There is a reason why the motion called for quarterly updates. These Canberrans deserve more, and they deserve better. That is why I will not be supporting Mr Barr’s amendment.

Mr Barr’s amendment agreed to.

MR EMERSON (Kurrajong) (4.57), by leave: I move:

1. After paragraph (2)(e), insert:

- “(f) during Question Time on 23 October 2025, the Chief Minister indicated that the accessible car parking spaces removed from the Theatre Lane carpark have been relocated to “within several hundred metres” of the carpark;
- (g) the loss of dedicated accessible parking spaces from the Theatre Lane carpark imposes an unrealistic and unreasonable expectation on people with disability and other community members with mobility restrictions to travel several hundred metres further to reach their destination;
- (h) the Royal Australian College of General Practitioners’ *Standards for general practices (5th edition)* dictate that, in order to be compliant with the *Disability Discrimination Act (1992)*, a practice “must provide access to disability parking”; and
- (i) a general practice near the Theatre Lane carpark has expressed concerns

that the removal of accessible parking spaces from the Theatre Lane carpark risks threatening their general practice accreditation;”.

2. After paragraph (3)(c), insert:

“(d) take urgent action to provide sufficient accessible parking spaces in, or adjacent to, the Theatre Lane carpark to ensure compliance with disability discrimination laws;

(e) review parking changes to ensure that nearby medical practices’ accreditation requirements are not impacted;”.

I will not speak to these amendments at length, as I think Ms Clay covered off any issues and Mr Barr spoke to the specifics of the impact on accessible parking spaces during this time.

One of the issues that I have named in these amendments is the impact on general practitioners. This has been raised by at least one medical practice near the Theatre Lane car park, who has expressed concerns that the removal of accessible parking spaces from across the road risks threatening their GP accreditation. The Royal Australian College of General Practitioner Standards for General Practices, the fifth edition, dictate that, in order to be compliant with the Disability Discrimination Act, a practice “must provide access to disability parking”. So this is a real concern.

On that basis, I would appreciate members’ support for these amendments; that, should it become clear that these accreditations are under threat, urgent action is taken to keep that from happening; and that parking spaces are restored. I hope that is what we see on the back of these amendments, which, hopefully, will be supported by the members.

MR BARR (Kurrajong—Chief Minister, Minister for Economic Development and Minister for Tourism and Trade) (4.59): The government will be supporting Mr Emerson’s amendments. I thank him and his office for their engagement on the detail.

Specifically, the issue of the accessible car parking spaces is, as I acknowledged in my remarks, what has been identified as the major immediate priority; and so we will be endeavouring to address that issue. But I do need to be clear that the trade-off there is loading zone to accessible—that we have to maintain loading zone access as well. So we will do both, but that we will mean a rebalancing of the number of spaces that are available for loading zone. However, there are other loading zone sites, particularly on the other side of Bailey’s Corner—so on Alinga Street. I am talking about next to McDonald’s, outside the City Walk Arcade—so, literally, just around the building. There are also other obviously loading zones within the southern side of London Circuit. There is not a perfect answer, but we will endeavour to meet all of the requests that have been put forward. But what I need to be clear about is that there are trade-offs here, but we will endeavour to do that.

In agreeing to these amendments, we are prioritising the accessible parking spaces, but I appreciate for political reasons Ms Lee was going to gyp me on raising Gordon Street. There is accessible car parking in Akuna Street, which is within several hundred metres of the existing spaces. We have put more on City Hill and in Hobart Place and in Nangari Street and in the Constitution Place car park. So there is more accessible car parking as a result of all of those new parking developments, and the ones that we had

to relocate to government car parking spaces, we did to the nearest closest ones and put them as close as we possibly could to where the other ones once were.

The government are not approaching this trying to be mean to anyone. We are trying to manage a major—the biggest ever—transformation of the city centre this century. I acknowledge it is disruptive for everyone. We will endeavour to get the work done as quickly as possible and to minimise the disruption as best we can. But I need to be honest: there is no perfect solution. What we have through the series of amendments today is an agreement in this place to do more where we possibly can.

But, as I said in answer to the question I got last week in question time, if something happens because we take a risk with putting parking in a place that is unsafe—for example, under a crane, and something fell from that crane and destroyed a car or injured a person—we would never hear the end of it; all of us in this place. That would be irresponsible. We cannot do that. We must adhere to Australian safety standards around construction. I cannot put the general public at risk, I cannot put the construction workers at risk, and I cannot put the theatregoers and the people who work in the theatre precinct at risk either.

Given all of those constraints, we will do the very best we can to address all of the issues that have been raised. Infrastructure Canberra is meeting weekly with Canberra Metro in relation to how quickly the works can be completed to reopen the loading zone outside Bailey's Corner, to finish the works in front of the Sydney Building and to be able to return some of the car parking in the Theatre Lane precinct. We have two major construction projects underway, but the light rail project is more advanced and it will conclude. As soon as we have information available as to when that car park can reopen, or that part of the car park can reopen, rest assured we will make it available.

The government does use multiple channels to communicate. The media is one of them. So to Mr Emerson: I appreciate all the issues you have raised and some of the quotes you gave there, but the media is one way that we do seek to get information to people. We also have websites, media releases, meetings and doorknocking, and we use parking apps and social media and printed and digital newsletters, and we put signage up in car parks, but we also do use the media. We ask the media, when we issue a media release, to report these things. Some people will hear about things in the media, and that is sort of the point of issuing the media release and seeking to work with the media to publicise projects, issues and disruption.

Mr Emerson: It is not the same as consultation.

MR BARR: I appreciate that there also needs to be consultation, but it is difficult to reach everyone. A lot of people are very busy and, I understand, do not have a massive interest in what goes on in here. Not everyone reads media releases, but a lot of people do hear news in the media. So we must, and we do, use the media to communicate information. But we also need to do all of those other things. I accept and acknowledge that, Mr Emerson.

To the people in the gallery: I appreciate that some people will not have heard direct from an official of government. I think we are now certainly aware of those who are very interested in this. What is also clear to me, though, is that, when we provide

information to building owners and property managers, they are not necessarily conveying that to tenants. So we will need to follow up with them around ensuring that, when we do provide them with information, they are sharing it more widely. I accept that has obviously been a failure here and will endeavour to do better.

Thank you, Mr Emerson, for bringing your amendments forward. Again, thank you to Ms Lee and Mr Milligan for raising the issue. There is a pathway forward. I appreciate the disruption is hard. It is hard for everyone. But it will come to an end and things will be better in the future. I am glad there is an agreement from everyone on that point, because it is not always the case in every debate here around infrastructure projects. Not everyone always agrees that the outcome in the end will be better, but I am pleased to hear that there is a consensus on that point. So I commend the amended motion to the Assembly.

MS CLAY (Ginninderra) (5.07): The Greens will be supporting Mr Emerson's amendments to the amended motion. We have been working with all parties this week to try to get the best outcome. I do not know if we have got the best outcome, but there is clear goodwill to try and keep working on the problem. So I would encourage you to come forward directly if there are more things that can be done.

MS LEE (Kurrajong) (5.08): I thank all members for their contributions to this debate. It was a very important issue that had been raised by so many business owners who have been doing it tough. I also want to take this moment to spruik the petition, which this afternoon had almost 500 signatures. It is important to keep that going to continue to raise the issue into the public arena as well.

In relation to the amendments brought forward by Mr Emerson, I do support his amendments. I think they are important. He and I were both there in that meeting when that was raised with us. I have to say that I was actually quite gobsmacked that it seemed to have been forgotten. So it is important for these amendments to receive support, so there are no issues in that regard.

Perhaps if I can take a little bit of a liberty, I know that it was Mr Emerson who raised it, but Mr Barr went into great detail about using media as one form of communication in relation to keeping people updated, which I do not dispute. But I think the specific issue that Mr Emerson had raised was in relation to a Canberran who had specifically given her email address to be consulted and then was disappointed that she had not found out through that mechanism, which I think was the point that Mr Emerson was making. I think that that has also obviously got to be important. If you give an email address, you kind of expect that you are going to be spammed a little. So, to find out through the media—I think it was through the mum who found out through media—is probably the point there.

But I do acknowledge that Mr Barr has said that he will endeavour to make sure that these issues are heard and that there will be a priority in relation to disability parking. I think that is important and we are all in agreement about that.

I brought this motion on behalf of these business owners. Let's keep in mind that we are not talking about people who are asking for something unreasonable; we are talking about business owners who have faced years of challenges. As Mr Emerson said, I think

we all sort of forgot about the bushfires because of the pandemic, and from there it was the light rail stage 2 works road closures and now, of course, there is the Theatre Lane car park. So it is important to note that it is not just the closure of this car park that has them worried; it is compounded due to the fact that these business owners have faced all of these challenges. It is important to put that into context.

I thank all members for their contributions to this debate. I once again thank the business owners for making the time to be here today, and thank you for raising the concern with us. I know that is not the solution that you necessarily may have wanted, but, at the same time, I think it was important that your concerns were raised directly here in this chamber and that every member in this place had the opportunity to respond to you and the concerns that you have raised. So thank you for being here. We will continue to raise your concerns.

I have indicated that I will not support Mr Barr's amendment but, of course, I acknowledge the amended motion that is going to pass today. Thank you.

Mr Emerson's amendments agreed to.

Original question, as amended, resolved in the affirmative.

Lyneham High School—Seek program—standing order 118AA Speaker's ruling

MR ASSISTANT SPEAKER (Mr Werner-Gibbings): On behalf of the Speaker, in answer to a question without notice in accordance with standing order 118AA, at question time today Mr Emerson asked the Speaker to consider, under standing order 118AA, whether the Minister for Education was responsive to Mr Emerson's question on the Seek program. The Speaker examined the draft *Hansard* and considers that the minister was responsive to the question and no written response will be required.

Papers

Motion to take note of papers

Motion (by **Mr Assistant Speaker Werner-Gibbings**) agreed to:

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

Health Legislation Amendment Bill 2025 (No 2)

Debate resumed from 4 September 2025 on motion by **Ms Stephen-Smith**:

That this bill be agreed to in principle.

MS CASTLEY (Yerrabi—Leader of the Opposition) (5.13): I rise today to speak to the Health Amendment Legislation Bill 2025, which makes a range of minor and technical changes to several pieces of legislation. The opposition has reviewed the bill and has no particular concerns with the changes that are being made. I note that the social policy committee has resolved not to undertake an inquiry, the Scrutiny

Committee has not raised any serious concerns and I do not believe stakeholders or members of the public have raised any concerns either. Therefore, we will be supporting the bill today.

That said, we do have a more general concern. There seems to be an increased number of bills in this Assembly that are tidying up existing legislation or correcting past errors, including in the health portfolio. It is not clear whether this is because more errors are being identified, because more errors are being corrected or because the government is making more errors than it did in the past. Either way, there is a concern for us and, I believe, the whole Assembly, particularly if this problem is occurring because the parliamentary drafters are under-resourced and under significant pressure. I hope this is not the case. I would be pleased if someone from the government would like to explain what is going on. But, as for the legislation which is currently before the Assembly, the opposition has no significant concerns and will be supporting it today.

MISS NUTTALL (Brindabella) (5.14): The Greens will also be supporting the passage of this bill today. On behalf of my office, I would like to sincerely thank the minister, her office and directorate officials for the briefing they provided us a couple of months ago. It provided valuable context for changes to the Health Act protected areas, which were our one outstanding point of concern with this legislation from the start.

The other legislation covered under this omnibus bill—the Special Events Act; the Medicines, Poisons and Therapeutic Goods Act; the Medicines, Poisons and Therapeutic Goods Regulation Act; and the Voluntary Assisted Dying Act—raise no concerns for us. So the remainder of my speech will focus on the Health Act as it pertains to the protected areas for our facilities that provide surgical abortions here in the ACT.

Right now, of the five medical facilities approved to provide surgical abortion services here in the ACT, one is Marie Stopes International facility and the remaining four are public or private hospitals. Our current law would require the minister to automatically declare these hospitals as protected areas. Above and beyond this not actually reflecting the current practice of designating an area protected only on request, this protection would, to the letter of the law, technically prevent a number of vigils and strikes entirely unrelated to the abortion services provided on site.

On initial appraisal, we were somewhat concerned that making areas protected only upon application by the facility might constitute an erosion of government's and medical providers' obligations to protect any woman or birthing person from anti-abortion protesting at facilities that offer surgical abortions. Unfortunately, we are at a time in the world where the reproductive rights of anyone with a uterus are being systematically eroded. While a progressive jurisdiction like Canberra is the last place where we would expect to see those rights come under threat, conventional wisdom has shown us that we need to hold fast to the rights we have fought so hard to secure.

That being said, we were quite reassured by the conversation we had with Minister Stephen-Smith's office and directorate officials that this would not constitute an erosion of protections of anyone seeking an abortion. Because hospitals provide so many services, it would be near impossible to determine who attending the place is seeking an abortion. In practice this means, thankfully, hospitals just have not had anti-abortion

protests on site.

We also sought clarity on why you would not just narrow the scope of protests to only cover anti-abortion protests. But, unfortunately, some anti-abortion protesters will use loopholes in the narrower scope to continue their activity. We are also reassured by the fact that, if an approved medical facility asks the minister to designate it as a protected area, the minister must do so. Again, I do not expect it to happen in a progressive jurisdiction like the ACT, but we do not, thankfully, face a risk that the minister would refuse to provide such protection when asked.

So, overall, we are satisfied that this bill still safeguards the rights of anyone who is seeking an abortion from anti-abortion protests and its function is simply to align the legislation with current effective practice.

MS STEPHEN-SMITH (Kurrajong—Minister for Health, Minister for Mental Health, Minister for Finance and Minister for the Public Service) (5.18), in reply: In closing, I am pleased we have reached the next stage consideration for the Health Legislation Amendment Bill 2025 (No 2), and I thank members for their support of this bill.

I can reassure Ms Castley that this is just a standard process of government where our officials go through regularly to check legislation, make sure that it is up to date and, particularly, make sure that it reflects changes that have been made, for example, to commonwealth legislation or to other pieces of legislation, and that our cross-referencing and those kinds of technical matters are continually updated.

I wish to thank the Scrutiny Committee for its careful consideration and examination of the bill and for identifying a minor cross-referencing issue in the explanatory statement for the bill, which has now been corrected. I table a revised supplementary explanatory statement.

As others have said—and as I said in my introductory remarks—the bill makes several minor and technical amendments to legislation in the health portfolio which will improve the overall administration and operation of health-related laws. This reflects the government’s approach of continuous improvement and serves as a timely vehicle for delivering a suite of minor amendments that, each taken individually, would not be appropriate for standalone bills. The amendments being debated today will align territory laws with commonwealth reform and, more generally, will ensure that health laws are fit for purpose and up to date.

The bill will amend the Health Act 1993 to ensure that the minister’s obligation to declare a protected area around facilities approved to provide surgical abortions—as Miss Nuttall has talked about—is only triggered when there is a request made by a person responsible for the management of the facility. It will also clarify that the minister may declare a part of the facility an approved medical facility.

The bill will also amend section 20 of the Medicines, Poisons and Therapeutic Goods Act to ensure that all hospital facilities operated by the territory, rather than only the Canberra Hospital, are treated as recognised research institutions. Aligned with this, the bill will also amend the Medicines, Poisons and Therapeutic Goods Regulation 2008 to ensure appropriately qualified people employed in any hospital operated by the territory

have the same scope of authority to deal with medicines under parts 9.4 and 9.5 of the Medicines, Poisons and Therapeutic Goods Regulation, as do employees of Canberra Hospital.

The bill will also amend the Voluntary Assisted Dying Act 2024 to enhance consistency and improve clarity of a small number of provisions. These changes will improve the consistency and transparency of the relevant provisions in the Voluntary Assisted Dying Act but do not substantively alter the intended operation of the act, which of course will commence next Monday, 3 November 2025.

I want to take this opportunity again to thank everyone who has been involved in the implementation of our voluntary assisted dying system. It has been a complex and detailed process, and our officials have done a remarkable job crossing every T, dotting every I and ensuring that clinicians, consumers, experts and other stakeholders have been engaged every step of the way.

The very small number of minor amendments being made through this bill is testament to the quality of the policy and drafting work led by my colleague Tara Cheyne through 2023 and 2024. It also reflects the professional excellence and attention to detail of the teams in the Justice and Community Safety Directorate and the Parliamentary Counsel's Office, as well as the way they took on board lessons learnt from other jurisdictions and engaged across the then Health Directorate, Canberra Health Services and the wider community.

The bill also updates other legislation in the health portfolio, as I said, to ensure that cross-references between various pieces of legislation and subordinate legislation are accurate and up to date. There is a need to continuously update our legislation and ensure it stays current and user friendly. The amendments under the bill will contribute to this ongoing process.

The passage of today's bill continues a series of health-related omnibus bills that improve our statute book, and I thank members for their consideration and support and particularly thank the Scrutiny Committee for its comments. I commend the bill to the Assembly.

Question resolved in the affirmative.

Bill agreed to in principle.

Leave granted to dispense with the detail stage.

Bill agreed to.

Statements by members

LGBTIQA+ affairs—SpringOUT

MR BARR (Kurrajong—Chief Minister, Minister for Economic Development and Minister for Tourism and Trade) (5.23): Earlier today, we raised the LGBTIQA+ community's flags and formally kicked off SpringOUT 2025. SpringOUT has become an integral part of our city's cultural and social fabric, reminding us of the power of

unity and the importance of creating spaces for free expression. Watching the community's flags fly here in the heart of the city reminds us how far we have come, from hard-fought victories to everyday acts of courage that make Canberra more inclusive.

Throughout my career in this place, I have wanted our city to stand out as a progressive and welcoming place, recognised across Australia for our leadership in advancing the human rights of LGBTIQ+ people. That is why we call ourselves the Capital of Equality, that is why we launched the new Capital of Equality Strategy in 2024 and why we continue delivering on its commitments. In saying this, I want to acknowledge the tremendous work and courage of community leaders, advocates and allies who have pushed for change for decades and decades, successfully in many instances, thankfully. But, at the same time, we know there is more to do and our commitment to equality remains firm.

Finally, I want to give a shoutout to the dedicated SpringOUT committee members and key contributors who bring the SpringOUT Festival to life year after year. Their passion and commitment to make this celebration of Canberra's rainbow and queer communities possible is without measure. We simply thank them for their invaluable efforts because without that these events would not exist. Happy SpringOUT everyone.

Thriving Kids Foundational Support Program

MS BARRY (Ginninderra) (5.25): I rise quickly to make a few observations in relation to Miss Orr's ministerial statement updating the Assembly on the progress of her implementation of our motion on foundational supports. I commend Ms Orr for her speedy action on that motion. It has only been, I think, three or four weeks since that that motion was adopted here in the Assembly. So it is really exciting to see the importance she has provided to that motion.

I do however note that the timeframes that she has provided raise significant concerns, particularly because the implementation of the Thriving Kids program will be on 2 July according to the commonwealth timeframe. So it would be interesting to see what the additional updates would be prior to that implementation. I think it is important that we note that, and I will be looking to make sure that issues that would arise during the implementation of the Thriving Kids Program are addressed, hopefully, in those updates that she indicated in the ministerial statement that she will be providing.

Family Drug Support—Remembrance Day

MS STEPHEN-SMITH (Kurrajong—Minister for Health, Minister for Mental Health, Minister for Finance and Minister for the Public Service) (5.26): On Monday this week, Minister Pettersson, Mr Rattenbury, Ms Clay, Mr Cain and I, and potentially other MLAs, all attended the 30th Annual Remembrance Ceremony to honour and remember those in our community who have lost their life through drug use. I was deeply honoured to be asked to speak at the ceremony and to share this time of remembrance for the friends, families, loved ones and community members we have lost too soon.

Every life lost to drugs is one life too many. The impact of these deaths ripple out through our community and touch us all. Remembering those who have died reinforces

the importance of compassionate drug policy, a policy that treats people who use drugs with humanity, dignity and respect. A cornerstone of this government's drug policy is responding to alcohol and other drug use not with criminalisation and stigma but by helping people to access support and health services if they need and want them.

The ACT government has a strong commitment to minimising harm from alcohol and other drugs through policies and programs based on the best available evidence and harm reduction approaches as one pillar of the harm minimisation strategy. I thank the many people and the myriad of alcohol and other drug organisations and services that gathered on Monday to share their stories.

Canberra Region Amateur Radio Club

MR CAIN (Ginninderra) (5.25): I rise to speak about the outstanding community contribution of the Canberra Region Amateur Radio Club, CRARC. With about 200 members across the ACT and surrounding New South Wales, CRARC is one of Australia's largest and most active amateur radio organisations. CRARC provides vital community and emergency communication services. Through its Wireless Institute Civil Emergency Network, members have supported events in remote areas where mobile coverage is non-existent, such as car rallies, endurance rides and charity events in the Brindabellas. Many also volunteer interstate during natural disasters, including the devastating 2019-20 bushfires.

The club plays an equally important educational role. Its training and licensing programs introduce Canberrans of all ages to the fundamentals of radio, electronics and communications technology, providing a valuable pathway into STEM learning and careers. I want to commend the Canberra Region Amateur Radio Club for their service, innovation and commitment to our community. I want to thank my friend Bruce for introducing me to this important organisation that so serves our community.

Mr Eric Hunter—tribute

MS CHEYNE (Ginninderra—Manager of Government Business, Attorney-General, Minister for Human Rights, Minister for City and Government Services and Minister for the Night-Time Economy) (5.29): I was heartbroken to learn that long-term Cook resident, prolific letter writer and journalism trailblazer Eric Hunter died on 19 October, and I wish to express my sincere condolences to his wife Jenny and to his children and all those who had the pleasure of knowing him and working with him.

I came to know Eric as my constituent, with him regularly sharing his views on the goings-on in his local parliament or seeking resolutions to graffiti, mobile billboards and streetlights. I soon learnt of his incredible journalism career and of his considered, very experienced opinions—not least because he told me. Of course, he was not wrong and so, in honouring Eric, I share one of the many opinions he put to me in 2018. That is:

If you can maintain your fundamental integrity and honesty, even when it might come under severe strain, you will come out on top because people will recognise and appreciate it. I also realise that these characteristics are frequently put to the test in the political arena and it is not always easy to sincerely and genuinely take the high moral road (in fact, journalism and politics can be quite similar in many

ways).

I will certainly miss hearing from Eric. I know that his contributions to journalism, including being the first live cross from the Northern Hemisphere to the Southern Hemisphere, effectively changed Australia. Vale, Mr Hunter.

Make A Wish Foundation—Hallowish fundraising

MR WERNER-GIBBINGS (Brindabella) (5.31): I seek leave to extend the time for 90 second statements by two minutes.

Leave granted.

MR WERNER-GIBBINGS: Thank you, Assembly. Mr Deputy Speaker, your favourite Labor members for Brindabella are rising this fine and ghoulish Thursday afternoon to wish you a terrifying Halloween as well as to tell the chamber and, through it, Tuggeranong and the ACT about a wonderful fundraising effort happening in Bonython this weekend.

Halloween 2025 in Tuggeranong is not going to be just about costumes, trick-or-treating, spooky fun, lollies and tooth decay; it will also be about coming together as a community to help make something lovely happen—granting wishes for critically ill children through the Make-A-Wish Foundation’s Hallowish campaign, by toddling along to the Witches’ Lair at Tarlton Place, Bonython, which is opening spook-tacularly from 5 pm tomorrow, Friday 31 October, All Hallows’ Eve.

Everyone—young or old, Halloween fan or Halloween narc, Tuggeranong-ian or not—is invited. Wander the horrifying decorations, dodge the demonic spectres, shiver in the eerie spirits, grab a petrifying lolly bag and then go home and clean your teeth—my mother was a dentist. Bonython’s bespoke Hallowish is because of Harriett, a vibrant, resilient teenager and a proud Bonython local. Harriett was born with not one but two ultra-rare genetic conditions, Prader-Willi syndrome and cystic fibrosis. She is the only child in Australia diagnosed with both.

MS TOUGH (Brindabella) (5.32): These conditions affect nearly every part of her body and daily life, making simple joys like playing with friends or going on holiday incredibly difficult. But, in 2022, thanks to Make-A-Wish, Harriett got a wish. The foundation took her and her family to Queensland to visit a butterfly sanctuary to see the Ulysses butterfly, a shimmering creature that, as Harriett proudly told us the other night, is actually clear, though it appears blue. That moment lit up her world. By donating to her Hallowish fund, we will help light up the worlds of more kids like Harriett.

In 2025, Harriett and her brave mum Melissa have teamed up with their fellow Bonython heroes, schoolmates and neighbours, Charlotte and Thomas, to raise funds for Make-A-Wish. Every dollar goes directly to helping more children experience the joy of a wish fulfilled. Helping them help other kids get a wish is super easy. Donate and be the difference. This is a grassroots effort born from friendship, compassion and a love for our community. Let’s show how much we can raise not just in dollars but in hope.

On a side note, I also wanted to give a shoutout in my neighbourhood of Conder to Halloween on Templestowe, on Templestowe Avenue, and the incredible Andrea who is raising money this year for Red Nose through her Halloween display—and she does this every year. For residents of Tuggeranong and Canberra: get down to Bonython and to Conder and make people's lives just that little bit better this Halloween.

Discussion concluded.

Adjournment

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

That the Assembly do now adjourn.

Sudan—conflict

MR BRADDOCK (Yerrabi) (5.34): I rise today to speak on the humanitarian and refugee crisis unfolding in Sudan, a crisis the United Nations has described as the world's largest humanitarian emergency. What we are seeing in Sudan is a human catastrophe of staggering proportions. Since the outbreak of fighting in 2023 between the Sudanese Armed Forces and the Rapid Support Forces, more than 150,000 people have been killed. Twelve million people have been forced to flee their homes, including six million becoming internally displaced, making this the largest internal displacement crisis anywhere in the world today.

This conflict is not just a political struggle between two armed groups; it is a war being waged on civilians. Entire communities have been wiped out through ethnic violence and cleansing. Women and children, who make up the vast majority of those fleeing Sudan, are being subjected to appalling levels of sexual and gender-based violence. As if the violence were not enough, extreme weather has compounded the crisis. Droughts, floods and record heat are destroying crops and livestock, leaving millions on the brink of famine. The combined impact of war and climate has left more than half the population facing severe food insecurity.

Before this conflict began, Sudan was already providing refuge to around one million people who had fled wars in neighbouring countries. Now, those refugees are being displaced once again, forced to migrate to Chad, Egypt, Ethiopia and beyond. The number of displaced people facing this humanitarian disaster continues to grow, sending shockwaves throughout the region and placing enormous strain on neighbouring countries that are already struggling to cope. These are not abstract figures; behind every number is a family torn apart, a child forced from school, a mother searching desperately for food and safety. They are people who have a fundamental right to safety, peace and freedom.

I recently met with members of the Canberra Sudanese community, who shared their deep concern for the unfolding crisis and for their loved ones still in Sudan. We are united by our shared humanity and our compassion for those who are forced to flee conflict. We must do more to support people seeking refuge in Australia from conflict zones such as Sudan, particularly those who have chosen to make Canberra home. We

have both the resources and the capacity to play a greater role in addressing this global refugee crisis and supporting Canberrans who have fled Sudan. The people of Sudan are enduring unimaginable hardship. They did not choose this war. They did not choose to lose their homes, their livelihoods or their loved ones. They deserve a world that stands with them, not one that turns away.

As parliamentarians, we have a duty to act in the spirit of compassion, justice and humanity. We cannot look away from this crisis. Australia's response should reflect our values. I believe that every human being, no matter where they are born, deserves dignity and hope. So today I call on the government to strengthen our support for all refugees who choose to make our nation's capital their home. These are people who have endured the unimaginable, and they deserve to be welcomed with open arms and open hearts.

Ovarian cancer—Frocktober

MS TOUGH (Brindabella) (5.37): It would be impossible for those in the chamber not to know that I have been participating in Frocktober this year, the Ovarian Cancer Research Foundation's annual fundraising campaign in which participants wear a different dress every day of the month. You probably have not been able to avoid my daily posts, my speeches in the chamber about the campaign, the flyers for the morning tea earlier in the week and the endless reasons why ovarian cancer deserves our attention. But, alas, as some months tend to do, it will end tomorrow on the 31st.

Just because the campaign has ended does not mean we should forget the stories and experiences of ovarian cancer survivors, patients, their families and the over twelve and a half thousand years of life lost to the disease each year. So, as a reminder, ovarian cancer has a five-year survival rate of only 49 per cent, but if it is diagnosed at a later stage—which around 70 per cent of women are—the rate drops to just 29 per cent. Four women will be diagnosed with ovarian cancer today. One woman will die from the disease every eight hours. I recently found that the youngest patient was a four-year-old girl. I found stories of Australian teenagers having ovarian cancer. I found stories of Australian teenagers dying from ovarian cancer. It hits at any age.

Just because the campaign has come to an end does not mean we should forget about the important work it raises funds to support. Since 2000, the OCRF has been dedicated to investigating early detection targets as a primary method to improve survivability. As a registered charity, the OCRF does not receive all that much direct government funding, meaning that every dollar raised towards research comes from the community. It comes from people with a lived experience of ovarian cancer and people who want to support people with ovarian cancer.

I am really grateful for my fellow MLAs, Assembly staff, friends, family and members of the community who followed along, attended my morning tea on Monday, and contributed to my Frocktober fundraising. Thanks to the donations of 21 supporters, and counting, we have raised over \$1,500 so far. At this moment, the overall Frocktober campaign has raised over \$630,000 this year. For reference, a \$36 donation helps secure vital resources needed to collect and analyse patient samples; \$58 supports researchers to grow ovarian cancer cells so they can study this disease; and \$100 supports a researcher to analyse DNA from cancer cells. There is still time to donate before the

campaign, and I encourage those listening to do so.

I want to take a moment to reflect. This is the eighth time I have participated in Frocktober since 2011. I was inspired because my grandmother had ovarian cancer. She was diagnosed when I was a baby and she passed away when I was 18 months old. I did not know her, because of this disease.

So, as I wrap up what has been quite a really exciting and fun month—and I really like talking about women’s health all the time and I know that when you get me started on it, I do not stop—I want to thank everyone who has listened to me tell them everything I know about ovarian cancer over the past month. Thank you to everyone who has assisted me—people whose other feeds I have followed while doing Frocktober and whose inspiration I have taken from them and people who have helped me take the photos and people who have been in them with me. I really appreciate it. But do not get too comfortable with the absence of them from social media and the absence of my many dresses. I will be back again next year, next October, to participate in my ninth Frocktober, and I hope people in the Assembly can join me.

Health—breast screening

MS STEPHEN-SMITH (Kurrajong—Minister for Health, Minister for Mental Health, Minister for Finance and Minister for the Public Service) (5.41): I was not going to do this, but I have been inspired by Ms Tough to follow on the theme of cancer and cancer that affects women in particular.

October is Breast Cancer Awareness Month, and tomorrow, Halloween, BreastScreen ACT will be teaming up with the Canberra Sexual Health Clinic and Cancer Council ACT to deliver a frighteningly important message, and that is: do not ghost your screening. BreastScreen ACT, the Canberra Sexual Health Clinic and Cancer Council will be on site at BreastScreen ACT at the City Community Health Centre to talk about the importance of breast and cervical screening. Health education sessions will run from 1 pm tomorrow with free walk-in mammograms available from 2 pm. There will be plenty of opportunities to ask questions, create fun and spooky bras—“Peek-a-boob”—and, most importantly, get your life-saving screenings done.

I recently had my mammogram, slightly overdue, and I can attest, as they say, that it is quick, it is free and, while it might be a little bit uncomfortable, it will be over before you know it and it could save your life. I have also recently had somebody close to me diagnosed with breast cancer through a mammogram who has been actively spreading the word among family and friends to ensure that other people have the opportunity for early diagnosis and treatment in our world-class health system.

Since the breast-screening program started more than 30 years ago, deaths from breast cancer have reduced dramatically. So if you are due or overdue for a mammogram or indeed, a cervical screening, please make sure that you do not ghost it; book it in today.

Pegasus Riding for the Disabled

MR CAIN (Ginninderra) (5.43): I rise today to talk about and celebrate the 50th anniversary of Pegasus Riding for the Disabled. Pegasus is such a wonderful program.

How lucky we are to have it here in the ACT—and in the electorate of Ginninderra. For half a century, Pegasus has provided a safe, nurturing and empowering environment for children and young people living with disabilities. Pegasus offers a range of horseriding programs for children with disabilities. They offer programs that teach skills to care for horses, which then progress to mounted programs where children can experience riding a horse.

There are so many physical, sensory, social, emotional and psychological benefits for children attending Pegasus. Some of these benefits include balance; coordination; spatial awareness; strengthening muscles; improving flexibility and range of motion; and providing opportunities for social interaction, communication and bonding, boosting confidence and self-esteem and giving a sense of accomplishment and pride. Interacting with horses can be calming and therapeutic, reducing stress and anxiety and improving emotional regulation. Pegasus involves teamwork and collaboration—therefore, promoting social skills and relationships.

Last week I had the great privilege of attending the Pegasus 50th Anniversary Gala, a truly special evening that brought together families, volunteers, sponsors and supporters from across our community. It was terrific to share a table with fellow MLAs, Ms Barry and Ms Stephen-Smith. It was a beautiful celebration of the organisation's longstanding impact, reflecting on its humble beginnings and the many lives it has touched. The room was filled with gratitude and pride—gratitude for the countless volunteers who have given their time and love to this program and pride in the enduring legacy Pegasus has built over five decades. The gala was not just a celebration of the past but also a reaffirmation of Pegasus' future, its continued commitment to provide inclusive, life-changing opportunities for children and individuals with disabilities in our region.

I would also like to acknowledge the staff, board and members and volunteers who dedicated so much to keeping Pegasus thriving. I am especially thankful for the work of the board chair, Kevin Bhadra; the CEO, Matthew Watson; and the events manager, Jo Kennedy. They all contributed to a fantastic evening. Their compassion, consistency and belief in what is possible makes all the difference for so many lives.

I also want to acknowledge the families who have been part of Pegasus' story, like my constituent, Jane Hayden, also known as Barnes, who shared with me:

My son Shane attended Pegasus from approximately 1992 to 1998, through his primary school once a week. He was accompanied by three volunteer helpers each week to assist him to ride. They played games, had haybale tractor rides and attended displays. We also loaned our Shetland pony to Pegasus as their mascot and he went to many exhibitions. Now my grandson attends Pegasus weekly and benefits from it greatly.

They are the words of a thankful grandmother and parent. This story is a testament to Pegasus' intergenerational impact and the joy and connection it brings to families year after year. As Pegasus marks this incredible 50-year milestone, I extend my warmest congratulations and heartfelt thanks to everyone who has contributed to its success. May the next 50 years continue to inspire, uplift and transform lives through the healing power of horses.

Voluntary assisted dying

MS CHEYNE (Ginninderra—Manager of Government Business, Attorney-General, Minister for Human Rights, Minister for City and Government Services and Minister for the Night-Time Economy) (5.47): On Monday 3 November, it will be six years, four months and 16 days since voluntary assisted dying first became available anywhere in Australia, in the state of Victoria. On Monday 3 November, voluntary assisted dying will become available here in the ACT.

I had to check that calculation, because I was surprised at just how short it was, and I think it is in fact all the more remarkable that we are at this place, just mere days away from voluntary assisted dying becoming available here, especially when you consider that, for more than half of those six years, four months and 16 days, we were still banned by the federal parliament from being able to even consider legislating in this place, let alone drafting legislation or having a community conversation in addition to the implementation of our scheme.

In the early hours of yesterday morning, the Victorian lower house passed amendments to the legislation that provides for its scheme, which was nation-leading: namely, to remove the gag clause so that registered health practitioners are allowed to raise voluntary assisted dying with their patients during discussion about end-of-life options; requiring registered health practitioners who conscientiously object to provide minimum information; extending the prognosis requirement from six months to 12 months; and including nurse practitioners as authorised administering practitioners. Victoria still has a little way to go, because they need to get this legislation passed through their upper house. Yet, all of those reforms that Victoria is pursuing—every single one of them—are already part of our scheme. They are already going to be in place on Monday 3 November when voluntary assisted dying becomes available to Canberrans.

It has been such an extraordinary journey. I have been reflecting on the many, many, many times in this place that I spoke about voluntary assisted dying. I have searched for the very first time I ever spoke about it, which I think was August 2017. Again, that was well before voluntary assisted dying legislation had even passed in the Victorian parliament. In looking at some of my early speeches, I was reminded very starkly of exactly why this was so important. It is an adjournment speech I gave in September 2017, quoting from a constituent who asked to remain anonymous. I will read a truncated version of it:

My mother developed emphysema and was suffering from chronic back pain. She made the decision to end her own life and began researching how to do it. She spent some months meticulously planning her death, discussing it frequently with me and my father.

My mother asked me to obtain the book “Final Exit” for her. I did so, because I knew she was determined to end her life with or without it. If I had failed to support her, she would have died alone, feeling unloved.

She ended her life in the presence of myself and my father. The method she chose was uncomfortable for her and traumatic for us. She had left a note for her GP and asked us to contact him after she was gone. The note requested him to quietly record the cause of death as heart failure.

The doctor stood by the ethics of his profession and reported my mother's death as a suicide to the police.

Ultimately, this person and her dad lived under the shadow of prosecution until the case came before a coroner two years later. Thankfully, the coroner ruled that, although there was a case to answer for obtaining the *Final Exit* book, it would not be in the public interest to prosecute them. This person said:

I supported my mum when she ended her life because anything else would have been a betrayal. She would have died anyway, feeling unloved and alone.

If there was ever a reminder of why voluntary assisted dying is so important, it is that contribution. Again, I thank the bravery of my constituent for sharing her story with me then and propelling me and so many others forward to this day.

Question resolved in the affirmative.

The Assembly adjourned at 5.53 pm until Tuesday, 2 December 2025 at 10 am.

Schedule of Amendment

Schedule 1

Civil Law (Wrongs) (Organisational Child Abuse Liability) Amendment Bill 2025

Amendment moved by the Attorney-General

1

Clause 4

Proposed new section 114BC

Page 3, line 1—

omit proposed new section 114BC, substitute

114BC Meaning of *employee*—pt 8A.1A

- (1) In this part:
- employee*, of an organisation, includes an individual who is akin to an employee of the organisation.
- (2) For this section, an individual is *akin to an employee* of an organisation if—
- (a) the individual carries out activities that are—
- (i) a part of the ordinary activities carried out by the organisation; and
- (ii) for the benefit of the organisation;
- or
- (b) a circumstance prescribed by regulation applies to the individual.
- (3) A regulation under subsection (2) (b) may also prescribe a circumstance in which an individual is not akin to an employee if the circumstance applies to the individual.
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