DEBATES

OF THE

LEGISLATIVE ASSEMBLY

FOR THE

AUSTRALIAN CAPITAL TERRITORY

DAILY HANSARD

Edited proof transcript

6 May 2026

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 **Wednesday, 27 May 2026.**

Wednesday, 6 May 2026

Privilege: Ruling by Speaker 1507
Privileges—Select Committee 1508
Petitions:
    Light rail—stage 2B—Mawson—petitions 42-25 and 81-25 1508
Ministerial response: Griffith—roads—safety petition 49-25 1509
Motion to take note of petitions:
    Light rail—stage 2B—Mawson—petitions 42-25 and 81-25 1510
    Out-of-order petition—Kambah—roads 1511
Aboriginal and Torres Strait Islander Elected Body Act—Thirteenth report to the ACT government—government response (Ministerial statement) 1511
Bushfire Smoke and Air Quality Strategy—final report (Ministerial statement) 1515
High-risk weather season—summary (Ministerial statement) 1521
Administration and Procedure—Standing Committee 1528
Bail Amendment Bill 2026 1535
Privileges—Select Committee 1538
Better Regulation Legislation Amendment Bill 2026 1543
Civil Law (Wrongs) Amendment Bill 2026 1545
Planning Legislation Amendment Bill 2026 1551
Detail stage 1553
Questions without notice:
    North Canberra Hospital—costs 1553
    ADHD—general practitioner diagnosis 1554
    Calvary hospital—theatre fire 1555
    Law and justice—bail 1556
    Gambling—mandatory shutdowns 1557
    Fuel supply 1557
    Macquarie—swimming pool 1558
    Government procurement 1559
    ACT Ambulance Service—staffing 1560
    Bus services—South Canberra 1561
    Schools—dissemination of electoral matter 1563
    Buses—bike racks 1563
    Budget—debt 1564
    Hospitals—discharge of older patients 1565
    Sport and recreation—sportsground maintenance 1568
    Alexander Maconochie Centre—literacy and numeracy supports 1569
Papers: Schools—dissemination of electoral matter **1569**
Supplementary answer to question without notice:
    Budget—debt 1570
Privileges—Select Committee 1570
National Construction Code 1570
Leave of absence 1586
Juries (Peremptory Challenges) Amendment Bill 2025 1586
Detail stage 1599
Statements by members:
    The Handbook of Innovation Ecosystems: Placemaking, Economics, Business, and Governance—book launch 1599
    International Day of the Midwife 1600

International Day of the Midwife awards—Ms Karel Williams 1600
Macquarie—swimming pool 1601
National Domestic Violence Remembrance Day 1601
Tharwa General Store—post office services 1602
Tree Week 1602
Adjournment:
Food insecurity 1603
Public transport—fare relief 1604
Dr Maxine Cooper—retirement 1605
Tuggeranong—community sports organisations 1606
Australian Dance Week 1607
Macquarie—swimming pool 1609
International Day of the Midwife 1609
The Assembly adjourned at 5.31 pm. 1611
Schedule of amendment:
Juries (Peremptory Challenges) Amendment Bill 2025 1612
Standing Order 118AA—answer to a question without notice:
Government procurement 1613

Wednesday, 6 May 2026

MR SPEAKER (Mr Hanson) (10.00): Members:

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

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

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

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

Privilege
Ruling by Speaker

MR SPEAKER: Members, this morning I received a letter from the Leader of the Opposition, Mr Parton—a written notice of a possible breach of privilege—alleging that evidence given to the Standing Committee on Public Accounts and Administration during its inquiry into the appointment of the chief executive officer of the Canberra Institute of Technology has seriously impacted the ability of the committee to properly inquire into the matter. Mr Parton has attached to the letter excerpts of the relevant Hansard hearing on 1 April 2026 as well as a copy of the ABC news article published on 5 May 2026. I table the letter.

> Alleged breach of privilege—Letter from Mr Parton to the Speaker, dated 6 May 2026.

Under the provisions of standing order 276 I must determine, as soon as practicable, whether or not the matter merits precedence over other business. If, in my opinion, the matter does merit precedence, I must inform the Assembly of the decision and the member who raised the matter may move a motion, without notice and forthwith, to refer the matter to a select committee appointed by the Assembly for that purpose. If, in my opinion the matter does not merit precedence, I must inform the member in writing and may also inform the Assembly of the decision.

I am not required to judge whether there has been a breach of privilege or a contempt of the Assembly. I can only judge whether the matter merits precedence.

Having considered the matter having regard to the criteria set out in standing order 279, I have concluded that the matter does merit precedence over other business, and I have informed Mr Parton of this decision in accordance with standing order 276.

Privileges—Select Committee

MR PARTON (Brindabella—Leader of the Opposition) (10.03): Pursuant to standing order 276, I wish to move:

> (1) pursuant to standing order 276, a Select Committee on Privileges 2026 be established to examine whether, in relation to the Standing Committee on Public Accounts and Administration's inquiry into the CIT CEO recruitment process, Dr McNeill is in contempt of the Assembly by giving false and misleading evidence to the committee, failing to produce documents and any other related matters;
>
> (2) the committee shall report back to the Assembly by 10 June 2026; and
>
> (3) the committee shall be composed of:
>
> (a) one member nominated by the government;
>
> (b) one member nominated by the opposition; and
>
> (c) one member nominated by the ACT Greens;
>
> to be notified to the Speaker within one hour of the passing of this motion.

MR SPEAKER: Mr Parton, in accordance with standing order 91A, I am advised by the Clerk that referral of matters from a committee and the referral of additional matters to an existing privilege committee, copies of relevant motions should be provided to the Speaker for circulation to all members 90 minutes prior to the time the motion is provided to be moved. I am just seeking advice from the Clerk as to whether—now that you have circulated in motion—we need to wait 90 minutes for members to consider that.

So, that being the case, Mr Parton, what we will do is we will wait the 90 minutes and then, at a later hour, I will call on you to move your motion so it allows members, in accordance with 91A, to consider the motion that you have tabled.

Petitions

The following petitions were lodged for presentation:

Light rail—stage 2B—Mawson—petitions 42-25 and 81-25

By **Mr Braddock**, *from 201 and 26 residents, respectively*:

> **To the Speaker and members of the Legislative Assembly for the Australian Capital Territory**
>
> The following residents of the ACT draw the attention of the Assembly to their support for extending light rail stage 2B to Mawson, noting that significant benefits of the extension would include:
>
> - a more fulsome realisation of the economic and lifestyle benefits from having a public transport spine running through the Woden valley;
> - proximity to the popular Mawson Park and Ride facility, which could be

expanded;

- connections to the Phillip business district, Marist College, Melrose High School, Torrens Primary School, Southlands shopping centre, and the Mawson district playing fields;
- reduced reliance on the Woden town centre interchange for all major connections between buses and light rail.

The ACT government has already conducted scoping and design works for an extension to Mawson, which demonstrates the feasibility of the extension. The ACT government has indicated that an extension to Mawson would not have the same approval requirements as the section traversing the parliamentary zone, and is not required to be included within the same Environmental Impact Assessment that is currently underway. Therefore, adding an extension to Mawson will not slow down the federal approvals currently underway for stage 2B.

Placing a light rail terminus in the Woden town centre would add to the disruption of commuters and local businesses during both the construction of stage 2B and again when future construction works on stage 4 to Tuggeranong commence. This would be similar to what is currently being experienced around the Alinga Street terminus of stage 1. A Mawson terminus would significantly alleviate these pressures and frustrations. Extending light rail stage 2B to Mawson will provide the ACT government with enhanced flexibility in its planning and development of future public transport routes.

Your petitioners, therefore, request the Assembly to call on the ACT Government to include an extension to Mawson in the final design and business case for light rail stage 2B.

The Clerk having announced that the terms of the petitions would be recorded in Hansard and copies referred to the appropriate minister for response pursuant to standing order 100, the petitions were received.

Ministerial response

The following response to a petition has been lodged:

Griffith—roads—safety petition 49-25

By **Ms Cheyne**, Minister for City and Government Services, dated 3 May 2026, in response to a petition lodged by Ms Lee concerning a pedestrian crossing in Griffith.

The response read as follows:

Dear Mr Duncan

Thank you for your letter regarding the petition (E-PET-049-25) submitted by residents concerning pedestrian safety at the crossing on Captain Cook Crescent, near the Franklin Street intersection.

The ACT government takes road safety and residents' amenity seriously and encourages all road users to share responsibility for road safety. Reports of vehicles failing to reduce their speed when approaching the signed 40 km/h zone are matters

we take seriously.

Due to the proximity to Manuka shops and the new high density residential development across the road, the City and Environment Directorate (CED) appreciates that this zebra crossing is well utilised, especially during peak periods. I note the existing crossing on the northbound carriageway is on a two-lane road and has rubber speed cushions on the approach. The crossing on the southbound carriageway is on a single-lane road without speed cushions on the approach.

CED have informed me that they will engage a consultant to undertake an assessment of potential locations for speed cushions on the southbound approach to the crossing of Captain Cook Crescent. This work will be completed within the next three months. If the assessment deems speed cushions are feasible in that location, CED will install the speed cushions in the second half of 2026.

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

Motion to take note of petitions

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

That the petitions and response so lodged be noted.

Light rail—stage 2B—Mawson—petitions 42-25 and 81-25

MR BRADDOCK (Yerrabi) (10.06): I rise to speak on this petition I have sponsored on extending light rail stage 2B to Mawson. Members may recognise the principal petitioner as the former minister and member of the Tenth Assembly, Emma Davidson.

It is no secret that this was a matter she felt very strongly about. She has for much of her life been an advocate for the idea that if you are going to do something, you should do it properly, not half-arsed.

The Woden valley does not end in the town centre in Phillip. It extends from Curtin in the north all the way down to Farrer in the south. If you stop at Hindmarsh Drive, you have only traversed half of the district. It is for this reason that over the last six years, it has been Greens policy to see light rail stage 2B go all the way to the Mawson district playing fields, servicing the commercial district and two schools, and bringing public transport connections closer to the seven suburbs in the south of the Woden valley. It would also connect in the popular Mawson Park and Ride, preserving it as a useful half-way destination for Tuggeranong residents who have been doomed to wait at least another 20 years for light rail to reach them.

Some historic cabinet documents also appear to agree with this line of thinking. Earlier this year, draft versions of the 2015 Light Rail Master Plan were released from the archives. The earlier draft showed a much more detailed network plan than what would eventually see the light of day. In fact, that early draft plan showed an expected need to consider a business case for light rail from the City to Woden and Mawson within five to 10 years—so, by 2015—with Mawson to Tuggeranong identified as needing to be considered within 10 to 20 years from 2015.

If you are not sold on this idea, I invite members to consider the current disruptions

being felt around the Alinga Street terminus in Civic. In a commercial space with lots of small businesses, we have learned that you ideally want to go through this phase of construction disruption once. put the stage 2 terminus in the Woden town Centre, and they will have to deal with construction disruptions again when construction on stage 4 eventually commences. Future works will go a hell of a lot smoother if they started down at Mawson.

Light rail is a project worth doing, and it is worth doing right. It is worth getting the Athllon Drive upgrade right, inclusive of light rail, so that we are not throwing good money after bad. I commend Ms Davidson's petition to the Assembly and I look forward to seeing the minister's response.

Out-of-order petition—Kambah—roads

MS TOUGH (Brindabella) (10.09): Under standing order 83A I seek leave to table an out-of-order petition from 10 residents of Morrison Street, Kambah.

Leave granted.

MS TOUGH: I wanted to thank Debbie and Robyn of Morrison Street in Kambah, who approached me at Erindale shops a few weeks ago to talk about some changes that are coming to their street, and some concerns around how it will operate in practice. I know they have engaged with Roads ACT and things are happening, but I promised them I would table in the Assembly the petition they had collected from their neighbours, and work with them for a positive outcome, so I table the petition. Thank you.

I table:

> Petition which does not conform with the standing orders—Kambah—Morrison Street—Safety improvements—Ms Tough (10 signatures).

Question resolved in the affirmative.

Aboriginal and Torres Strait Islander Elected Body Act—Thirteenth report to the ACT government—government response

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) (10.10): Today I present the ACT government response to the Aboriginal and Torres Strait Islander Elected Body report from hearings 12-14 August 2025, thirteenth report to the ACT government *Truth through transparency: a turning point report*, which I will refer to from now on as "the hearings report". Hearings of the Aboriginal and Torres Strait Islander Elected Body—or "the elected body"—are a mechanism by which the ACT Aboriginal and Torres Strait Islander community holds government to account in delivering all aspects of the ACT Aboriginal and Torres Strait Islander Agreement, which I will refer to from now on as "the ACT agreement", and the National Agreement

on Closing the Gap, or "the national agreement".

During the hearings, the elected body examines the effectiveness and efficiency of government policies, programs and services. The hearings report delivered a clear and urgent message: the health and wellbeing of Aboriginal and Torres Strait Islander people in the ACT are not only failing to improve but are deteriorating in many areas. Drawing on its first comprehensive, evidence-based assessment, the elected body found only four out of the 22 ACT agreement targets are on track.

It makes clear that commitments are not producing meaningful change, and calls for a fundamental reset built on truth, transparency, shared data and genuine partnership with community. The hearings report also presented 56 recommendations for the ACT government that represent a call for a fundamental and structural shift toward genuine self-determination, accountability and systemic reform.

The ACT government welcomes the hearings report and thanks the elected body for their comprehensive analysis of the ACT agreement targets and recommendations. While the hearings report is confronting, it serves as a powerful call to action for all of us, and for the ACT government to deliver on our commitments and to work with renewed focus to improve the lives of Aboriginal and Torres Strait Islander Canberrans.

In reading the response, I would like to note that where the response is "agreed in principle" or "noted", this should be read in the context of the implementation of that recommendation being subject to further consideration by government and supported by cross government collaboration. The responses to these recommendations are, or will continue to be, developed in genuine partnership with Aboriginal and Torres Strait Islander stakeholders and aligned with whole-of-government responsibilities. The "agree in principle" or "note" is therefore a reflection that implementation is shared and government's commitment to the substantive action remains.

For example, recommendation 18, "Establish and resource an independent board of inquiry into aboriginal deaths in custody" includes actions relating to the outcomes of the board of inquiry. This recommendation has therefore been "agreed in principle" as it notes in the text of the response:

> The ACT government is committed to working with the Aboriginal and Torres Strait Islander community to consider the outcomes of the board of inquiry and identify priorities for implementation; however, reforms and service redesign are agreed in principle as these may be subject to future policy or budget considerations.

This ongoing effort is being strengthened through the recent release of the ACT government's phase three action plans under the ACT agreement. Developed in partnership with the elected body, these action plans are a central part of the government's response to the hearings report recommendations, translating shared commitments into meaningful action. Phase three of the ACT agreement provides an opportunity to enhance alignment with the national agreement by delivering priority actions tailored to the specific needs of the Aboriginal and Torres Strait Islander community.

The phase three action plans reflect this intent by embedding cultural governance,

trauma-informed practice and operational transformation across directorates. The ACT government looks forward to progressing this important work, particularly through the Select Policy Subcommittee on Closing the Gap, where members of the elected body attend these meetings and work alongside government to shape pathways forward on priority issues affecting Aboriginal and Torres Strait Islander Canberrans.

We thank the elected body for the hearings report and acknowledge that the insights it captures will support the ACT government's continued growth as an ongoing partner with Aboriginal and Torres Strait Islander people, strengthening shared efforts to improve outcomes for the whole community. The ACT government recognises this work extends beyond individual programs or policies; it is about cultural and systemic change, genuine partnership, and embedding practices which lead to meaningful and lasting improvements.

The ACT government is privileged to work in partnership with many Aboriginal and Torres Strait Islander people who are committed to seeing the best possible services and supports delivered for their communities. The responsibility to transform policies and practices sits with all of us. These collective commitments and actions outlined in the government response will contribute to building greater trust and delivering better outcomes for Aboriginal and Torres Strait Islander peoples.

I present the following papers:

> ACT Aboriginal and Torres Strait Islander Elected Body Act, pursuant to subsection 10B(3)—ACT Aboriginal and Torres Strait Islander Elected Body—Report from hearings 12-14 August 2025—Thirteenth report to the ACT government—
>
> Government response.
>
> Government response—Ministerial statement, 6 May 2026.

I move:

> That the Assembly take note of the ministerial statement.

MR EMERSON (Kurrajong) (10.15): I would like to start by thanking the members of the ACT Aboriginal and Torres Strait Islander Elected Body and the secretariat for the hard work that went into preparing this detailed report. I also thank the minister for her response this morning. I understand that the processes associated with the kind of structural change which it is clear we need to improve outcomes for First Nations people in the ACT and across the country, take time. This is something that has been clear and has been spoken about for many, many years.

But this response does feel a little thin, especially in light of how comprehensive the elected body's report is. I note the minister's acknowledgement of the clear and urgent message that the report delivers, and I appreciate that—namely, that the health and wellbeing of Aboriginal and Torres Strait Islander people in the ACT are not only failing to improve but are deteriorating in many areas. The report is confronting, but I cannot see in this response the urgency that is warranted by such a confronting report.

While the report was different in form—the first full analysis of the ACT government's

progress against its own Aboriginal and Torres Strait Islander agreement—it does not really tell us anything substantively new. How many reports have we had that have been highlighting the very same issues over and over again? Systemic value requires systemic reform, and what we are seeing here is urgent systemic failure.

A recent freedom-of-information document release showed that these very issues—the failure of the government to uphold its own obligations under the ACT Aboriginal and Torres Strait Islander Agreement—were being raised urgently internally by senior First Nations staff members. The documents show that the former head of the Office of Aboriginal and Torres Strait Islander Affairs raised these issues for two and a half years; continuing to escalate concerns, pointing to significant risk of failure on the part of the ACT government to fulfil its commitments to First Nations people— including under the ACT agreement, and including asserting that senior officials within government were acting in ways that actively undermined those commitments.

It cannot be a surprise, then, that the elected body has concluded that outcomes for Aboriginal and Torres Strait Islander Canberrans are in a worse place now than when the agreement was signed seven years ago. We have so much evidence that shows what we are currently doing is not working. This is, of course, one of the reasons I was prompted to bring a bill to increase government accountability in this area last year.

We are incredibly privileged to have a body such as the elected body here in the ACT, and we need to ensure that their work is given the respect it deserves and also the resourcing it deserves. It is not enough just to have these bodies, have inquiries and reports that are driven by or co-led by Aboriginal and Torres Strait Islander people. We need actually to see commitment to action on what they find and what they recommend; a commitment of urgent funding, where it is needed to address these issues in the way that we know they need to be addressed.

We have a few key opportunities coming up to take real action in this area. The Board of Inquiry on the Treatment of Aboriginal and Torres Strait Islander People in the AMC, which I note the government has agreed to, cannot be delayed and whatever we find on the back of that inquiry must be actioned quickly. The first of July is also a key moment when senior executives across the ACT public service will be held to account in relation to systemic change within the public service, in terms of how we deliver on commitments and promises made to First Nations people.

And most importantly, perhaps, the upcoming budget is an opportunity for the government to show that these issues are being taken with the level of seriousness they deserve and require, by providing actual resourcing to enable change to happen. This is also an issue that was raised internally for two and a half years, leading to the resignation of the former head of the Office of Aboriginal and Torres Strait Islander Affairs in frustration that these commitments had not been resourced sufficiently.

I feel this is something that we are repeatedly returning to in this place: commitments being made, speeches being delivered, reports being handed down, recommendations being agreed to, but then not acted on. It is incredibly frustrating, even just for me, and I am not the person who is affected by the lack of action. It is the people who are not in this place, the people who will not be found in this place, sadly, and who have often not been invited to witness the proceedings in this place, who are the people who are

affected by this inaction. So, this report needs to actually mark a turning point, not just talk about a turning point. This needs to mark a change.

I acknowledge the work the government is doing to create a process where Aboriginal and Torres Strait Islander people are able to work side by side with the government to design programs and respond to reports like this. The subcommittee to cabinet—if combined with adequate transparency measures and funding—appears to be a good example of this.

I hope that the government takes the upcoming opportunities seriously, and that the next time that we are having this conversation in the chamber, it is not just one of reports, recommendations and responses; it is not just one of words, but of real resourcing, of actual action and a meaningful response so that we see change on the ground in people's lives. These are the people that we are here to support, so I look forward to some more positive reports in the future.

Question resolved in the affirmative.

Bushfire Smoke and Air Quality Strategy—final report
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) (10.21): It is timely to update the chamber on the government's achievements against the Bushfire Smoke and Air Quality Strategy 2021-2025, and provide reassurance on the ACT's future policy direction in relation to wood heaters, as well as recent hazard reduction burns over the border.

Members would recall that during the 2019-20 Black Summer bushfires, severe smoke had impacts on the physical and mental health of Canberrans. These bushfires caused heavy smoke to travel to the ACT and surrounding regions for a continuous period from 28 November 2019 through to 28 January 2020. The local economy also suffered as many people sheltered in place, or other safe spaces, and reduced travel to the ACT region.

In response to the impacts of the 2019-20 Black Summer bushfire, the Tenth Legislative Assembly agreed in February 2020 that the government should create a strategy on smoke and air quality in the ACT. The strategy was finalised and tabled in the Assembly by the minister for health in November 2021.

The vision of the strategy was to support healthy communities by reducing the adverse effects of bushfire and wood heater smoke on our community. The strategy provided high level direction and set out eight objectives across a wide range of policy areas including emergency management; regulation of environmental pollution; monitoring of air quality; public health advice; warnings and directions; work health and safety; building standards; and support for businesses.

A first report on the strategy was tabled by the previous government in November 2023. It is clear from the first report that significant progress had been made through the first

action plan, despite interruptions due to the COVID-19 pandemic. I am pleased to report great progress has been made on the strategy, and I table a final report.

From a total of 20 actions detailed in the first action plan, 16 actions have been completed. Four actions are ongoing and will continue beyond 2025 as business-as-usual activities of the government.

Highlights include: ACT government legislation which complements existing laws prohibiting the sale of wood heaters and bans the installation of wood heaters that do not meet emission standards, effective since February 2025; a revised and reduced emission standard for wood heaters under Australian Standard 4013 of 1.5g/kg to 1.0g/kg since 20 June 2025—thanks to the ACT's advocacy; the delivery of several "climate wise" provisions through the new 2023 planning system including tree canopy and permeability provisions, new urban heat provisions, new electric vehicle charging provisions, clearer planning pathways for batteries and hydrogen to support electrification, and improved housing design provisions; undertaking priority actions of the ACT Sustainable Buildings Pathway to progress reform in areas where the greatest gains can be achieved, including improvements to the minimum energy efficiency of commercial buildings in the national construction code and by establishing indoor air quality and thermal comfort as fundamental design objectives to ensure buildings are resilient now and remain fit for purpose into the future; and progressing the five-yearly LiDAR, which is light detection and ranging capture and analysis to assess progress towards tree canopy and surface permeability targets.

The wood heater smoke related actions have all been effectively completed. Actions related to managing bushfire smoke impacts on the community are mostly complete, with the four ongoing actions related to other ACT or national initiatives.

The government will continue to improve its responses to climate change and severe weather events and, as the city grows and consolidates, to transition away from expensive, polluting wood and gas heating and towards comfortable, well-insulated homes heated by clean electricity.

After consideration of the significant achievement that has been made under the strategy, the government has decided to formally close the strategy. A new strategy will not be prepared. Further work on wood heater emissions will progress in accordance with the previous government response to the 2023 commissioner's report which I will now discuss.

Whilst Canberra generally enjoys excellent air quality, there are occasionally elevated levels of fine particulate matter above national health-based air quality standards during winter, due to emissions from domestic wood heaters—particularly in the Tuggeranong valley. Air quality monitoring in 2025 found there was a total of nine particulate matter or PM2.5 exceedances of the health-based air quality standards detailed in the Ambient Air Quality National Environment Protection Measure. Eight exceedances occurred in Monash in the Tuggeranong valley, and one exceedance in Florey in Belconnen.

These exceedances were associated with wood heater emissions and the colder Canberra winter which traps these pollutants lower to the ground due to strong inversion layers. The topography of the Tuggeranong valley makes it more conducive for PM2.5

exceedances to occur. There is therefore an ongoing need for the government to continue working with business and the community on options to reduce the impacts of smoke from wood heaters in the Tuggeranong valley, in particular.

The government has a range of regulations, programs, and initiatives in place to mitigate and reduce the impacts from wood heaters. These include regulating commercial firewood to ensure it is sold in a seasoned condition; regulating the sale and installation of wood heaters to ensure they meet the current Australian standards for emissions and efficiency; regulating emissions from domestic wood heaters; prohibiting the installation of wood heaters in Dunlop, East O'Malley and the Molonglo valley—excluding Wright—following strategic planning studies; offering rebates available through the Wood Heater Removal Program to remove old, inefficient heaters, complemented by the Sustainable Household Scheme which can assist with covering the additional cost of replacing a wood heater with an energy efficient electric system; and educating the community about how to correctly operate a wood heater to minimise emissions via the annual Burn Better public education campaign.

These initiatives, along with the actions achieved through the strategy, have put the ACT at the forefront nationally in addressing wood smoke pollution in an informed and considered way to improve the ACT's air quality.

This government remains committed to investigating and considering appropriate policy options to phase out wood heaters in the ACT. I reaffirm that this government's approach is no different to that described by the previous government in its response to the report by the former commissioner for sustainability and the environment, from the investigation into wood heater policy. The commissioner's report was tabled in the Assembly in August 2023.

The former commissioner made eight recommendations. Two important recommendations are that the government phase out wood heaters and ban the installation of new heaters in the urban areas of the ACT. The former government agreed in-principle to these two recommendations. However, the former government indicated that any future decision and policy direction will require a careful research, analysis, planning and consultation with the community, including the completion of regulatory impact and air quality assessments. This government intends to do no different and is progressing these commitments.

Under a standing order 213A motion, this Assembly has already received a copy of an air quality assessment of urban areas within the ACT which was completed by AECOM Australia. AECOM confirmed that temperature inversions during winter are associated with elevated particulate levels in some areas, particularly in urbanised valley areas such as Tuggeranong.

The assessment resulted in several recommendations that can be implemented to significantly decrease air pollution including: extension of wood heater installation bans to undeveloped urban areas, greenfield sites and redevelopment sites in a similar fashion to current restrictions in Dunlop, East O'Malley and the Molonglo valley; restricting the installation of new or replacement heaters or legislating the requirement to remove wood heaters when a residence is sold; and restricting the installation of second-hand wood heaters—noting that this recommendation has been addressed as

part of the strategy and legislation introduced in February 2025.

The City and Environment Directorate has scoped the requirements for a regulatory impact assessment and will be progressing this assessment in 2026-27. The outcome of this regulatory impact assessment will be critical to help inform and guide the government's position on any future wood heater policy.

Bushfire prevention is also a key air quality control measure. I appreciate some residents were impacted by the smoke from hazard reduction burns recently in Googong, and I wish to reassure the Assembly that the government makes every effort to balance prevention while minimising the immediate impact on the community. The ACT Parks and Conservation Service undertake a comprehensive risk assessment before and on the day of any hazard reduction burn. Where a burn is assessed as having a very high smoke risk, they provide the assessment to the ACT Environment Protection Authority for a joint decision on whether to proceed with, delay or modify an authorised environmental burn.

I understand the Googong hazard reductions burns were assessed as a moderate risk, and Parks and Conservation Service undertook a range of public notification efforts ahead of time. Even so, temporary smoke may still occur as it did on Tuesday, 21 April; an unfortunate but preferable outcome for ACT air quality compared to that of the 2019-20 Black Summer Bushfire.

In closing, Mr Speaker, I am pleased to table the final report on the Bushfire Smoke and Air Quality 2021 Strategy. The government thanks and congratulates all directorates for their persistent and methodical work over the past five years to deliver the objectives of the strategy. I look forward to providing the Assembly and the Canberra community with further updates in due course on the government's work to examine and consider policy options to phase out wood heaters in an informed and responsible manner.

I present the following papers:

> Bushfire Smoke and Air Quality Strategy 2021-2025—Final report, dated May 2026
>
> ACT air quality—Ministerial statement, 6 May 2026.

I move:

> That the Assembly take note of the ministerial statement.

MISS NUTTALL (Brindabella) (10.31): I thank the minister for her statement. Air quality is an issue that is very important to people in Canberra and, in particular, to my constituents in Brindabella. I am very proud to be an advocate for air quality and a healthy environment. I am also proud to have continued the work of the previous Minister for the Environment, and fellow Green, Rebecca Vassarotti, who worked hard to make sure air quality was on the agenda for this city.

I am very pleased to see the completed actions under this strategy and the work that has gone into improving air quality in our city. There have been areas of genuine progress

in this space that have made a difference to Canberra. However, I am very worried that there will be no further strategic direction in this important area of work.

Last year, I brought a motion calling for concrete action to progress the phase-out of wood heaters in this territory. I agree with the minister on the importance of deliberate and considered action on the issue, and my motion actually set forward a number of actions we could have taken, including beginning community consultations, setting a timeline to publish the final report on phase-out, and establishing a wood heater a register. It is unfortunate that we were not able to get consensus in this place on meaningful action on something as important as the quality of the air we breathe, because this motion was voted down by ACT Labor and the Canberra Liberals.

I note in her statement that the minister has informed the Assembly of the government's decision to formally close the Bushfire, Smoke and Air Quality Strategy 2021-2025. I am concerned that this means there will be no more strategic framework to address the risks and challenges of smoke on the health of Canberrans. As she states in her speech, many Canberrans remember the summer of 2019-2020. They remember the unrelenting heat and the smoke that hung in the air. In Tuggeranong, the thick black smoke rising from Namadgi made it feel like we were on the frontline of a climate catastrophe. For a lot of people, that feeling has lingered like the smoke.

Although it was a very long time ago now, Canberrans would remember that time very vividly. It was scary and it felt dangerous. I think many of our constituents would be surprised to find out the government thinks that there is no need for an ongoing strategy. While I trust that there will be ongoing administration of the outstanding actions in the plan, I do worry that we are not being set up for success. I think the only way we really will be able to deliver the kind of air quality outcomes that Canberrans deserve is if we have a government that is able to stand up and say that this issue is important. We know this issue is important.

While the 2019-20 fires were some years ago now, we know that they were caused by a climate whiplash. These are the violent swings between severe weather that are now becoming the new and scary normal in Canberra and across Australia. We know that climate change is only increasing and accelerating the risk of the kinds of disasters we saw in 2019-2020, so it would be very unwise of the government to believe that we will not see another smoke emergency in the next few years, and Canberra, our community, expects our government to be prepared.

But health risks from smoke are not just limited to extreme events. Every winter many Canberrans suffer immensely from air pollution from wood fires that turn our beautiful valleys into health hazards. Wood heaters are a source of tiny particulate matter, which is harmful to human health. There are no known safe levels of exposure to these particulates, and the impacts are greater for people with underlying health issues like asthma, COPD, diabetes or vascular disease.

I am on the record being passionate about wood heater smoke and the damage it does to our community and for good reason. The health impacts of wood heaters are better catalogued in other jurisdictions: like Tasmania, where there is an estimated cost of over $4,000 per wood heater per year to the person; or like New South Wales, where the cumulative health costs have been estimated at over $8 billion or $21,000 for every

wood heater.

In the ACT, just eight months ago, both the Labor government and the Canberra Liberals voted against investigating the cost of wood heater smoke on the ACT's public health system, including the cost of treatment for people with lung conditions exacerbated by wood heater smoke. I have a feeling that the results would not be too different from the rest of Australia. They also voted against our call to investigate the rigour of low-cost air quality monitors, including PurpleAir monitors that could support the citizen science monitoring of PM2.5.

In the paper that has been tabled, objective 3, action 6, committed the government to investigating the feasibility, utility, reliability and potential ongoing costs of a low-cost air quality sensors network. This is marked as completed. I think a lot of people would assume that completed indicates a satisfactory conclusion. I do not think we have reached a satisfactory conclusion. I believe the investigation found that these low-cost air quality sensors were not worth it. It is very hard to find that on government websites.

In the meantime, across the ACT we only have three recognised air quality monitoring stations. These are in Monash, in the city and in Florey. Not all three of these are up to national standards and wood heater smoke is incredibly localised. Someone subject to poor levels of wood heater smoke in Bonython or Fadden is not going to be vindicated by the findings of the station in Monash. So the current air quality monitoring stations recognised by government are not telling us whether people across the rest of Canberra are safe.

I worry that the government is drawing the wrong conclusions. The government does not have the data to properly measure the health impacts of wood fire smoke pollution properly, but rather than seek further data, the government has elected to assume that the health impacts are minimal. I am also worried that the government has stated their intention to continue phasing out wood heaters, but they do not want to commit to a new air quality strategy to help them do that. We knew we needed to plot a reasonable, credible path to phasing out wood heaters back in 2023, which is why government resolved to do a regulatory impact statement and provisioned funding for this statement back in the 2024-25 budget.

We have certainly asked about that regulatory impact statement in successive estimates hearings and annual reports hearings, and here in the chamber through questions and in our motion last year; we really have not shut up about it. It has finally appeared on the government's list for the 2026-27 financial year but outside the realms of accountability, with the air quality strategy now considered concluded. We knew it was the right thing to do; we advocated for it, and now it has been delayed to the point that it is de-synchronised with the relevant strategic accountability mechanism.

Of course, we would have a little bit more faith in the efficacy of the regulatory impact statement if we did have a new ambitious and comprehensive air quality strategy to back it up: one that highlights and quantifies health impacts; one that picks up on previous recommendations from the commissioner for the environment, like creating a wood heater register; and one that continues to lay out how government can remain accountable to the thousands of people across this city that suffer from respiratory conditions and trust us to keep their environment healthy.

We need a new air quality strategy. We need clear timelines on the wood heater phase out. We need ongoing accountability and reporting, and we need to see stronger leadership from this Labor government on air quality for the sake of our community.

Question resolved in the affirmative.

High-risk weather season—summary
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) (10.39): I rise today to provide the ACT Legislative Assembly with a summary of the work undertaken to keep our community safe during the 2025-26 bushfire and storm seasons. I would like to start by acknowledging the dedication of our emergency services volunteers and staff who sacrificed their time with family and friends during the summer months, particularly during the Christmas, New Year, Australia Day and Canberra Day public holidays, to keep our community informed and safe. While we took time to unwind, recharge and enjoy the warmer months, our firefighters, paramedics, state emergency service personnel, triple-zero call-takers, mapping and intelligence specialists, as well as our public information officers, kept a watchful eye on our safety and wellbeing, particularly during the heatwaves, storms, flash floods, grass fires and bushfires that impacted the territory over the summer. I express my sincere gratitude to those individuals for giving up their time to protect others and extend my heartfelt thanks to the supportive families and employers of our emergency responders.

As the season unfolded, there was a strong reminder that emergency management is a combined effort between the ACT government and our community partners. I want to thank our colleagues across government—not limited to, ACT Policing, the City and Environment Directorate, Parks and Conservation Service, Transport Canberra, Roads ACT and Access Canberra—for their ongoing support and collaboration in keeping Canberra safe during the bushfire and storm seasons.

Similarly, I thank our national and jurisdictional counterparts such as the Bureau of Meteorology, the National Emergency Management Agency, and the Australian and New Zealand Council for fire and emergency services National Resource Sharing Centre, each of which helped to keep our emergency management personnel informed and connected, especially for the international and interstate deployments.

As part of the 2025-26 climate outlook from December to March, the Bureau of Meteorology advised that there was a Sudden Stratospheric Warming weather event due to a rapid rise in temperatures in the stratosphere over the southern hemisphere, particularly over Antarctica. This event was not considered common and caused disruptions in the ability to detect weather patterns. However, it was evident that this weather event led to mainland Australia experiencing hotter weather conditions, which increased the risk of grassfires, bushfires, storms, floods and heatwaves across Australia. Due to a combination of below-average rainfall and above-average daytime and night-time temperatures, New South Wales and Victoria had a very challenging

bushfire season. We also witnessed severe storm activity in Queensland, with Tropical Cyclone Koji, and in the Northern Territory with Tropical Cyclone Narelle.

The ACT experienced its first series of total fire bans, frequent heatwaves, and bushfires in remote areas of Namadgi National Park since the 2019-2020 Black Summer bushfires. We also saw a range of intense storms with heavy rainfall, such as the event that impacted Woden in early February 2026. Our first responders were kept extremely busy between local incidents and calls for assistance across our borders.

Work is undertaken all year round to ensure government can maintain timely, strategic and coordinated responses before, during and after emergency events. Preparations before the start of the 2025-26 bushfire and storm seasons included the recruitment of 83 new ACT SES volunteers, 49 new ACT RFS volunteers and 77 new ACT Fire and Rescue Community Fire Unit volunteers.

Another major achievement was the successful endorsement and launch of the Strategic Bushfire Management Plan version 5, published in September last year. This was an immense body of work which required extensive consultation across government and the wider community.

I am also pleased to share that the collaborative work between the ESA and JACS Community Safety Policy and Programs Division resulted in the successful delivery of 26 key inter-agency exercises, five internal exercises and several minor process testing activities. These exercises ranged from counterterrorism simulations of mass casualties at mass gathering events, to bushfire, flood and tsunami scenarios, involving diverse Emergency Services Agency representatives.

To help keep our community safe, informed and prepared during a bushfire season, the ACT RFS implemented three key awareness campaigns for the community which included information on mandatory fire permits, total fire ban days and fire danger rating signs.

During the 2025-26 bushfire season, our firefighters responded to 36 fires in the ACT, including in the Namadgi National Park. Following storms, there were high levels of lightning activity on 3 January. Three fires were detected in very remote parts of Namadgi. On 5 January, a fourth ignition was detected in the Namadgi National Park.

The remote location of these fires required a highly specialised multi-agency response. More than 75 firefighters from RFS and PCS tackled the difficult-to-access, steep and arduous terrain in Namadgi. On 6 January, all four bushfires burning in the Namadgi National Park were set to "patrol" status, meaning the fire was almost extinguished, with ongoing monitoring from firefighters in subsequent days. The swift identification and management of these fires contained them quickly, successfully avoiding a further escalation and, potentially, serious damage and spread at a risky time in the bushfire season. This is a true testament to how strong our collaborative relationships are across different areas of government and how well-trained and prepared our first responders remain.

During the peak of the bushfire season, four total fire ban days were declared: on 10 January, 25 January, 5 February and 6 February. Total fire ban days were

specifically declared on days of elevated fire danger, increased fire activity, or when the weather conditions were likely to increase the spread of fire. Following the declaration of a total fire ban day, high-risk activities such as operating certain machinery, and open fires, were prohibited, and all previously issued fire permits were suspended. I would like to commend and thank our community for their cooperation and compliance with these total fire ban days. It was particularly important during the Summernats, and the Australia Day weekend, and with the Multicultural Festival on at the same time.

As I mentioned earlier, this was a challenging bushfire season for our neighbouring communities in New South Wales and Victoria. Helping other jurisdictions in their time of need is an opportunity to strengthen cross-border relationships and provides valuable operational insight and experience for our ACT emergency services personnel through cross-crewing arrangements. This bushfire season, we had 116 firefighters and seven emergency management specialists involved in interstate deployments.

Key deployments included 10 January, when RFS and PCS assisted New South Wales RFS crews with a bushfire burning between Braidwood and Bungendore. This response involved 30 firefighters, five tankers, command vehicles and two aircraft. On 11 January, we also deployed 27 of our firefighters and four ACT SES volunteers to Tallangatta in Victoria to support efforts on several fires burning across the state. I would like to thank each and every individual who willingly volunteered their time not only to patrol and respond to fires in our community but also by deploying interstate and representing the ACT with such enthusiasm and professionalism.

Commencing on 1 September, this year's storm season also kept our SES exceptionally busy. During the season, the SES responded to more than 700 requests for assistance for incidents that occurred in the ACT and offered approximately 6,000 hours of volunteering time.

While we experienced several storms this season, one event in particular is certainly front of mind. The response and recovery efforts following the significant rain event in the Woden area on the evening of Saturday, 7 February and into Sunday the 8th was extraordinary. There are areas of Woden that received up to 68 millimetres of rain over a one-hour period and up to 85 millimetres of rain over a two-hour period. The intense weather event caused extensive damage and led to approximately 120 calls for assistance from the community, and a total of 42 Fix My Street reports. I could not be prouder of the operational and recovery efforts of our personnel from SES, Fire and Rescue, ESA Management and Collaboration Branch, ACT Policing, Roads ACT, PCS and Access Canberra.

ACT SES volunteers also answered the calls for interstate assistance during major disasters this season. We had a total of 48 ACT SES volunteers and three emergency management specialists deployed across New South Wales, Victoria and the Northern Territory for both storm and fire support activities. One of the biggest deployments for the ACT SES was to assist the Northern Territory with Tropical Cyclone Narelle. Twenty volunteers and three incident management team specialists embarked on a nine-day deployment to the Northern Territory, supporting communities in the Katherine region.

Our crews operated in challenging conditions, including heat, humidity and flood-affected environments—and crocodiles are not mentioned in my speech, but they were a consideration—bringing their nationally recognised training and professionalism to the task. These deployments not only provided vital relief to fatigued local responders but also demonstrated the strength and cooperation across jurisdictions, with SES personnel and equipment coming together from states and territories across the country. A big thank you to our ACT SES members who answered the call and represented Canberra with such skill, resilience and compassion. Your efforts made a real difference.

As I have mentioned before, we recognise that emergency management is a shared responsibility, and the information we provide our communities is essential in ensuring that we are all well prepared to respond to and recover from emergencies. Throughout the 2025-26 bushfire season and storm season our ESA public information and engagement team distributed 119 warnings, 15 of which were tests, through a single point of truth system to the ESA website, distribution lists and social media channels—these were for storms, heavy rainfall, grass and bushfires, structure fires, heat waves, motor vehicle incidents and total fire ban declarations. Our emergency services staff and volunteers also played a major role in community education through the season through engagement on the Be Emergency Ready campaign.

Mr Speaker, each storm and bushfire season is a challenge. We face these challenges by working collaboratively across government with our community to prepare, respond effectively and recover to a stronger position. As our climate continues to change and evolve, we know emergencies can occur at any time and severe events can strike unexpectedly. Information on emergencies in the ACT and how best to prepare is available on the Emergency and Safety page of the ACT government website and through the ESA website.

I want to finish by reiterating my genuine thanks to our emergency services staff and volunteers for the important work they do in preparing for and responding to emergencies. I hope our emergency services volunteers and their families have an opportunity to recharge, unwind and celebrate their outstanding achievements this season. Your efforts help to make our city one of the safest and most enjoyable places to live in the world. Thank you.

I present the following paper:

> End of the 2025-26 bushfire and storm seasons—Ministerial statement, 6 May 2026.

I move:

> That the Assembly take note of the paper.

MS CHEYNE(Ginninderra—Manager of Government Business, Attorney-General, Minister for Human Rights, Minister for City and Government Services and Minister for the Night-Time Economy) (10.52): I rise to add to the reflections of the minister for emergency services on the high-risk weather season. I also want to acknowledge the workforce and to underline the point that their response does not end when an

emergency does. Preparing for and responding to a high-risk weather season is not something that occurs in short windows; rather, the reality is that the pressures of our high-risk seasons are felt, prepared for and responded to every single day.

This past season placed sustained pressure on services across government. Storms, heatwave conditions, elevated bushfire risk and major public events like Summernats and the National Multicultural Festival did not arrive in isolation. They compounded, and it did stretch operational capacity across City and Environment functions and our emergency services partners. It is not as if we were not prepared, Mr Speaker. The Parks and Conservation Service continues to invest in critical assets—things like upgrading fire trails, access routes, considering the stream crossings and the recreational trails—to improve resilience to climate impacts, including increasingly intense storm and rainfall events.

That work, of course, sits alongside the everyday work of PCS—managing high visitation, responding to wildlife incidents, maintaining visitor infrastructure, and progressing long-term reserve planning and implementing that planning work. This is work that continues regardless of storm or fire season pressures. Nevertheless, the 2025-26 bushfire season was one of the most demanding in recent memory, and not because of a single large fire but because of the persistence and the complexity of risk right across the territory.

As Minister Paterson highlighted, in the first week of January, several ignitions were burning within Namadgi National Park, including at Cotter Hut, Bendora Dam and near Corin Dam. Each was ultimately downgraded to patrol status following rapid containment, with firefighters continuing to monitor conditions in the days that followed to ensure that there was no re-ignition.

Many of these ignitions occurred in extremely remote parts of Namadgi—steep, heavily forested terrain with limited access and significant distance from urban centres. Responding in those locations is complex, physically demanding work, and it requires specialist capability and close coordination across agencies.

Remote area firefighting teams from the ACT Parks and Conservation Service and the ACT Rural Fire Service played a critical role, accessing areas that were, in some cases, only reachable by helicopter. Crews constructed containment lines by hand and extinguished hotspots, and they worked in difficult terrain with support from aerial firefighting.

More than 75 firefighters from the ACT Rural Fire Service and the Parks and Conservation Service were deployed across these incidents, and they were supported by incident management specialists, logistics teams and aviation operations. In particularly difficult locations, including around Bendora Dam, access required a combination of vehicle entry and boat transport to safely reach fire edges. To support sustained aerial operations, a temporary helicopter refuelling base was established, maximising the flight time and response efficiency. This was a genuinely multi-agency effort.

This work occurred against the backdrop of extreme heatwave conditions. The PCS crews continued their land management responsibilities throughout, because Namadgi

National Park is not a passive landscape. It is vast, remote in many places, heavily visited, and under active management, requiring year-round planning, infrastructure upkeep and on-ground expertise from rangers with deep local knowledge of terrain, access routes and fire behaviour.

Of course, fire management is not only about suppression and fuel reduction. When the emergency is occurring, we must keep people safe. During periods of elevated fire danger and on days of total fire ban, PCS implemented reserve closures, restricted vehicle access, installed warning signage and worked closely with ESA partners to keep the community informed and protected.

At no point did these incidents present an ongoing threat to life or property. That outcome did not happen by accident. It reflects the preparedness, the coordination and the professionalism of every single person involved. On top of all that, we consistently provided assistance beyond the ACT border. I recognise that this work is tiring and it has impacts on our crews' personal lives and commitments with their family and friends, especially at a time when people are celebrating, travelling or relaxing. We owe them our sincerest thanks.

As Minister Paterson explained, the most significant storm event began on the evening of Saturday, 7 February—right in the middle of the National Multicultural Festival. It was measured as a one-in-100-year rainfall event across the Woden district, with some areas, including Curtin and Deakin, well beyond that threshold. Flows exceeded channel capacity at the lower end of Yarralumla Creek, with water reaching between half a metre and a metre above the banks. The flooding eroded the corridor, damaged footpaths, washed away fencing, damaged the creek bed and stone-pitched walls, and undermined a pedestrian footbridge adjacent to the Melrose Drive roundabout.

During the event, the directorate's after-hours stormwater response team attended 32 emergency call-outs. In the immediate aftermath, Roads ACT removed debris from the creek channel, installed fencing and shored up walls at risk of collapse, to make the site safe. In the days that followed, a further 56 requests were received to clear blockages and debris within that stormwater network, and that work then took more than two weeks to complete.

I particularly want to acknowledge and thank Roads ACT, because their contribution during and after emergencies can be easy to overlook, yet they are often among the first on scene, working across agencies and in difficult conditions, doing the practical work that restores safety and access for the community. They are also the teams that effectively put the pieces back together again, sometimes taking weeks or months. We are so grateful to them.

Recovery, of course, continues. An engineering consultant has been engaged to design permanent repairs to Yarralumla Creek and the pedestrian footbridge. Those works are expected to commence in the coming months, noting the practical reality that extended periods of dry weather are essential to safely undertake work within a live stormwater channel. Of course, there is the broader piece relating to Ms Carrick's motion from last year, which the government will respond to later this year.

Storms also place enormous strain on our urban forest and public spaces. Urban

Treescapes is responsible for more than 800,000 trees on unleased land. During the season, they responded to almost 1,800 community requests arising from storm impacts, including more than 1,000 reports of fallen branches, and they programmed 350 tree removals. This work is not only reactive; Urban Treescapes is investing in new equipment, including chippers and mini loaders, to expand proactive, formative pruning of young trees. That investment matters more, not less, in a city facing the kind of season that we have just had. It reduces future storm damage, it improves public safety, and it protects the long-term shade and cooling that our urban forest provides.

Place management teams operating from 10 depots right across Canberra also play a critical recovery role, restoring shop precincts, parks, laneways, underpasses and lakes, following storm events. That includes removing washed-in soil and vegetation, addressing hail damage, and repairing public infrastructure. Following severe hail in early January, the team attended Hawker shops to replace damaged roofing and to clean the precinct. Following the heavy rainfall in early February, crews cleared cycleways, underpasses and laneways across the inner south and the Woden-Weston regions. This is work that is difficult to plan for, because the response varies considerably, depending on the location, which is often localised, the nature of the storm event and the type of damage.

Of course, then there were the "but wait, there's more" weather conditions that arrived in March, that had a very real impact on our mowing program. Late and repeated rainfall, followed by warm days, has driven accelerated grass growth right at the end of the usual mowing season, and it is the conditions that African lovegrass thrive in. In response, the mowing season has been formally extended. I want to acknowledge the pressure that this extended season has placed on our mowing crews. They are working harder, longer and in worse conditions than any normal season demands, and they are doing it so well. I thank them for their professionalism and patience.

These autumn conditions have provided a narrow but valuable window for prescribed burning, supporting hazard reduction alongside ecological and cultural land management objectives. PCS, supported by Place Management, undertakes extensive works, including maintenance of more than 500 kilometres of management trails, slashing across approximately 4,500 hectares, and chemical or physical treatment of fuels across more than 850 hectares of land managed by the City and Environment Directorate.

I join the minister for emergency services in thanking every frontline worker and volunteer who stood up and responded during this season. I particularly acknowledge the work that continues outside the season, both in response to the previous season and in preparation for the next. We see you, we see your work, and we thank you.

MR BRADDOCK (Yerrabi) (11.01): I rise to respond to the minister's statement on the conclusion of the 2025-26 bushfire and storm seasons. I begin by echoing the minister's appreciation of the extraordinary work of our emergency services personnel. Throughout the summer months, while many Canberrans spent time with family and friends, our firefighters, SES volunteers, paramedics, call takers and support staff stood ready, in difficult conditions, to keep our community safe. Their commitment and professionalism ensured Canberra remains resilient in the face of bushfires, severe

storms and other extreme weather.

We know this was a demanding season. Lightning strikes in remote areas of Namadgi, intense storms across the territory and hundreds of SES call-outs placed significant pressure on our emergency services. Yet they responded with skill and coordination, supported by strong partnerships across the government and with our interstate colleagues. To every volunteer, frontline worker and to their families and employers, we say thank you for your service to the community.

The statement also notes periods of extreme heat. It is important that we recognise heatwaves as the most deadly natural hazard in Australia. Their impacts are less visible than fire or flood, but no less serious. Extreme heat affects health, infrastructure and livelihoods, and it disproportionately impacts those who are most vulnerable in our community.

There remains significant work to strengthen our preparedness in response to heatwaves. This includes improving early warning systems, ensuring clear public communication and supporting people who are most at risk. It also requires us to think more carefully about how our built environment responds to heat, including access to shade, cooling and resilient public spaces.

We must also acknowledge the broader context. Climate change is driving longer, more dangerous high-risk weather seasons. We are seeing more frequent heatwaves, more intense storms and more volatile fire conditions. What were once distinct seasons are increasingly overlapping, placing sustained pressure on emergency services and our community. This change in risk profile requires a shift in how we prepare. It means investing in resilience all year round, strengthening community awareness, and ensuring our emergency management systems are equipped to deal with the compounding and concurrent events.

The minister's statement outlined the strength of our current arrangements and the dedication of those who serve. As we look ahead, we must build on that foundation and respond to the growing risk posed by a changing climate. Keeping Canberra safe requires not only recognising the efforts of those on the front line, but also committing to the work needed to meet the challenges ahead.

Question resolved in the affirmative.

Administration and Procedure—Standing Committee
Reference

MS BARRY(Ginninderra) (11.04): I seek leave to amend my notice by omitting paragraph (3).

Leave granted.

MS BARRY: I move:

> That this Assembly:
>
> (1) notes that:

(a) transparency and clarity are fundamental to the effective scrutiny of legislation;

(b) the title of a bill, particularly its short and long title, is a primary means by which Members and the public understand its purpose and scope;

(c) the use of generic titles for bills such as Liquor Amendment Bill 2025, Family, Personal and Sexual Violence Legislation Amendment Bill 2025, Planning Legislation Amendment Bill 2026 and similarly framed bills, contains provisions whose scope or effect is not readily apparent from their title; and

(d) scrutiny reports have, on multiple occasions, identified deficiencies in explanatory statements, including failures to clearly identify the scope, purpose or human rights implications of provisions;

(2) recognises that:

(a) the title of a bill should provide a clear and accurate indication of the nature and effect of the proposed law; however, in practice, titles may be framed in broad or generic terms that do not clearly reflect the substantive changes being made, creating a risk that the scope and impact of legislation is not readily apparent to Members or the public;

(b) where the title of a bill does not clearly reflect its substance, particularly in bills containing multiple or significant reforms, it may limit effective parliamentary scrutiny and reduce transparency in the legislative process; and

(c) improved clarity in the naming and presentation of bills would enhance parliamentary scrutiny, public understanding and confidence in the legislative process;

(3) refers the matter to the relevant Assembly committee to:

(a) consider whether amendments to standing orders are required to strengthen requirements for the clarity and accuracy of bill titles;

(b) examine options for empowering the Speaker to require amendment of a bill title where it does not adequately reflect the bill's content; and

(c) report on mechanisms used in comparable jurisdictions to limit the use of omnibus bills or to improve transparency in legislative drafting; and

(4) requests that the relevant Assembly committee report to the Assembly within six months on any recommendations it may have to improve the standing orders or Assembly procedures, to ensure better clarity and accuracy of bill titles.

As shadow attorney-general, I bring forward this motion to ask the relevant Assembly committee to review the standing orders and the procedures of this Assembly in relation to naming of bills and the quality of explanatory memorandums.

I bring this motion forward as I have seen numerous examples of legislation brought forward in this Assembly where the title, particularly the long title, does not reflect the nature of the changes in the bill, or where the nature of the changes is not adequately described in the explanatory memorandum.

This motion would not be needed if the government ensured that all bills introduced to this Assembly, including titles, were clearly and accurately described, and described

their primary subject matter and substantive effect, or that bills avoided the inclusion of multiple unrelated or loosely related measures within a single bill, and ensured explanatory statements provided a clear, plain language summary of all significant provisions and explicitly identified any provisions that extended beyond the core subject matter suggested by the bill's title.

Let me be clear: I have enormous respect for our legislative drafters. They work hard and do their best with what they have been given. Trust me; I know the headache of turning drafting instructions into law. I have been a drafter for the commonwealth myself, and it is technical work. It is exciting work. Frankly, I think there are people who are born into that position and they are just exceptional human beings.

However, deficiencies have been regularly noted in reports by the legislative scrutiny committee and during debates. I recognise that there are existing powers in the standing order. Standing order 169 says:

> The long title of a bill must agree with the notice of intention to present it, and every component of the bill must come within the long title.

Additionally, standing order 170 says:

> Every bill not prepared according to the standing orders shall be ruled out of order by the Speaker and withdrawn from the *Notice Paper*.

In practice, standing order 170 has only been used to find that bills are out of order because of financial initiative issues, not because of naming conventions. In practice, issues with naming conventions have generally been addressed through amendments during debates in this Assembly.

The problem I have with that is about transparency and accountability. Busy members of the public, who are perhaps not as engaged in the arcane workings of this place as we are, may only glance at the title of the bill being proposed, and will only go into the detail if the title flags an issue of interest or concern. I have heard from stakeholders who have told me that they have taken sometimes hours to find the particular reference to a bill when they are trying to look for the amendments that have been proposed.

Members of the public might not look to the explanatory memorandum to see the detail of what is being proposed. Deficiencies in the title or explanatory memorandum can result in our citizens not engaging with the legislative reform and not being aware of legislative reforms. In my view, fixing this during debate is too late. The overuse and misuse of omnibus bills to conceal substantial amendments under a completely irrelevant title seems to be a habit of this Labor government. Whether it is intentional or not, it abuses the purpose of omnibus bills and the utility that could have been had by enhancing efficiency of the legislative process where possible.

The effect of my motion is to bring this issue to the forefront of government consideration and to ask the relevant Assembly committee to consider whether there could be other ways to manage bills to ensure accountability and transparency. Specifically, it asks the relevant committee to consider whether amendments to the standing orders are required to strengthen requirements for clarity and accuracy of bill

titles. This would ensure that deficiencies in the title or explanatory memorandum could be resolved before a bill is tabled. My motion also asks that the committee report on the mechanisms used in comparable jurisdictions to limit the use of omnibus bills or to improve transparency in legislative drafting.

I want to thank staff in the Attorney-General's office for their very collaborative and useful engagement. I want to thank my colleagues in the Greens office and their staff for their engagement. I understand that the government will be moving an amendment, which we do not oppose. I commend my motion to the Assembly and seek members' support.

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) (11.10): I move:

> Omit all text after "That this Assembly", substitute:
>
> "(1) recognises that:
>
> (a) parliamentary scrutiny of bills is central to ensuring that proposed laws are carefully examined before they are passed;
>
> (b) scrutiny – through Committees and Assembly debate – helps identify unintended consequences, test human rights implications, and ensure legislation reflects both sound policy and practical experience;
>
> (c) scrutiny of draft legislation requires careful consideration of all material available to the Assembly, including the text of the Bill, explanatory statements and speeches;
>
> (d) transparency and clarity of this material is fundamental to the effective scrutiny of legislation;
>
> (e) the title of a bill should provide a short, clear and accurate indication of the purpose and scope of a bill;
>
> (f) in naming bills drafted for the Assembly, the ACT Parliamentary Counsel's Office applies established principles to achieve clarity, consistency and accessibility;
>
> (g) explanatory statements should provide a clear, plain-language summary of all provisions in a bill;
>
> (h) statute law amendments bills, legislation amendment bills (often referred to as omnibus bills), and stand-alone bills have specific purposes and functions; and
>
> (i) where omnibus bills contain controversial or contentious amendments, this should be clearly indicated in the explanatory statement;
>
> (2) recognises that:
>
> (a) scrutiny reports have, on multiple occasions, identified issues with explanatory statements, including in relation to descriptions of the scope, purpose or human rights implications of provisions; and
>
> (b) omnibus bills that include urgent reforms or amendments relating to subject matter that traverses the responsibility of multiple Assembly Committees can pose challenges to the efficient and effective scrutiny of proposed legislation; and

(3) request that the Standing Committee on Administration and Procedures:

(a) consider the current conventions and guidance for the naming of bills, the content of explanatory statements, and the use of omnibus bills in the ACT and comparable jurisdictions;

(b) consider whether any changes are required to the standing orders to support parliamentary scrutiny of proposed legislation by the Assembly; and

(c) report back to the Assembly, with any recommendations, within six months.".

The government does not oppose the intent of Ms Barry's motion. However, there are a number of assertions in the original motion with which we do not agree, particularly where it says or suggests that bill titles ought to perform some functions which might be beyond their orthodox role. It is for this reason that I have moved this amendment, and I am very grateful that it is agreed. I also extend my thanks to Ms Barry and her office for the collegiality shown in engaging on these matters and thus, I believe, coming to a consensus position.

Just briefly, a bill's short title and long title have distinct purposes. There are longstanding conventions that govern the naming of ACT legislation. They are set out in the Parliamentary Counsel's Office *Drafting practice guide*, which is publicly available on the PCO website. There is certainly no intent to hide anything. In fact, transparency is exactly what we focus on. Names need to be consistent, stable, predictable and unique and meet common standards. But names also cannot do everything. We cannot ask too much of a title. Instead, the nature and effect of legislation are properly explained through explanatory statements, human rights analysis and debate in this chamber—not compressed into a name.

Amendment bills are named to identify the principal legislation being amended. If the Liquor Act 2010 is amended, for example, the title makes that plain. Where multiple pieces of related legislation are amended, the bill's name reflects that scope, such as the Planning Legislation Amendment Bill. Portfolio-based amendment bills, like the Justice and Community Safety Legislation Amendment Bill, likewise indicate the legislative terrain they traverse. These legislation amendment bills, of course, should not be confused with statute law amendment bills, which are limited to minor or technical changes. A legislation amendment bill may involve substantial reform, and its title accurately signals that it amends more than one act. *Thornton's legislative drafting*, a text that is well known across Westminster systems, observes that a short title must, by necessity, be short—it is a statutory nickname. Proposals to embed substantive policy detail into titles cut directly against that principle. The substantive effect of a bill belongs in the explanatory material and in the speeches that we give in this place.

The Standing Committee on Administration and Procedure considered omnibus bills during the Ninth Assembly. I was there, Minister Rattenbury was there, the Clerk was there and Ms Rafferty was there—halcyon days, Mr Deputy Speaker. It concluded that they are a useful legislative tool. The committee emphasised that, where bills make controversial changes, those matters should be clearly addressed in explanatory statements. That recommendation, though, does not require or justify dismantling longstanding naming conventions.

I certainly would reject any assertion that there is a need to limit omnibus bills or to improve transparency in legislative drafting. I acknowledge that Ms Barry has reflected extensively on the professionalism and expertise of the Parliamentary Counsel's Office—and that is not in doubt. However, any suggestion that they lack transparency should be firmly avoided, and I will defend that to the death. Drafting principles and practices are publicly available and the office's work is subject to rigorous scrutiny, which, of course, we welcome. I and the Parliamentary Counsel's Office are always open to improvement. I do query why a motion has been rushed into. If there is an issue that has been attempted to be solved or a clarification that can be provided about the why, I do suggest, just ask. I know that PCO would be delighted to engage, and I would be so very happy to facilitate that. But, if something has gone awry there, I am very happy to understand why that has not been facilitated.

Ultimately, I accept that the Assembly has determined that another review by admin and procedure is warranted, and certainly we do not oppose that. Light and transparency is great, and PCO, I know, will readily engage with this. I greatly appreciate that this amended motion better reflects the full scope of what PCO needs to undertake and still, I believe, reflects the intent of Ms Barry's original motion, and I commend it to this chamber.

MISS NUTTALL (Brindabella) (11.15): I would also like to thank Ms Barry for bringing forward this motion. She has brought up some valid issues that warrant the Assembly's attention. I want to thank both Ms Barry and Ms Cheyne and their offices for their constructive and amicable engagement on the topic. I would also like to thank the Parliamentary Council's Office. Unfortunately, they do not get to sit in the chamber despite us taking credit for their consistently excellent work, and I think this is a bouquets and brickbats situation. So when you see good legislation from our office, full credit to PCO.

Omnibus bills are great, but they need to make sense as an omnibus bill. There is a difference between a bill that cleans up and improves legislation along a number of prescribed themes, such as gendered language, or for compatibility with some federal reforms and a bill that might be considered more of a grab-bag of unrelated things that looks like it has been bolted together for convenience. There are two examples of bills that—pun intended—fit that bill that I can point to. For the purpose of this debate, I am going to avoid reflecting on the merits of any reforms in these bills; I am only talking about their construction and handling.

Last year, we were presented with the Workplace Legislation Amendment Bill 2025. On its own, it contained a number of reasonable reforms for workplace laws. However, bolted on to it was a change to provide public sector underwriting of workers compensation insurance for horse trainers in the racing industry, which the government wanted passed urgently. The Labor government tried to have the whole bill passed on an accelerated timeframe which would bypass scrutiny and review—processes that we have for a good reason. Then it fell to the Assembly to split the bill into two components that could be handled according to their different levels of urgency. Our view is that they should have been presented as two bills in the first place.

Right now before the Assembly we have the City and Environment Legislation

Amendment Bill. This is what I would call a grab-bag bill. It does four very different and unrelated things. There is a change to crematoria governance, which accounts for problems identified in a genuine incident of recent history; there is a change to the Electoral Act in response to a committee inquiry; there is an update for the national laws on heavy vehicles; and there is a change to speed camera calibration rules derived from a request made by the police. These are all very different things, and the bill could have been referred to any of three different committees. Importantly, had any committee chosen to inquire on just one element of the bill, it would have caused problems for the electoral reform element, which is time-sensitive, and it would have again fallen to the Assembly to split the bill in order to allow it to pass in time. This bill should have been presented as at least two bills in the first place—and, ideally, as three bills.

Why do we have this problem? Based on conversations I have been able to have with past Greens ministers and those who have had exposure to the ACT cabinet process, I suspect it is because this is the path of least resistance to get a bill through those cabinet processes and onto the government's legislative program. It suggests that, if something urgent comes up, it is easier to bolt a last-minute thing onto another bill that is already on the conveyer belt than to create a new bill that better suits the purpose. If I am correct, it means that we may have a cabinet-effectiveness problem, and probably one that is quietly making members of cabinet as frustrated as the rest of the Assembly. History suggests that the headaches get shared around in these situations.

So, if the Chief Minister is watching this one back, please look at how you can add flexibility to the flow of bills. I cannot speak for everyone, but certainly the Greens are very comfortable with the idea of getting a larger number of smaller bills that are well targeted to the reform being made in each case. I say this confidently, as Mr Rattenbury, who got the lion's share of the bills, will not have to live with the consequences of what I have just said. So, rather than requiring that late things get bolted onto another planned bill, perhaps it would be worth allowing multiple bills to be brought through a single cabinet process. Smaller bills will also help create clearer bill names. In the Greens experience, parliamentary counsel will give you a very clear bill name when it is equally clear what the bill is doing thematically. It is bills with a greater diversity of purposes that force the application of general names.

On the quality of explanatory statements, that is its own issue and one that is really dependent upon the efforts of both ministerial and non-executive offices. I am sorry to have to say this—I am aware that I say this as someone who has had a hand in editing exactly one explanatory statement and it almost brought me to my knees—but it looks like the quality has been slipping. I say that because the people on our team who run their fingers over a bill have been finding that they get a better impression of what a bill is trying to do by reading the bill itself rather than reading the explanatory statement. The policy intent of a bill is not always clear in its explanatory statement, and that appears to be a growing problem. So what to do about it? Ultimately, we need to trust the executive to lift their expectations on bill quality. Updates to the standing orders might help encourage that, including by making it clearer how and when bills must be split and what the consequences are for an inadequate explanatory statement.

I certainly cannot speak for the whole of the Admin and Procedure Committee, but I am optimistic that the committee will take the request in this motion seriously, be it by preparing a specific response to this motion or otherwise incorporating it into a more

fulsome review of the standing orders that is yet to happen this term. Accordingly, the Greens will be supporting this motion. We will also be supporting the sensible amendment presented by the Manager of Government Business, which I understand was developed in consultation with the Parliamentary Counsel and Ms Barry and her office and which, I understand, is also intended to make sure this is in order as Assembly business.

We are, like the government, keen to avoid situations where bill titles get too creative. Keeping bill titles boring means we avoid politically-charged titles. While that might be fun, especially for us, it is probably not helpful. Omnibus bills have their place; they just need to be well tailored to a theme and in a way that works for the Assembly. We can look at how to improve our standing orders to keep things working well and I am genuinely looking forward to this review.

MS BARRY (Ginninderra) (11.22): I have already spoken; I am not speaking to the amendment. I think it is sensible. As has been indicated by Miss Nuttall, it was developed in consultation with the Minister of Government Business and OPC, and we are happy to support the amendment. I just wanted to touch on a few things which the minister mentioned. The comment relating to transparency and accountability in my speech was not in relation to the drafters. It was more around transparency and accountability around the instructions that are provided by the minister's office to the office. I think it is quite interesting that the minister considers that I was referring to the drafters when I made that comment. So I just wanted to clarify that.

Once again, thank you to everybody who was engaged in this debate. I think there are some useful amendments that can come from this review, and I look forward to the report.

Amendment agreed to.

Question, as amended, resolved in the affirmative.

Bail Amendment Bill 2026

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) (11.24): I move:

> That this bill be agreed to in principle.

I am pleased to present the Bail Amendment Bill 2026 to the Assembly today. This is a bill that introduces important reforms to the statutory framework governing bail decisions in the ACT.

Bail decisions require a careful balance between community safety, the rights of

victims, the rights of the accused—including the presumption of innocence and the right to a fair trial—and the interests of justice. This bill strengthens the framework for making those decisions. It does not seek to simply increase or decrease the number of people held on remand but, rather, it is designed to ensure bail decisions are better informed, more consistent and more transparent.

The government has listened to the community through consultation on these reforms and recognises the diverse views that Canberrans hold about bail and the criminal justice system. The bill updates and expands the matters that decision-makers must consider when deciding whether to grant or refuse bail. Many of these matters may already be considered in practice. Prescribing them as mandatory considerations strengthens the decision-making framework, because it ensures that key issues are considered consistently while still allowing decision-makers to weigh those matters according to the circumstances of each case. By clearly identifying the matters that must be considered, the bill helps accused people, victims and the broader community better understand how bail decisions are made. In doing so, the bill reinforces that bail decisions are structured and principled. They are made following an assessment of risk, the rights of the accused, the safety of victims and the community and the interests of justice.

Section 22 of the bill sets out the core matters that must be taken into account when making bail decisions in relation to adults and children. These include the likelihood that the person will attend court in relation to the alleged offence; will commit an offence if released on bail; will harass or endanger the safety or welfare of anyone; or will interfere with evidence, intimidate a witness or otherwise obstruct the course of justice. Decision-makers must always consider the interests of the adult when making bail decisions about adults but, in addition, decision-makers must consider the best interests of the child as a primary consideration when they are making bail decisions about children, reflecting the particular vulnerability of young people in the criminal justice system.

Section 22A of the bill also requires decision-makers to consider a range of factors relevant to core matters when making bail decisions. Many of these matters are already provided for in the existing Bail Act but are not currently mandatory considerations. Additional matters have been included following community consultation and are designed to assist in preventing further offending and protecting victims, particularly where family violence is involved. The bill requires decision-makers to consider the accused person's history of compliance with bail conditions and other court orders, including whether the person was on bail at the time of the alleged offending. This information can assist decision-makers to assess risk in a practical and evidence-based way. In some cases, a history of repeated breaches may indicate that release on bail with conditions is unlikely to manage a risk but, in other cases, it may indicate that different or clearer conditions or additional support are required instead.

The bill also requires decision-makers to consider the accused person's behaviour towards a victim or a victim's family member, whether the offence is a family violence offence and the likelihood of further family violence if bail is granted. These matters are relevant because family violence often involves patterns of coercion, intimidation, escalation and control. Requiring these matters to be considered helps ensure bail decisions reflect the real-world risks faced by victims and their families and whether

those risks can be safely managed through bail conditions.

Sections 22B, 22C, 22D and 22E of the bill require decision-makers to consider additional factors where the accused person may be particularly vulnerable because they are an Aboriginal or Torres Strait Islander person; a person with disability or a health condition, including mental illness; a child; or a person who is pregnant. These amendments also respond to broader national trends towards stricter bail laws and the rising remand populations. Across Australia, unsentenced prisoner numbers have increased significantly in recent years, with disproportionate impacts on Aboriginal and Torres Strait Islander people, people with a disability and people experiencing mental illness. This bill responds by requiring decision-makers to consider the particular risks, needs and circumstances of vulnerable accused people before deciding whether bail should be granted, refused or granted with conditions. The bill does not mean that vulnerable accused people automatically receive bail, but it means their circumstances must be properly considered. This avoids a one-size-fits-all approach and it supports decisions that are fair, practical and informed by the available evidence.

For Aboriginal and Torres Strait Islander accused people, decision-makers must consider the impact that custody may have on the person's connection to country, to culture, family, elders and community. These amendments respond to recommendations that go back into the royal commission of the 1990s as well as the Australian Law Reform Commission, the Assembly Standing Committee on Justice and Community Safety and the Jumbunna Institute.

Where an accused person has a disability or health condition, including mental illness, decision-makers must consider whether the person's needs can be appropriately managed in custody. For children, the bill recognises that they are still developing and that custody can carry significant long-term consequences. Decision-makers must consider matters such as family relationships, stable accommodation, education, training, rehabilitation and the risk that time in custody may increase future involvement with the criminal justice system. This is not about allowing children to avoid accountability; it is about ensuring accountability is age appropriate, fair and directed towards rehabilitation, because that is what best supports long-term community safety. Where the accused person is pregnant, decision-makers must consider the likely effect of custody on both the accused person and the child after birth.

The bill also requires decision-makers to consider the specific circumstances of vulnerable accused people when imposing bail conditions. Conditions should be no more onerous than necessary to manage the risks associated with release. This is important because strict or inappropriate conditions can set people up to fail. The bill helps ensure that bail conditions are practical, proportionate and tailored to the person's circumstances.

There is an expectation that, where an authorised officer is the decision-maker, the authorised officer will undertake appropriate inquiries to satisfy themself about the relevance of each of the matters. This is not intended to be onerous. For ACT Policing, that information that must be considered should be available from ACT Policing holdings, from speaking with the accused persons, completing the ACT Policing intake and bail consideration forms or from speaking with an informant. Where the information relates to the accused, the onus is on the accused person to provide

information relevant to their situation that may weigh in their favour. Where the accused person refuses to provide that relevant information, the decision-maker is expected to consider information about those matters that is readily available, but they are not expected to undertake further enquiries with third parties to determine that information. Where the decision-maker is a court, the parties will be expected to provide relevant information to inform the court's consideration of the relevant matters.

The bill strengthens the way that victims' concerns are brought into bail decisions. While the Bail Act already requires consideration of risks to others, consultation showed that more could be done to ensure victims' safety concerns are clearly heard, appropriately considered and responded to prior to bail being granted. The bill creates a clearer pathway for victims to raise concerns about violence, harassment or intimidation and it broadens the definition of "victim" to better align with the Victims of Crime Act 1994, recognising that harm may also be experienced by family members, dependants and witnesses.

The bill clarifies that harm is not limited to physical injury, but may include mental injury, emotional suffering, economic loss and serious impacts on legal rights. Protection concerns may also include risks to family members and pets. Primary victims may also provide other information relevant to the bail decision, recognising that victims may have direct knowledge of patterns of behaviour or escalation that may not be apparent from the charge or criminal history alone. The bill also provides for vulnerable victims to participate through a representative where necessary and gives the Director of Public Prosecutions discretion to raise victim concerns in a way that does not unnecessarily increase risk to victims. Where victim safety concerns or other relevant information are put before a decision-maker, they must be considered as part of the overall bail assessment.

Finally, the bill makes consequential amendments. The bill strengthens the ACT's bail framework by making sure that bail decisions are more informed, transparent and responsive to risk. It recognises the importance of victim safety and community protection, while also recognising the rights of accused people, the presumption of innocence and the particular impacts that custody can have on vulnerable people. I commend it to the Assembly.

I present the following paper:

> Bail law reform in the ACT—Listening report—YourSay consultation, dated May 2026.

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

Privileges—Select Committee
Establishment

MR PARTON (Brindabella—Leader of the Opposition) (11.34): I move:

> That:

(1) pursuant to standing order 276, a Select Committee on Privileges 2026 be established to examine whether, in relation to the Standing Committee on Public Accounts and Administration's inquiry into the CIT CEO recruitment process, Dr McNeill is in contempt of the Assembly by giving false and misleading evidence to the Committee, failing to produce documents and any other related matters;

(2) the Committee shall report back to the Assembly by 10 June 2026; and

(3) the Committee shall be composed of:

(a) one member nominated by the Government;

(b) one member nominated by the Opposition; and

(c) one member nominated by the ACT Greens;

to be notified to the Speaker within one hour of the passing of this motion.

The motion speaks for itself. I do not want to dwell on it too much in this chamber. When witnesses in parliamentary hearings read and acknowledge the privilege statement at the start of a hearing, it is not just a box-ticking exercise. This saga has gone on for way too long. It is not for me to further prosecute matters that will be examined by this committee in the context of this debate. We could do that all the way through to the lunch adjournment, but I do not think that this is the time and place to do it.

With respect to the reporting date that has been suggested in this motion, arriving at a reporting date gave us some angst, because of the large gap in sittings between June and spring. Although this motion suggests a June reporting date, it is certainly open to the committee, once it is established, to extend that reporting date should it feel the need to do so.

As far as the membership of the committee goes, in discussions that I have held with the Greens and the Independents, we certainly do not believe that any member of the PAAC should be on this committee, because of the obvious conflict. Additionally, we do not believe that individuals who have some public exposure to the issue should be involved, which makes it impossible for us to have an Independent member on this committee. I think both of the Independents agree with me on that.

My understanding is that past practice has been that privileges should have an opposition chair and, as such, I propose that the Liberals hold that position. When the nominations go forward for the membership of the committee, I will be nominating Ms Lee to be the Liberal member and the chair of this committee. I commend the motion to the Assembly.

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) (11.37): Consistent with the reasons that the Leader of the Opposition has just outlined, I will speak on behalf of the government. We agree with all the reasons that Mr Parton has just put forward about the membership of this committee. I think this has been well considered, and we support the establishment of the privileges committee in the terms that have been circulated.

MR BRADDOCK (Yerrabi) (11.37): I am disappointed that we are having to debate this motion today, but it is important that we do so. The most pertinent points of the report of the public accounts and administration committee, and particularly paragraph 3.13 and finding 6, were definitely of great interest in this place. After the report was tabled, the following statement from Dr Margot McNeill was issued yesterday, on 5 May. It says:

> Dr McNeill notes ongoing media coverage concerning her and the report tabled by the Standing committee on Public Accounts in relation to the inquiry into the CIT CEO recruitment process.
>
> Dr McNeill considers that aspects of the report contain factual inaccuracies and are contested, including matters relating to the characterisation of her conduct. These issues have been formally addressed, and Dr McNeill reserves her position in this regard.
>
> For the avoidance of doubt, Dr McNeill does not accept findings that she engaged in any misleading or improper conduct.
>
> While it is open to report the existence and content of the Committee's findings, any publication that adopts, endorses or republishes as fact allegations or imputations of wrongdoing—including those reflected in paragraph 3.13—would be considered by Dr McNeill to be defamatory. Dr McNeill reserves all her rights.

Yesterday, as Mr Parton read into the *Hansard*, we had the statement from TAFE New South Wales. I will quote the relevant extract:

> TAFE NSW Wales gave Dr McNeill permission to disclose any facts or circumstances connected with her employment at TAFE NSW and at no point specifically directed Dr McNeill not to disclose the existence of the investigation to CIT.

The following subsequent statement was issued by Dr McNeill on 5 May 2026:

> TAFE NSW's statement is inconsistent with what Dr McNeill was told directly and in writing.

I will be anodyne in what I am saying, because I anticipate that, if this motion passes, I will be on this privileges committee. I would note that Dr McNeill is saying that she is looking to formally address what she claims are inaccuracies in the public accounts and administration committee's report.

Dr McNeill does have the option of the citizen's right of reply process, under continuing resolution 4, "citizen's right of reply", but at the time of speaking I am not aware that she has done so. The option remains open to her. I do believe that this Select Committee on Privileges 2026 will be ideally placed to examine that question about the claimed inaccuracies in the committee's report and to test any evidence that Dr McNeill is able to provide in support of her view.

This is because the examination of the critical question on whether Dr McNeill gave false or misleading evidence to the committee will also resolve the questions about the inaccuracies in the committee's report. The privileges committee will also be able to

investigate the seemingly contradictory positions between the TAFE New South Wales statement that I read out earlier and Dr McNeill's second statement.

I would encourage Dr McNeill to provide all and any evidence that she has in support of her position. I would likewise encourage TAFE New South Wales to do the same. I encourage Dr McNeill to cooperate fully with the inquiry process. Transparency and accountability are core principles of the work of this Assembly.

The public accounts and administration committee's evidence, transcripts and report are all on the public record. If there is any evidence that demonstrates inaccuracies in either the TAFE New South Wales statement or in the public accounts and administration committee's inquiry, now is the time to present that evidence for scrutiny.

I note that, during the committee process, there were concerns that Dr McNeill raised about sub judice, but I am satisfied that the continuing resolution makes it sufficiently clear that this does not apply at this point in time.

Going to the point that Mr Parton made, I appreciate that the Assembly is seeking the committee to report back by 10 June. As a potential member of that committee, I aspire to have that matter resolved by then, before we have that significant break in sittings. I also note that this timeline may be dependent on the timely cooperation of witnesses, which may or may not be forthcoming; therefore, there may be the need for an extension.

I want to talk about the membership of the committee. A number of members in this place have either served on the public accounts and administration committee's inquiry into this matter or have made comments on the matter either within or outside this Assembly. These are entirely appropriate roles for members of this place to undertake, and nothing I say should be construed as criticism of that. I do, however, believe there is significant value in members of this committee having a degree of independence on this issue. This is to ensure that the process is as independent, fair and free from potential criticism as possible, as it attempts to find what is the truth in this matter. I hope other members in this place agree with this position.

In closing, the Greens will be supporting this motion.

MR EMERSON (Kurrajong) (11.42): I, too, rise to speak in support of the establishment of a privileges committee to investigate whether the CEO of CIT is in contempt of the Assembly.

Dr McNeill has repeatedly asserted that she was bound by the confidentiality constraints imposed by TAFE New South Wales requiring her not to advise CIT of TAFE's misconduct investigation against her. As members have indicated, yesterday evening TAFE New South Wales issued a statement apparently directly contradicting that assertion. In response, Dr McNeill released a further statement saying that that statement was inconsistent with what Dr McNeill was told directly and in writing, and that she would address that through the appropriate legal proceeding.

I note Dr McNeill was asked to provide this legal advice to the public accounts and

administration committee and did not do so. Indeed, as we have discussed, she was very reluctant to provide anything much to the committee at all, and she only appeared after being summonsed. I would think someone who is on the right side of the facts would take every opportunity to publicise the facts.

The CEO of CIT has contested the factual accuracy of the public accounts and administration committee's report, issuing a statement yesterday saying:

> Dr McNeill considers that aspects of the report contain factual inaccuracies and are contested, including matters relating to the characterisation of her conduct.

This follow-up inquiry being established today offers an opportunity to clear the air, so to speak, and to be far more forthcoming in providing evidence to this Assembly, via a committee process, to facilitate appropriate parliamentary scrutiny in the public interest. These are things of which the CEO of a significant public body should be demonstrably supportive at all times.

The Board of CIT cannot point to this privileges committee—and this is something I would like to speak to—investigation as grounds to delay taking action. They should call an urgent meeting—I imagine they already have—to discuss Dr McNeill's dismissal.

The evidence unearthed by the public accounts and administration committee shows that, first, Dr McNeill failed to inform the board that misconduct findings had been made, when asked directly by the board chair in mid-September 2025, just one week after Dr McNeill was informed that those misconduct findings had been made. I accept that Dr McNeill may have been contesting the findings with TAFE New South Wales, but that is what she should have told the chair of the CIT Board when asked—that findings had been made and she was contesting them, not that no findings had been made.

Second, Dr McNeill failed to inform the national vocational education and training regulator, the Australian Skills Quality Authority, about the misconduct findings on a statutory declaration which appears to have been made some time after 1 December 2025, long after she was made aware of those findings in September 2025. Again, she may have been contesting the findings at the time of making this statutory declaration—a legal document—but that does not mean the findings did not exist, and this was a matter that would clearly impact public confidence in her.

Based on the evidence, it appears Dr McNeill has misled the national regulator and, as concluded by the public accounts and administration committee, she has also misled the CIT Board. As discussed in this chamber yesterday, Dr McNeill's employment contract requires her to do her job with honesty. The board can terminate her contract with eight weeks notice if it is satisfied on reasonable grounds that she has failed to comply with the conditions of her employment. It is undeniable, given the evidence before us, that this threshold has been met.

Dr McNeill's contract also requires that she not behave in a way that undermines the integrity and reputation of CIT or its board. The fact that Dr McNeill is now going to be investigated for contempt of the Assembly only further undermines the integrity and

reputation of CIT and its board.

All of this is to say that immediate dismissal is warranted before more damage is done, and we do not need to wait until this committee process is complete. We should not be waiting for more costs in relation to the CEO's employment to be borne by ACT taxpayers. It is also worth acknowledging that, in having a CEO that is busy issuing legal warnings and statements and mounting legal challenges, presumably CIT does not have a CEO who is occupied entirely with the important work of leading the organisation.

I think we are united in this Assembly, as are people across our community, in wanting CIT to return to its role in educating and training Canberrans. The sooner this is dealt with by the board, the sooner CIT can focus on its core purpose, and the sooner we in this Assembly can move on to the conversation about CIT governance reform. As Mr Braddock indicated, it is also an opportunity for TAFE New South Wales to provide evidence through this committee process, and I would welcome them being as forthcoming as possible.

Finally, as to the composition of the proposed privileges committee, this is one of the many occasions on which I find myself saying I wish we had another Independent in here. If we had, we would have had an Independent on the committee, but I accept the view across the Assembly that I have had views on this matter, so it might not be best for me to be part of the committee. Of course, Ms Carrick is a member of the public accounts and administration committee, so it makes sense for her not to be on it, either. I have full faith that the three committee members, whoever they may be, will conduct themselves appropriately and draw the right conclusions.

MR PARTON (Brindabella—Leader of the Opposition) (11.47), in reply: In closing, certainly, in my statement, I suggested, regarding the reporting date, that it would be up to the committee to decide to extend, should they make that decision. The current Speaker is much more across the standing orders than the most recent Speaker. He has advised me that, as this is a committee that has been established by the Assembly, if indeed there is a move from within the committee or a wish to change the reporting date, that change would have to come back through this chamber. I wanted to clarify that.

Question resolved in the affirmative.

Better Regulation Legislation Amendment Bill 2026

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) (11.49): I move:

> That this bill be agreed to in principle.

I am pleased to present the Better Regulation Legislation Amendment Bill 2026. This is the third better regulation bill that I have introduced in the Eleventh Assembly, and it continues the government's unwavering commitment to keeping the ACT statute book fit for purpose through continuous improvement of policies, procedures and regulatory practice. That commitment benefits individuals, businesses, the community and the regulators who serve them.

Better regulation supports businesses to grow and compete while protecting community safety and enhancing the economic, social and cultural wellbeing of our city. Our approach is simple and practical. We focus on whether laws are working as intended, how they are experienced by the people who must comply with them, and how we can address unintended consequences. This bill reflects that approach.

The bill amends 22 acts and four regulations to improve public access to information, to remove unnecessary regulatory burdens, provide for payment neutrality, to align legislation with contemporary regulator practice, and to modernise and clarify legislative language.

Transparency is essential to public trust and accountability. Easy access to government information underpins meaningful participation in democracy. Public registers play a critical role by giving Canberrans reliable, searchable information that supports informed decision-making, consumer protection and confidence in regulators on the spot.

As has been noted by the Professional Standards Councils, transparency and public access to information are fundamental to accountability, public debate and trust in government. Since the first better regulation bill in 2025, the better regulation team has undertaken a whole-of-government review of how information is made available through public registers. The bill before the Assembly is the result of this work.

It will place beyond doubt in legislation free and electronic public access to 10 existing registers, providing certainty and setting a clear precedent for future drafting. It will also create 14 new public registers that will, for the first time, be accessible electronically. Together, these reforms standardise access across government. They improve transparency and remove consequential burdens on regulators and businesses.

A clear example is the reform of the Food Act. Because food business information will now be publicly available online, the bill removes the requirements for businesses to display, return or surrender physical registration certificates. This requirement has long been seen as burdensome, particularly for businesses with multiple entrances or no obvious display location, and it has added compliance activity without improving food safety outcomes. An accessible public register achieves the same transparency in a simpler, more modern way.

Similarly, the bill establishes for the first time a public register of accredited assistance animals under the Domestic Animals Act. Making this information accessible will directly assist people who rely on assistance animals, many of whom are among the most vulnerable in our community.

The bill also consolidates and modernises gambling and racing registers by moving licensing and approval information to the Gambling and Racing Control Act, where it more appropriately belongs. Registers for gaming machine approvals, bookmaker and agent licences and totalisator licences will be publicly accessible electronically for the first time, strengthening consumer protection, transparency and accountability while removing the need for numerous notifiable instruments each year.

Beyond public registers, the bill makes targeted amendments to ensure that legislation remains current and proportionate. It updates outdated gendered language in the Pool Betting Act, aligns the Waste Management and Resource Recovery Act with regulator best practice while expanding reviewable decisions, and removes unnecessary administrative requirements in the Medicines, Poisons and Therapeutic Goods Act. The bill also responds to changes in how people transact. With cheque use now almost entirely phased out and a national transition underway, it amends the Legislation Act to adopt payment-neutral language, ensuring that the ACT statute book is future-ready.

Taken together, these reforms will not only reduce regulatory burden and improve access to information, but they may also reduce demand for freedom of information requests, freeing our regulators to focus on delivering outcomes for Canberrans. Where new registers are being created, a six-month delayed commencement allows agencies time to embed these changes into business as usual.

I have consistently committed to practical incremental reform that delivers real benefits for the community, businesses and government, and this bill continues that work. I commend it to the Assembly.

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

Civil Law (Wrongs) Amendment Bill 2026

Debate resumed from 17 March 2026, on motion by **Ms Cheyne**:

> That this bill be agreed to in principle.

MS BARRY(Ginninderra) (11.54): I rise in response to the Civil Law (Wrongs) Amendment Bill 2026. I accept that some changes are necessary as a response to the decision of the High Court in Bird v DP—a pseudonym—[2024] HCA 41. In that judgement, the High Court found that vicarious liability could only be found in employer-employee relationships but, importantly, not in relationships akin to employment.

The effect of that judgement is that volunteers are unpaid officials of an organisation and are not regarded as employees; therefore, the organisations would not be vicariously liable for the conduct of those individuals. That would mean, for example, victims of sexual abuse by persons such as a volunteer or unpaid official could not seek to hold the organisation vicariously liable for child sex abuses committed by those volunteers. There is broad consensus in the community and among legal professionals that this limitation of vicarious liability is inappropriate. The only option then is legislative reform.

Reviews by the legal scrutiny committee in report No 18, and in legal affairs committee inquiry reports, have both supported the passing of the bill without amendments. The Canberra Liberals are supportive of making an appropriate change to the legislation to ensure that organisations are vicariously liable for the conduct of people acting in its name, regardless of their employment status.

I do have some concerns about this bill, and I will use this speech to set these out clearly for the record. Firstly, despite the Standing Council of Attorneys-General deciding, in response to the High Court's decision in Bird v DP, a coordinated response by jurisdictions to be an appropriate avenue, the ACT has gone at this alone, and before any other jurisdiction, in proposing a solution.

Secondly, because of this inconsistency, there will be real challenges for organisations across jurisdictions. This is another example of the ACT Labor government failing to consider the cross-jurisdictional implications of legislation. This has arisen a number of times when they either rush legislation or act prematurely without adequate consultation. Thirdly, there are challenges for organisations which rely on volunteers, such as the scout movement, which could impact on its ability to attract volunteers.

While there was broad acceptance by most parties at the committee inquiry, there was one very significant exception, Scouts ACT, which recommended that the bill not proceed in its existing form. Scouts ACT expressed concern that the bill had potential to undermine the viability of volunteer-based organisations that served young people. Scouts ACT expressed concern that the bill's expanded liability provisions introduce legal uncertainty, which expose community organisations to financial and operational risk by capturing individuals not formally engaged, vetted or accountable to the organisation.

Scouts ACT cited examples such as casual volunteers, parents assisting at events and external partners. They were concerned about the risk that the bill would deter informal community participation, "reducing volunteerism and compromising the inclusive community-driven nature of our programs". Scouts ACT warned about the impact of expensive vetting that will be necessary once this bill is passed. It would mean that the incentive to participate in community youth programs in the ACT would change drastically.

It stated that volunteer-based organisations such as Scouts ACT are already under pressure to recruit and retain volunteers. If participation becomes contingent on a time-consuming compliance process, especially for low-risk incidental involvement, many people will simply choose not to help. Scouts ACT also opposed any potential retrospective application of the bill, arguing that it could result in unanticipated legal liability for historical cases, financial strain from reopened claims and associated legal defence costs, and reputational risk even where the organisations acted in good faith under the previous legal framework.

These views and concerns of Scouts ACT should be given consideration by the Assembly where appropriate, given the importance of contributions made in helping to guide young people in the ACT. We also need to be very careful when introducing any legislation that will have a detrimental impact on volunteering in this sector, which is already under considerable stress.

The High Court's decision in Bird has national effect. Therefore, the ideal response to this case would be a nationally cohesive resolution to ensure that the design of legislation is consistent. It was good to see that the Standing Council of Attorneys-General put this issue on its agenda and agreed to work together to further consider the impacts of the High Court's decision on potential reform options. Sadly, the ACT has decided, for reasons that are not entirely clear, to go at it alone and introduce the bill before SCAG could coordinate a response.

Subsequently, Western Australia, New South Wales and Victoria have introduced their own bills, and South Australia has announced that it will introduce a bill shortly. It is no surprise that the ACT Labor government once again has shown its contempt for consultation. The effect of this is that we will likely have different responses and settings in each Australian jurisdiction. This will make life significantly more difficult for organisations working across multiple jurisdictions.

In making laws, sometimes a desire for quick resolution can be an enemy of quality outcomes. I fear that in this case we will need to revisit this legislation again once SCAG comes to a consensus or the national inconsistency of legislation means that a response has become unattainable. The inability to deliver a national consensus risks increasing the complexity, length and cost of litigation. That will be the regrettable consequence of the ACT going at it alone.

I note that there were some concerns with the original bill in relation to the proposed retrospective application. I also note that the government has subsequently proposed an amendment to its own legislation to ensure that the provision of this bill only applies to incidents that take place after the passing of this bill. This is a welcome change. If the government had not made these changes, the Canberra Liberals would have rightly shared the significant concerns raised about this matter during the committee inquiry.

I appreciate that the risk has been removed by the government's amendment, but this bill does make a significant and positive change to the rights of victims and, on balance, the Canberra Liberals will support this bill. We remain concerned about the impacts on organisations like scouts and, clearly, we would have preferred nationally consistent legislation, but we will monitor the implementation of this bill.

MR EMERSON (Kurrajong) (12.02): I would like to start by thanking the Attorney-General for bringing this legislation before the Assembly. It addresses two matters that are clearly in the public interest. With respect to claim farming, while I would like to believe this is not an issue here in the ACT, it is important that vulnerable Canberrans who have had a traumatic experience are not exploited by claim farmers and pressured to make a redress or personal injury claim. Taking legal action, which is often expensive, drawn out and intrusive, can compound the emotional burden and should only be undertaken, of course, following the fully informed and consenting decision-making of the victim.

The welfare of victims should always be prioritised, and government policy should ensure that individuals' vulnerability and trauma are not able to be exploited for the personal or financial benefit of others. I believe this bill is an important safeguard in this respect, and I understand it also implements recommendations of the Joint Standing

Committee on Implementation of the National Redress Scheme and brings the ACT into alignment with New South Wales, South Australia and Queensland.

Briefly, with respect to establishing a statutory duty of care for institutions responsible for a child to take reasonable precautions to prevent an individual associated with the organisation from perpetuating child abuse, I wholeheartedly support this Assembly clarifying today beyond doubt that organisations are liable for child abuse perpetrated by persons associated with the organisation, in the absence of evidence that it took reasonable precautions to prevent such abuse.

While this duty exists in common law, this legislation makes it abundantly clear that organisations must take active responsibility for ensuring that child abuse does not occur. Imposing a reverse onus of proof, which shifts the evidential burden from the victim-survivor onto organisations once abuse has been established on the balance of probabilities, censors the victim-survivor in circumstances where nefarious and sick individuals have sought to exploit power imbalances with vulnerable children in their care for their gratification.

I hope this legislation will have a positive and educative impact on the way organisations understand and implement their responsibilities for the welfare of children in their care and our prioritisation as a society for the protection of children above all else.

On the whole, this bill looks to me like a sensible and proportionate response to issues that, in a perfect world, no Canberran or anyone else would ever have to confront. I believe it will contribute to a safer Canberra that elevates the wellbeing of victim-survivors in our community. Again, I thank the Attorney-General for bringing these reforms to the Assembly.

MR RATTENBURY (Kurrajong) (12.05): I am pleased to indicate that the ACT Greens are supporting this important bill today. It does make two changes to the law, as has been touched on. It prohibits the practice of claim farming and it imposes a duty on organisations responsible for a child to take reasonable precautions to prevent an individual associated with the organisation from perpetrating child abuse. In preparing for the debate today, I reviewed the Attorney-General's introductory speech from March, as well as the other materials. The Attorney's speech was a very clear and gave a helpful account of what this bill does; so I do not intend to repeat those points. Rather, I will simply explain why we support the bill.

It is clear that the practice of claim farming is an insidious one that targets people who have already suffered. It preys on people and seeks to profit from them in a way that can only be described as exploitative and unethical. This issue was first raised with me by Knowmore towards the end of my time as Attorney-General. At that time, there were no reports of the practice in the ACT, but the risk was that, as other jurisdictions outlawed the practice, we might see claim farmers seeking out new places to operate. We undertook at the time for JACS to begin looking at law reform, and I am grateful that the Attorney has followed through in bringing this bill forward.

The second element of the bill is to impose a statutory duty of care to make organisations liable for child sexual abuse by persons associated with the organisation,

unless the organisation proves it took reasonable precautions to prevent the abuse. It rightly puts the onus of proof on the organisation to demonstrate that they have implemented reasonable precautions to protect children in its care. Once again, we are supportive of this element. It follows recommendations of the royal commission and, if you look at the direction of law reform in recent years, it is highly consistent with the intent to remove barriers and legal hurdles that prevent victim-survivors seeking redress. It is akin to the bill I brought forward last year, the Civil Law (Wrongs) (Organisational Child Abuse Liability) Amendment Bill, which sought to close an unfair legal loophole that was being accessed by institutions.

As we seek to deliver justice to survivors of abuse, it unfortunately is incumbent on us to continue to monitor and adjust the law as defendants try to find ways to avoid their liability or others seek to profit in ways that the average person can clearly see as unfair. My bill last year was one such example. This bill is another. I thank the Attorney for bringing it forward and commend it to the Assembly.

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) (12.08), in reply: I table a revised explanatory statement which corrects my name.

In closing, I thank members for their support for this bill. I do acknowledge and hear Ms Barry's concerns but respectfully refer her to the debate and passage of the bill, to which her remarks largely referred, from 30 October last year, notwithstanding that there was a different shadow Attorney-General then. Those matters are largely resolved through the passage of that bill and, as a result, as Ms Barry later reflected, other jurisdictions are actually following the ACT's lead. Again, I thank Mr Rattenbury for his work in introducing that reform, which the government was pleased to support. We were the first, but do not worry: at SCAG there were plenty of other states jostling to tell us how they were introducing a bill when ours had already passed. It does seem that we are going to be largely consistent, but there are some reasons why some states may take a different approach.

Ultimately, this bill before us today is about protection, accountability and access to justice. It protects victim-survivors of child abuse and vulnerable personal injury claimants from exploitative practices that can retraumatise them, that reduce the compensation or redress they receive and undermine their ability to make informed decisions. The bill also strengthens accountability for organisations responsible for children by confirming that they must take reasonable precautions to prevent child abuse by people associated with them.

The timely passage of this bill is critical. It responds to harmful practices that we know are affecting victim-survivors and provides legislative clarity, following a recent High Court decision that changed the common law position on institutional liability for child abuse. In passing this bill, we are joining with other jurisdictions that have acted to safeguard vulnerable people and to improve pathways to redress and justice.

The bill inserts offences into the Civil Law (Wrongs) Act 2002 to prohibit claim farming in relation to personal injury claims and redress claims under the National Redress Scheme. Claim farming is not legitimate legal outreach. It can involve repeated

and unsolicited contact, misleading representations, hidden referral fees and pressure tactics directed at people who have already experienced trauma. This conduct undermines informed decision-making and can result in reduced compensation for victims while claim farmers profit from their distress.

There has been growing national concern about claim farming in the context of the National Redress Scheme. Parliamentary inquiries have revealed evidence of unscrupulous organisations targeting victim-survivors, including in custodial settings where access to independent advice may already be limited. While there are no formal reports of claim farming in the ACT, preventative action is justified. Other jurisdictions have acted. Indeed, South Australia did present to the Standing Council of Attorneys-General on this, and it was from that presentation that I knew that the ACT also had to act. It is important that the ACT not become a destination for conduct that is prohibited elsewhere. Passing this bill will see the ACT join Queensland, New South Wales and South Australia in prohibiting claim farming. Each offence carries a maximum penalty of 300 penalty units, consistent with penalties in other jurisdictions.

To ensure that these offences do not impede legitimate legal services, the bill includes clear exceptions. These reforms are not intended to prevent victim-survivors from accessing legal advice, advocacy, community legal centres or lawful referrals; they target exploitative conduct undertaken for financial benefit. The bill also amends the Legal Profession Act 2006 to confirm that claim farming may constitute professional misconduct. A law practice convicted of a claim farming offence will be unable to recover costs and must refund fees to the claimant. Again, I wish to stress that there are no formal reports of claim farming in the ACT, and so I expect that, ultimately, this will have, hopefully, no impact on anybody, because they will all be doing the right thing. But we do need these reforms to send a clear deterrent message. Supporting guidance has been developed to assist the legal profession to understand and to comply with new obligations, which I do not think are onerous.

In addition to prohibiting claim farming, the bill amends the Civil Law (Wrongs) Act 2002 to impose a statutory duty of care on organisations responsible for children. Earlier this year, the High Court confirmed that a non-delegable duty can be breached by intentional criminal conduct. This bill complements that development by providing clear statutory guidance for organisations and future claimants in relation to abuse occurring after commencement. Under the bill, an organisation will be liable for child abuse perpetrated by an associated individual unless it proves it took reasonable precautions to prevent the abuse. This rebuttal presumption shifts the evidential burden from the victim-survivor to the organisation.

The bill includes a non-exhaustive definition of "associated individuals" and a list of factors that courts may consider when assessing whether reasonable precautions were taken, including the organisation's resources, the relationship with the child and compliance with child safety standards. Consistent with royal commission recommendations, the duty operates prospectively. This reform strengthens protections for children, it supports civil litigation pathways for contemporary abuse, and it aligns the ACT with other jurisdictions. This bill continues the ACT government's work to support victim-survivors, to strengthen civil justice pathways and to uphold the integrity of our legal system.

Before concluding, I want to place on the record my sincere thanks to our parliamentary drafters and to the policy team within the Justice and Community Safety Directorate. This bill reflects a substantial body of careful expert work to translate complex policy objectives and legal developments in other jurisdictions into a clear, workable and effective legislative framework for the ACT. As always, I am deeply grateful for their professionalism, rigour and dedication throughout the development of this legislation. I thank stakeholders, particularly Knowmore, for their advocacy and contributions, and acknowledge the work of this Assembly in considering and supporting the passage of this bill today. I commend it to the chamber.

Question resolved in the affirmative.

Bill agreed to in principle.

Leave granted to dispense with the detail stage.

Bill agreed to.

Planning Legislation Amendment Bill 2026

Debate resumed from 18 March 2026 on motion by **Mr Steel**:

> That this bill be agreed to in principle.

MRS MORRIS (Brindabella) (12.16): I rise today to support the Planning Legislation Amendment Bill 2026. This is a relatively modest bill, and the opposition is happy to support it. Much of this bill is administrative. It makes corrections, clarifies definitions, updates drafting and makes sure the statute book works as intended. That sort of work is not always very exciting, but it is necessary, nonetheless. A planning system needs to be clear. People should understand their rights and responsibilities. Industry and builders should know what rules apply and neighbours should know when they will be notified. The law should not be left with obsolete references and drafting errors. So I thank the government for checking their work and fixing some of these errors.

The bill makes some sensible changes and improvements. Canberrans should not need a lawyer or a planning consultant to work out whether a relatively minor encroachment causes an unacceptable shadowing impact. The rules should be clear, and this amendment helps to improve that clarity. Notifying adjoining lessees about major draft plan amendments at the beginning of the consultation period is good administrative practice. I note the minister's response on this amendment to the Standing Committee on Legal Affairs in its legislative scrutiny role. That advice outlines how the amendment will confirm this change in notification, rather than maintaining the current practice of notification solely when consultation period is extended. Establishing a new development application exemption for installing step-free access paths for single dwellings will provide an alternative and, it is to be hoped, less onerous process for people with disabilities to make their homes safer and more accessible with less stress. I would note that there is still much more work to do to streamline both DA and exemption processes through the entire planning system. Finally, the bill removes gendered language from the Recovery of Land Acts and corrects a minor drafting error in the Surveyors Act.

The opposition supports this bill because it is practical, modest and sensible. I will just make one broader point. Technical planning amendments matter, because small errors in planning law can have very real consequences on the ground. They can create confusion for homeowners, they can delay projects, they can frustrate neighbours, they can create uncertainty for industry and they can make a planning system feel even harder than it already is to navigate. So, while these changes are relatively minor, they are important, and I thank the minister for bringing the bill forward to the Assembly.

MS CLAY (Ginninderra) (12.19): I rise for the Greens to make a short statement in support of the Planning Legislation Amendment Bill. I would like to thank the Minister for Planning for making his officers available from the City and Environment Directorate to provide me with a briefing on the contents of this bill. This enabled me to more easily understand what the various provisions in in the bill seek to do.

The Greens are only concerned with section 51(1), which specifies that the Chief Planner makes the technical specifications to support the design guides and the Territory Plan. The amendment proposes to replace "Chief Planner" with the "Territory Planning Authority". That was concerning for us, because it removes clear and direct lines of accountability. Technical specifications are documents designed to provide guidance for aspects of a development proposal with the primary consideration being the assessment of outcomes in the Territory Plan. In demonstrating compliance with the assessment outcomes, the assessing officer may give consideration to the relevant technical specification. They can also be used by a planner or architect as a reference or a benchmark in the preparation and assessment of development proposals to demonstrate compliance with the assessment outcomes. Technical specifications are closely linked to the preparation and assessment of development proposals. They are part of the hierarchy of decision-making considerations, and they sit comfortably under the control of the Chief Planner.

The ACT Greens will not be supporting the proposed amendment, section 59(1), but we are very happy to support the rest of the bill. I understand that the Minister for Planning has agreed to progress consideration of this bill in such a way that allows for the remainder of the bill to be passed, except for the section I have just talked about. I once again thank the planning minister for his support in making his officers available to give us a really good briefing and for his work on this piece of legislation.

MR STEEL (Murrumbidgee—Treasurer, Minister for Planning and Sustainable Development, Minister for Heritage and Minister for Transport) (12.20), in reply: I would like to thank members for their engagement on the bill ahead of today's debate and note that support for clause 4 of the bill will not be progressed. The effect of this clause was to assign the function of making technical specifications which support the design guides in the Territory Plan from the Chief Planner to the Territory Planning Authority.

As outlined in part A, Administration and Governance of the Territory Plan, tech specs work in support of design guides by providing possible solutions, benchmarks and reference points for certain aspects of development proposals which will be considered compliant with the assessment outcomes and requirements defined in either the district zone or other policies that make up the Territory Plan. They are developed by experts

in the City and Environment Directorate to provide those undertaking development with best examples at the time. While not progressing, clause 4 will not provide the additional legislative support for operational delivery, which was what was intended when proposing this function, to be able to be delegated, retaining responsibility for this function with the Chief Planner will still ensure that development of the technical specification stays with that expert knowledge and can be done so in a way which is responsive enough to support industry and deliver intended development outcomes. I commend the bill to the Assembly.

Question resolved in the affirmative.

Bill agreed to in principle.

Detail stage

Clauses 1 to 3, by leave, taken together and agreed to.

Clause 4.

MR STEEL (Murrumbidgee—Treasurer, Minister for Planning and Sustainable Development, Minister for Heritage and Minister for Transport) (12.22): I will be opposing this clause.

Clause 4 negatived.

Remainder of bill, by leave, taken as a whole and agreed to.

Bill, as amended, agreed to.

Sitting suspended from 12.23 to 2.00 pm.

Questions without notice

North Canberra Hospital—costs

MR PARTON: My question is to the Minister for Health. Minister, it is reported that the total cost for the government's takeover of the Calvary Public Hospital campus in Bruce is just over $150 million. The government is yet to provide detailed information on how much the delivery of the new North Canberra Hospital will cost the ACT taxpayer, notwithstanding that the project is already $150 million in before a single shovel is picked up. Minister, did the Little Company of Mary ever establish interest to redevelop or build a new hospital on the site before the government cancelled the lease?

MS STEPHEN-SMITH: Yes, they did. That is a matter of public record.

MR PARTON: Minister, will the new hospital continue to operate as a level 1 trauma centre?

MS STEPHEN-SMITH: The new hospital will continue to have the same clinical categorisation as the current North Canberra Hospital. The Canberra Hospital will continue to operate as the tertiary trauma centre for the ACT and surrounding New

South Wales region.

MS BARRY: Minister, how many beds, in addition to the current 260, will the new redevelopment add into the system?

MS STEPHEN-SMITH: We are working through the final provisions for the new Northside Hospital as part of the budget process. I think it is a matter of public record that we are considering the business case through this budget process. We have obviously been in very early contractor involvement with Multiplex to this point. The next stage is to go into an early contractor involvement stage. So basically we need to finalise the design and specifications for the new facility. To get to that point, we have been working with a range of stakeholders—including clinicians and consumers, as well as, of course, bringing in the design and constructability expertise of Multiplex—to work through exactly what that is going to look like, taking into account the demand projections for both 2031 and 2041 in terms of what is needed on that campus and also working through what can be sustained in terms of the existing buildings on that campus through the first stage of delivery of the new Northside Hospital.

ADHD—general practitioner diagnosis

MR PARTON: My question is to the Minister for Mental Health. Minister, in February you announced the ACT would adopt a raft of changes as to how Canberrans access and manage ADHD care. The first stage of the announced two-stage process allows for general practitioners who complete specific training to prescribe ADHD medications to patients with an existing diagnosis. Minister, how are Canberrans wanting to access these services supposed to do so when your directorate will not release a list of participating GPs in Canberra who have completed the training and are able to prescribe medication?

MS STEPHEN-SMITH: This is in line with the way that general practice is managed more broadly. GPs often specialise in particular areas. It is a matter for them as to whether they advertise that specialisation or not. It is not a matter for the Health and Community Services Directorate to advertise that on behalf of GPs. But certainly, if you search for a GP with a specialisation in mental health—or women's health or men's health—you will be able to find those GPs with specialisations in those areas.

MR PARTON: Minister, what good is this new service if the government does not help people to access it?

MS STEPHEN-SMITH: As I said, this is about enabling general practitioners to expand their scope of practice. GPs expand their scope of practice in all kinds of different ways. Some GPs, for example, will have a capacity to support people on opioid maintenance therapies. Other GPs will not have that capacity. This is another expansion of scope of practice just like every other area of scope of practice of GPs. It will require specific training both for stage 1, in terms of prescribing, and stage 2 in terms of diagnosis and prescribing. But letting the community know what individual GPs are doing is a matter for those GPs. It also would be quite an administrative burden. GPs do move between practices and may change the focus of their practice over time. So, keeping that up to date would potentially be not only another administrative thing that the directorate had to manage, but also another administrative thing that GPs potentially

would have to manage into the future.

MR CAIN: Minister, what is your advice to the large number of Canberrans who cannot access, or do have access to a regular GP?

MS STEPHEN-SMITH: Of course, there are many Canberrans who do not have access to a regular GP. I would point to the very significant investment that the commonwealth government has made in GP bulk billing: establishing three new GP bulk billing services in addition to the interchange through a specific funding round recently; and, of course, tripling the bulk billing incentive and applying that to all types of consumers, as opposed to the limited group of consumers that were eligible for that prior to the expansion. That has seen—I think at the last time I saw—another eleven general practices moving to being fully bulk-billed practices. So, if people do not have a regular GP because they are concerned about cost, I would certainly encourage people to look for one of those fully bulk-billed practices that the Albanese Labor government has been supporting. For others who do not have a regular GP, it may be because they do not have much of a need for health care and they can get their urgent and immediate needs met through a walk-in centre or, if it is more critical, through an emergency department or, of course, through the urgent care clinic that the commonwealth government has supported in Woden.

Calvary hospital—theatre fire

MS CASTLEY: My question is to the Minister for Finance. The reports provided yesterday on the Calvary hospital theatre fire identify serious issues relating to asset condition and preventative maintenance. What assurance can you give the Assembly that critical ACT government infrastructure is being maintained to an appropriate standard and that known maintenance risks are not being deferred?

MS STEPHEN-SMITH: I will take this question, Mr Speaker, as the Minister for Health, because each portfolio has responsibility for a range of assets, and there is no single portfolio responsibility that sits with the Minister for Finance in relation to that.

Certainly, from a health perspective, we do have strategic asset management planning, and that sits at a campus and hospital level but also at a more local level as well. In relation to the former Calvary hospital, there had been work done in partnership with Calvary to understand the condition of assets across the site. This is not a one and done; this is something that needs to be continually updated. But that is why we regularly make investments through the budget—to address urgent maintenance and renewal issues.

MS CASTLEY: Minister, did the government have a comprehensive understanding of the condition of the assets, and any backlog in preventative maintenance, prior to the Calvary acquisition, and were those risks reflected in the acquisition process?

MS STEPHEN-SMITH: The team had a reasonably good understanding of the condition of the asset, but, of course, it was owned by Calvary, so there were some constraints in terms of the ACT government going in and doing a deep dive in relation to that. But asset management plans and asset assessments—I cannot remember the technical term—had been done in relation to Calvary Public Hospital over a number of

years and that had enabled investments to be made through the budget on a number of occasions to ensure that the urgent issues, in terms of risk and maintenance and repair, could be addressed.

In addition, we do have an ongoing asset repair and replacement program through each directorate that they can use to fund infrastructure according to the highest need that they have assessed through their general repairs and maintenance programs.

MR PARTON: Minister, on a broader level, will you provide the Assembly with a statement outlining the extent of any maintenance backlogs across ACT government assets and how those risks are being prioritised and funded?

MS STEPHEN-SMITH: Again, I go to the point that in my portfolio of finance there is not a responsibility that covers all infrastructure and assets. There are a number of documents that would be available both through the budget process and through individual directorates in relation to these matters, so I will take the question on notice and see what we can jointly come back to the Assembly with.

Law and justice—bail

MR RATTENBURY: My question is to the Chief Minister, and it relates to the introduction of electronic monitoring, which presents an opportunity to: improve justice outcomes for offenders, increase compliance with community-based orders and promote community safety. Chief Minister, immediately after a national cabinet meeting on gender-based violence in May 2024, you made a surprising but welcome announcement that the ACT would immediately move to implement electronic monitoring "certainly within the space of months, not years". It is now two years since you made that announcement. Can you please update the Assembly on when we might see this capability delivered in the ACT?

MR BARR: I am not in a position to do that now. As Mr Rattenbury would be aware, there is a degree of complexity associated with such a program, and cost as well. Obviously, a number of things have transpired between the time that I made that announcement and the situation in which we find ourselves now, including other events and priorities that the government must address.

MR RATTENBURY: Chief Minister, can you outline what those complexities or barriers are to introducing electronic monitoring, and why the government has not been able to address them?

MR BARR: They principally go to cost, scope, legislative requirements and other priorities that the government needs to address. Clearly, there is a particular priority responding on gun control at the moment. The government must, of course, consider multiple issues that we need to respond to, and circumstances have changed.

MS CLAY: Chief Minister, why did you make the announcement two years ago without considering those complexities and barriers?

MR BARR: There are a range of issues that have arisen in the implementation strategies that have been pursued that mean that that commitment will take longer.

Gambling—mandatory shutdowns

MR EMERSON My question is to the Minister for Gaming Reform.

New South Wales and Victoria have introduced mandatory gaming room shutdowns between 4 am and 10 am, to ensure there is a break in play and to minimise gambling harm. I understand that a draft regulation to introduce similar mandatory closures here in the ACT was prepared some time ago. Minister, why haven't you enacted this reform yet?

DR PATERSON: As the Assembly would be well aware, there is a lot going on in this space. We have been very proactively working with the club sector as well as the community sector around the prioritisation of measures. We have the opening hours discussion; we also have the account-based gaming conversations, which are continuing, and we have the clubs inquiry discussion, with the interim report released a few weeks ago. We have, as well, the discussions around self-exclusion, not to mention the online measures that are coming through from the federal government. There is a lot going on in that space at the moment. So it is just a matter of prioritisation and timing.

MR EMERSON: Minister, are you still committed to introducing mandatory gaming room closures from 2 am to 10 am, seven days a week?

DR PATERSON: I am committed to implementing closures, but we are still working through what they look like.

MS CARRICK: Minister, when will the ACT government introduce mandatory gaming room shutdowns?

DR PATERSON: As I said in the answer to the first question, there are a lot of things going on in this portfolio space and a lot of work that we are doing with key stakeholders. We will continue to work through these issues. I cannot give a timeframe at this point.

Fuel supply

MR WERNER-GIBBINGS: My question is to the Chief Minister. Chief Minister, can you please provide an update on today's national cabinet meeting?

MR BARR: I thank Mr Werner-Gibbings for the question. National cabinet met this morning and we have reviewed the national fuel outlook and what it means for communities, particularly here in the ACT. The latest advice confirms that fuel supplies are being carefully managed across the country, with around six weeks of petrol available, just over a month of diesel and around four weeks of jet fuel. This is supported by regular shipments to the country which are already on route.

For the ACT, our priority is ensuring reliable fuel for essential services, including emergency responders, public transport, freight and at Canberra Airport. We are working closely with the commonwealth and industry to make sure local distribution

continues smoothly. Diesel remains the area needing the most attention nationally. That is why governments are coordinating early to support our transport operators, construction activity and the regional supply chains that flow through Canberra.

National cabinet agreed to remain at level 2 of the National Fuel Security Plan, which allows governments to share information, plan ahead and act early if needed, without unnecessary disruption for the community. The message out of today is that fuel remains available, planning is well advanced and governments are working together to keep the economy moving.

MR WERNER-GIBBINGS: Chief Minister, what is the outlook for fuel supply?

MR BARR: Fuel supply over the next four to six weeks is secure and well understood. Deliveries are scheduled, shipments are already on the water and distribution arrangements are in place across the country, including for the ACT. This gives us a solid degree of certainty through the immediate period ahead, particularly for petrol and for the fuel needed to support essential services and daily activity.

At the same time, though, governments are not standing still. The focus is now shifting further ahead than this four- to six-week period, with planning in detail for July and August. Global conditions remain uncertain and risks need to be managed, and managed early. This forward planning includes securing additional cargoes, coordinating nationally on the distribution of fuel and making sure that priority sectors remain well supported. The near-term outlook is stable, but there is risk ahead, and governments are planning to ensure that supply remains reliable into the new financial year.

MS TOUGH: Chief Minister, when is the decision expected on fuel excise rates for 2026-27?

MR BARR: We expect national cabinet to consider that matter next month.

Macquarie—swimming pool

MS CLAY: My question is to the Minister for Planning and Sustainable Development. Last week, Access Canberra provided the community with a lot of information about their efforts to stamp out illegal tobacco in the ACT, but we have had much less information from Access Canberra about compliance action with Big Splash. Has Access Canberra or your office provided a written or verbal briefing to Minister Berry or Minister Cheyne about the work that Access Canberra was undertaking with respect to the application for a controlled activity or the reasons for it reaching its decision?

MR STEEL: Yes, cabinet has been briefed on the outcomes of the investigation that Access Canberra has undertaken. I expect that Access Canberra will continue to update cabinet ministers, as appropriate, as they continue to monitor the situation at Big Splash. The government has not ruled out any other options that are available to us in relation to this matter.

Obviously, we would like to see the aquatic facility open as soon as possible. Noting their decision, this is, we believe, the quickest way to open the pool—by November—and I expect that Access Canberra will be not only updating ministers but also working

with the lessee to make sure that the community is updated about their progress against their commitment to open the pool from November. The lessee has broken trust with the community. They need to repair that trust and one way that they can do that is show demonstrable progress against their commitment to open the pool in November, and that is something I understand Access Canberra is working with them on.

MS CLAY: Has Access Canberra imposed any fines on the owners or leaseholders of Big Splash for not complying with their provisions in the Crown lease at any point, and if not, why not?

MR STEEL: I do not believe they have but I will take that on notice and see whether they can provide some further information in relation to that.

I have also announced that the government will be reviewing the suite of powers available to Access Canberra, acting on behalf of the Chief Planner and the Territory Planning Authority under the Planning Act. My personal view is that the penalties in the Planning Act are not high enough and that there could be the potential for the establishment of an escalating range of penalties that might be more flexibly applied to the range of different situations that Access Canberra may consider on different sites across Canberra. So that will be part of a review of powers that will be undertaken and, of course, at what points those penalties apply will also be considered.

Ms Clay: I am hoping the Minister has also taken on notice the reasons Access Canberra have not issued fines yet.
MR STEEL: Yes.

Ms Clay: Thank you.

MR RATTENBURY: Minister, can you provide details of the review you have announced into lease compliance actions by Access Canberra, perhaps what the terms of reference are or the scope of the review?

MR STEEL: The terms of reference for that review are still being worked through and that is subject to future cabinet decisions, but the government has already—through a commitment that we made at the election and through my Statement of Planning Priorities—outlined that we wanted to review the powers under the Planning Act as far as they relate to lessees not using their leases for the purposes for which leases were granted or the lease purpose clause within the leases. I have also very clearly outlined in my Statement of Planning Priorities that I want Access Canberra to enforce leases that are not being used, particularly as they relate to vacant shops and also recreational facilities, which would include Big Splash.

The government has already taken steps to provide direction to both Access Canberra and the Territory Planning Authority, but will be undertaking further work on a review of the powers under the Planning Act. I expect that will take place over the next year and will be subject to some early decisions that will need to be made by cabinet about the scope of the inquiry, which will be undertaken internally by the City and Environment Directorate.

Government procurement

MRS MORRIS: My question is to the minister for business. The Secure Local Jobs Code advisory council publicly lists employee representatives on that council, including the assistant branch secretary of the ACT CFMEU. Minister, is it appropriate for a union that is currently under administration across the country to have a formal role in shaping a procurement regime that determines who can access ACT government work?

MR PETTERSSON: I thank Mrs Morris for the question. I reject the premise contained within it. That is an appropriate appointment.

MRS MORRIS: Minister, what safeguards are in place to ensure that the CFMEU's influence on the council does not shut out businesses that have not signed up to the CFMEU's EBA?

MR PETTERSSON: I thank Mrs Morris for the question. I can not accept the imputations or the premises contained within that question. I reject the question.

Mr Cocks: Point of order. Under 118AA I do not believe the minister has answered the question and, indeed, there are no imputations or inferences in the question that was just asked.

MR SPEAKER: I think that I will uphold the point of order, Mr Cocks.

At the end of the day, I think it was a reasonable question that you have not been responsive to. I would ask that you do go away and have a look at that one and respond to the Assembly in accordance with 118AA.

Mr Pettersson: As a point of order, Mr Speaker, are you saying there were no imputations in that question?

MR SPEAKER: I think that it is a reasonable question. I do not think that I am ruling it out of order in terms of imputations, and I have not been asked to. The question is have you been responsive. My view is that you have not. That is the ruling.

MR COCKS: Minister, have you ever declared a conflict of interest regarding your own CFMEU background and membership?

MR PETTERSSON: I thank Mr Cocks for the question. That has been declared on all relevant forms and is widely known by members of the opposition.

ACT Ambulance Service—staffing

MRS MORRIS: My question is to the Minister for Police, Fire and Emergency Services. Documents released to me under Freedom of Information show the ACT Ambulance Service has attempted to recall staff from annual leave as a measure to prevent station closures. Minister, why has your government allowed the system to deteriorate to the point where paramedics are being asked to come back from leave?

DR PATERSON: I reject the premise of the question that the system has deteriorated. We have one of the highest functioning ambulance services in the country, as outlined

through the performance data and response times. We have also seen patients continue to record high levels of satisfaction. And in the roster review it also articulated feedback from staff, with very high levels of satisfaction with their workplace, but recognising there is work to do there, as—

Mrs Morris: A point of order on relevance: my question goes to paramedics being recalled from leave, which the minister has not touched on.

MR SPEAKER: The minister has got a while to go yet, and she may get to it.

DR PATERSON: I will take the substantive part of Mrs Morris's question on notice, but I would like to assure the chamber and the Assembly that we have a very high-functioning ambulance service in the ACT.

MRS MORRIS: Minister, is it a routine measure to recall paramedics from leave?

DR PATERSON: No, I do not believe so.

MR MILLIGAN: Minister, what do you have to say to paramedics and their families who cannot even take leave without being asked to come back because of the government's recruitment failures?

DR PATERSON: What I would say to paramedics and their families is thank you. Thank you very much for everything that you do for our community. Our community appreciates the work that you do day in, day out, every day of the year in supporting our community. And I would really like to extend the thanks to the family members who go without their loved ones on Christmas Day—waking up on Christmas morning and not having a parent there. These types of stories are testament to the dedication of our Ambulance Service.

Bus services—South Canberra

MS CARRICK: My question is to the Minister for Transport. Minister, when discussing the light rail alignment with Ross Solly on ABC Radio on Monday, you said: "We will still have buses that run from the south side directly into the city from many destinations." Minister, which destinations were you referring to, and what corridor will these services take into the city?

MR STEEL: I thank the member for her question. I have had this conversation many times before, and I am happy to have it again. We will be having it with the community, when we release the draft southern gateway planning and design framework in a short period of time. That also follows on from the resolution of the Assembly where we also discussed the future planning for points of integration into the future light rail network and the extension of stage 2.

The government has been very clear with the community for a long period of time that there will still be direct bus services from the south side into the city. The final decision on those will not be made, well and truly, until just before operations commence, but we will be starting the consultation on the integration of both buses and light rail, as part of the southern gateway planning and design framework. It will outline where those

routes are going and where those points of integration with light rail will be.

There will be great opportunities for people to connect with light rail to take journeys that simply were not possible before, without that light rail stop infrastructure. We expect to be able to have that conversation with the community and get community feedback, and that will inform future learnings, transport planning and future network planning that will be undertaken ahead of light rail becoming operational in the mid-2030s.

MS CARRICK: Minister, will there be dedicated bus lanes from the south side into the city to support these services?

MR STEEL: That is what we will be consulting the community on—the design of the corridor on Adelaide Avenue and Yarra Glen Drive. We want the feedback of the community, and we are very interested in Ms Carrick's feedback on the design of that. Yes, there will still be bus lanes, we expect, as part of the corridor planning. The intention here is to look at making Adelaide Avenue and Yarra Glen Drive much more of a multimodal corridor than its current design.

MR PARTON: Minister, what will the travel time be for the tram between Woden and Civic, and will travel times for southside public transport users increase as a consequence of this $5 billion development?

MR STEEL: I thank the member for his question. Of course, we will be undertaking further design on the light rail stage 2B project to confirm, for example, the travel time. It is a 12-kilometre extension, the same as stage 1, so it will have a similar travel time, noting that there are differences in terms of the stops and, of course, the route as well. It will be a similar travel time. It is currently 26 minutes on light rail stage 1, but it really depends on your trip—where you are coming from, where you are going to, if you are using a bus, if you are connecting from another mode of transport, and what time of day you are travelling.

What we can say is that, in relation to the design that we have been consulting on, there will be access to public transport, mass transit light rail, and rapid transit, in a way that there has never been before for the residents of Curtin, Hughes, Yarralumla, Deakin and Forrest. These people, apart from south Curtin and Albert Hall, have not had access to rapid transit, because there has not been that stop infrastructure. That is what we are investing in with the light rail stage 2B project, to be able to provide that infrastructure for the first time. If there is not a bus stop and there is not a light rail stop, you cannot catch public transport. That is what we are investing in.

The alternative plan from the Canberra Liberals was to remove lanes from Capital Circle. It would have created congestion chaos, and would have removed lanes from Commonwealth Avenue Bridge as well.

Mr Cocks: A point of order. The minister is debating the question.

MR SPEAKER: I think he has finished, though, hasn't he?

MR STEEL: Mr Speaker, I think the alternative policies are relevant.

Mr Cocks: A point of order, Mr Speaker.

MR STEEL: I am happy to hear otherwise—

Mr Cocks: I do not think that any other historical alternatives would be a relevant matter to the question which the minister has been asked.

MR STEEL: We agree. The Canberra Liberals' policy is irrelevant, Mr Speaker.

MR SPEAKER: The question is finished, so thankfully I do not have to rule one way or the other.

Schools—dissemination of electoral matter

MR BRADDOCK: My question is to the minister for education. Minister, I refer you to correspondence you received from Miss Nuttall concerning the distribution in ACT public schools of the *Stuff You Should Know* pamphlet. This is a publication containing tips on how to navigate government services, but heavily branded with the local federal MP and their electorate and authorised as electoral matter under the Commonwealth Electoral Act. Minister, on what or whose authority is electoral matter able to be distributed within ACT public schools?

MS BERRY: Thank you. I will take that question on notice.

MR BRADDOCK: Minister, how does this distribution accord with the Education Directorate policy that prohibits political materials that promote a particular politician from being distributed, promoted or displayed in public schools?

MS BERRY: I will take that question on notice.

MISS NUTTALL: Minister, were you aware of this electoral matter authorised by the member for Canberra? If so, what actions have you taken since it was brought to your attention?

MS BERRY: I will take that question on notice.

Buses—bike racks

MISS NUTTALL: My question is to the Minister for Transport. Minister, I have been receiving complaints from constituents in Tuggeranong that they feel disincentivised from taking the bus, because a bus on the R4 or R5 will not reliably have a bike rack and taking their bike is an essential part of their journey. I understand that the problem arises because the government has made a choice to allocate the longer, non-articulated buses which do not have bike racks to the routes traversing Commonwealth Avenue Bridge.

Minister, are you aware of this problem and can you elaborate on how it arises?

MR STEEL: I am aware of this issue. A certain model of bus, the steer-tag, is a very

long bus and, unfortunately, is unable to be equipped with the bike infrastructure. That means that the bikes cannot be carried on those buses. That information is made available through the data feed that goes through to the various different third-party apps and the MyWay+ app for people to see and then, of course, plan their journeys.

I understand that it can be frustrating for Canberrans who are looking to use their bike to connect with public transport or vice-versa that that may not be available on every single service, particularly at this time, because Transport Canberra has made some operational decisions to prioritise the use of the larger capacity buses, like the steer tags, on those routes where we are seeing significant capacity and more people using public transport as a result of the fuel shock that has, of course, seen more people using public transport as a way of avoiding increased fuel costs for their private motor vehicles.

This is something that we will continue to monitor. We are expecting there to be an updated network and timetable for term 3, and part of the priority for that, which we have committed to the Assembly, is to look at increased capacity on the R4 and R5. We hope that that will add some more buses onto those routes, which will then, hopefully, enable more of the buses to be equipped with that bike-carrying infrastructure.

MISS NUTTALL: Minister, what targeted work will the government do to increase the capacity for bikes specifically on services coming in and out of Tuggeranong?

MR STEEL: I will take that feedback on board and let Transport Canberra know that we need to specifically look at the Rapid routes coming from Tuggeranong into the rest of the city and look at how we can space them appropriately so that, if one bus does not have that bike rack infrastructure, the next one that comes does. I will see whether we can get improved sequencing there.

The government has a broader long-term plan around fleet replacement, which is part of the transition of Transport Canberra to zero emissions by 2040. We are currently in procurement for 30 battery-electric buses. So there will be the opportunity in the future to use future investment in buses to replace the aging fleet, and that would include that cohort of buses which currently cannot be equipped with those bike racks.

MR BRADDOCK: Does the ACT government plan for all future electric bus acquisitions to be fitted with bike racks?

MR STEEL: Yes, certainly we want to fit all of our buses out with these bike racks. Transport Canberra has been lauded in the past for equipping our buses with bike racks, in a way that many cities around the world are still yet to do. So our intention is to fit those bike racks to future investments in new fleet to provide people with those opportunities to connect with public transport. Light rail, of course, is another investment that we are making. There is ample provision within the design of our light rail vehicles for Canberrans to wheel along their bikes and have them securely stored during transit.

Budget—debt

MR COCKS: My question is to the Treasurer. Treasurer, yesterday the RBA raised the cash rate for the 15th time since your federal Labor colleagues came into office. Not

only will this hit Canberrans who have a mortgage, but it will hurt every person and organisation with debt, including the ACT government's multi-billion dollar debt. Treasurer, what ACT government debt instruments are due to mature or be refinanced in 2026-27 and what is their total face value?

MR STEEL: I will take that on notice, Mr Speaker, but what I would say, and again, we have had this conversation many times before, is that the cash rate is only one factor that goes into the cost for the territory in borrowing. There are a range of other factors that go into that cost. It is certainly acknowledged as being one of the influencing factors on the cost of borrowing, but it is not the only one. It is one of a range of different factors, but I will come back in relation to the specific question.

MR COCKS: Treasurer, what interest rates applied to debt taken on by the government in the current financial year and will next year's be any lower?

MR STEEL: We will be updating those figures in the budget and I will be handing that down on 10 June. We will provide the full set of financial statements that we usually make as part of the budget process, including statements in relation to our expected borrowing costs.

Mr Cocks: Point of order. The question I asked was very specifically what interest rates applied to debt taken out by the government in the current financial year. The budget papers do not answer that.

MR STEEL: We do report on the current financial year in the budget.

MR SPEAKER: Thank you. There is no point of order Mr Cocks.

MR PARTON: Treasurer, how much more will Canberrans be paying to service your debt as a consequence of yesterday?

MR STEEL: I refer the member to the answer that I gave in the answer to the first question, which is that there are a range of different factors that go into the cost of borrowing. It may depend on the volumes in the market, what other sub-national governments are also in the market at the same time. There are a whole range of different things that go into the borrowing costs. We will continue to report transparently on those when we go out to market and in the financial statements that we table in the Legislative Assembly on a regular basis.

Hospitals—discharge of older patients

MS TOUGH: My question is to the Minister for Health. Minister, how is Canberra Health Services supporting older Canberrans leaving hospital, so they can access the care they need at home or in aged care?

MS STEPHEN-SMITH: I thank Ms Tough for the question. We, of course, recognise—and have been talking about for some time—that delayed discharge from hospital is a major issue facing our health care system, and causes distress for affected patients and their families. Being in hospital when you do not need to be there is not

the best outcome for anyone.

Canberra Health Services is doing its part in supporting people when discharging from hospital through: timely assessments, coordinated planning, and links to appropriate services to ensure safe and supported transitions back into the community. CHS has taken proactive steps to ensure aged care assessments that enable older people to access care are delivered in a timely manner, in alignment with the commonwealth key performance indicators. According to the commonwealth health data portal, for April 2026 the average time between a referral to the CHS aged care assessment team and completion of the assessment by the delegate was 1.7 days, including weekends.

The CHS team undertakes comprehensive inpatient clinical assessments to identify and implement any supports and ongoing care required to facilitate a safe, effective and timely transition back to the community. This might include, for example: referral to community assistance and the temporary supports program; referral to the equipment loan service, to access assistive technology; referral for ongoing health professional follow-up, and interventions through the CHS community care program; ambulatory rehabilitation services; the transitional therapy and care program; or home based palliative care services.

Completion of NDIS access requests are also made—or changes-to-circumstances processes—to provide appropriate community based supports for people who are eligible for the NDIS.

Medication reconciliation is undertaken at the time of discharge and, of course, communication with the patient's nominated GP.

The automatic upload of discharge summaries to MyDHR and My Health Record is also supporting smoother transition to care outside the hospital.

MS TOUGH: Minister, noting aged care is a commonwealth responsibility, how are health ministers working together to find solutions to the challenge of delayed discharge of older patients?

MS STEPHEN-SMITH: Like my state colleagues, I continue to advocate strongly to the Australian government to ensure older Australians have equitable access to quality aged care. Together, we issued a national report card to highlight the issue earlier this year.

Through the health ministers' meeting, the commonwealth, states and territories have been developing a national strategy to address delayed discharge—such as mapping patient flows, hospital-to-home pilots, and bed management. But more needs to be done, Mr Speaker.

That is why, last week, health ministers agreed to establish a national hospital discharge joint taskforce co-led by the commonwealth and New South Wales governments. This will help deliver policy changes and improve outcomes for patients. The taskforce will report in six months on short, medium and long-term ways of reducing discharge delays, improving access to care, and relieving pressure on our hospitals.

The national strategy also calls for bilateral plans between the commonwealth and jurisdictions to address local needs with initiatives that may be scaled nationally. The ACT bilateral plan is currently under development. This will build on initiatives such as the Hospital to Aged Care Dementia Support Program with Dementia Support Australia, which is already assisting older adults living with dementia who are at risk of delayed discharge.

There is also the $8.9 million the ACT is currently receiving under the commonwealth's Strengthening Medicare initiative to address local drivers of delayed discharge. This is being invested in SPICE, which is an allied health-led rehabilitation program delivered with the University of Canberra to improve wellbeing and reduce avoidable hospital presentations for older people living with dementia, and their carers.

There is also a program called GEM at Home, which is delivered by a multidisciplinary team in residential aged care and community settings to improve function, and reduce avoidable hospital admissions—enhancing existing services provided by Canberra Health Services.

MR WERNER-GIBBINGS: Minister, how will new investments—nationally and in the ACT—support the expansion of residential aged care and help ensure older Canberrans can be discharged into a more appropriate care environment when they no longer need hospital care?

MS STEPHEN-SMITH: I thank Mr Werner-Gibbings for the supplementary. It may have been lost in the other major announcements that were made in the federal health minister's address at the National Press Club two weeks ago, but this address also included the announcement of a $3 billion investment to be included in the 26-27 federal budget, to support construction of more residential aged care beds, and provide greater certainty for providers to maintain quality accommodation.

This is a direct response to the advocacy of states and territories. It will include an additional 5000 residential aged care beds annually—supported by capital subsidies, increases to the accommodation supplement, and new payment tiers for facilities with high proportions of supported residents.

That is very important, Mr Speaker, because the advocacy we have been doing with the commonwealth has highlighted that it is individuals who have lower capacity to pay, or more complexity, who are having the most difficulty in getting places in residential aged care.

The investment also makes support at home fairer, and more affordable by making personal care services such as showering, dressing and continence management free, alongside clinical care. Again, this is taking pressure off ACT government services where there were concerns about that support not being available at home, and therefore placing more pressure on ACT services.

The commonwealth has also committed more than $200 million to deliver additional specialist dementia care units, and expand the Hospital to Aged Care Dementia Support Program that I mentioned earlier.

There are a number of recent and upcoming infrastructure investments in the ACT which will improve the limited capacity in residential aged care here. We have talked about some of these in our previous debates, Mr Speaker.

Hundreds of new aged care beds are coming, but the conversation will continue about how to ensure those beds support those most in need.

Sport and recreation—sportsground maintenance

MR MILLIGAN: My question is to the Minister for Sport and Recreation. Minister, recently, multiple sports teams across Canberra were forced to relocate games to New South Wales due to the condition of the fields and lack of available fields in the ACT. On 4 November 2025, the ACT government identified 14 dryland ovals for potential reactivation. Minister, what consultation has the ACT government undertaken with sporting groups about reactivating the dryland ovals for formal sporting use?

MS BERRY: I thank Mr Milligan for his question and his interest in sport across the ACT, particularly with regard to access to sports fields in the ACT. Whilst I have not had any formal discussions with particular sports about any particular oval, these are discussions that I hold with a variety of different groups across the ACT. I understand their aspirations to have more playing surfaces in the ACT and that it is disruptive for them—both moving their players to New South Wales or other parts of the region to play, and it also impacts the fundraising efforts that they can make and those kinds of get-together moments at their home grounds.

I am working with a number of sports, and the sport and rec team are working with a number of sports, to understand better accessibility across a range of sports fields across the ACT. Mr Milligan might be aware that we have turned on some other ovals—some other sports fields in the ACT—that are suitable for training and junior sports to be played on—for example, Canberra High School's sports fields in Jamison have been turned on in the last 12 months. We have also worked with the Belconnen Sharks rugby league club to have a part of the Melba sports fields turned back on for the use of junior sports. So these are the kinds of things that they are working on with sports, around providing access to sports fields across those junior sports in particular, which takes pressure off the senior players playing in those higher levels,

I will continue to do that work going forward. I know that we have a very high-pressure system on our sports fields, and here in the ACT, with the highest participation rates, it is a great issue to have, but it also provides some challenges. I acknowledge that, and we will continue to work with sports to address them.

MR MILLIGAN: Minister, why have you chosen not to have formal discussions with sporting groups in relation to reactivating these dryland ovals, considering the current state of existing ovals and the lack of supply?

MS BERRY: I think I have described situations where I have had formal discussions and had outcomes on a couple of fields that I have identified. I will continue to have discussions with sports around access to sporting facilities, including the potential for reactivating some of our dryland ovals.

MR PARTON: Minister, has the ACT government considered any of the dryland ovals for commercial or residential development?

MS BERRY: No.

Alexander Maconochie Centre—literacy and numeracy supports

MS BARRY: My question is to the Minister for Corrections. Minister, you recently admitted that detainees at the AMC were only assessed for language, literacy and numeracy needs between 2019 and 2021. Since then, access to literacy support has operated through self-referral. Minister, if you acknowledge "the critical importance of foundational literacy skills for individuals transitioning from custody into the community", why has your government allowed routine literacy and numeracy assessment at the AMC to lapse for years?

DR PATERSON: Since this new term of government, I have been working very closely with the Attorney-General to see literacy and numeracy assessments and literacy and numeracy education reinstated within the AMC. Currently, there is a project going on, with literacy and numeracy testing for detainees. There is also finalisation of a procurement process to establish a foundation skills certificate I and II related to language, literacy and numeracy. As part of the Confiscated Assets Trust, there is also work and an MOU with CIT to be able to deliver the language, literacy and numeracy pilot program within the AMC.

Yes, this is a priority for us, and we consider that understanding the baseline levels of literacy and numeracy is really important, to be able to understand detainees' overall educational needs.

MS BARRY: Minister, noting that the government has been in power for over 23 years, why are you still relying on detainees to self-refer rather than systematically identifying needs on intake?

DR PATERSON: That is what we are doing now. We are working with detainees to assess their needs in terms of literacy and numeracy through this pilot project. Once we have an understanding of their literacy and numeracy needs, a selection of those detainees will move to the skills-based training delivered by CIT.

MRS MORRIS: Minister, how do you know if the literacy support offered is working if the AMC does not record how many detainees use the service?

DR PATERSON: The service is just starting. This is a pilot project that we are just implementing; it began at the beginning of this year. This is to develop the evidence base, to understand the needs of detainees and to be able to meet them through educational offerings going forward.

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

Papers

Schools—dissemination of electoral matter

MR BRADDOCK (Yerrabi) (2.55): I seek leave to table two documents relating to my questions earlier in question time.

Leave granted.

MR BRADDOCK: I table:

> Stuff You Should Know—A guide to Government services for young people—Brochure, authorised by Alicia Payne MP, undated.
>
> Clarification request—Letter to the ACT Minister for Education and Early Childhood from the ACT Greens spokesperson for Education, Skills and Training, dated 14 April 2026.

Supplementary answer to question without notice
Budget—debt

MR STEEL: In question time I was asked questions by members of the opposition in relation to the territory's borrowings. Information that was requested is outlined on pages 230 to 233 of the *Budget Outlook* and also will be recorded similarly in the budget that I will be releasing on 10 June.

Privileges—Select Committee
Membership

MR SPEAKER: I have been notified in writing the following nominations for the membership of the Select Committee on Privileges: Mr Andrew Braddock, Mr Taimus Werner-Gibbings and Ms Elizabeth Lee.

Motion (by **Ms Cheyne**) agreed to:

> That the Members so nominated be appointed as members of the Select Committee Privileges 2026.

National Construction Code

MRS MORRIS (Brindabella) (2.56): I move:

> That this Assembly:
>
> (1) notes that:
>
> (a) on 5 February 2026, the Assembly noted that the ACT is in a housing crisis;
>
> (b) the ACT is more than 1,200 completions behind the trend required to meet the 30,000 by 2030 target;
>
> (c) construction costs, skills shortages, slow planning approvals and complicated regulations are already making new homes harder to build and more expensive to deliver;
>
> (d) the National Construction Code (NCC) has become increasingly complex, with industry professionals and the Productivity Commission warning that growing regulatory burden has added to cost, reduced

productivity and made the Code harder to practically comply with;

(e) the Federal Government's own regulatory assessments found that the costs of NCC 2022 outweighed its benefits, resulting in a net cost to society;

(f) Master Builders ACT has warned the NCC 2025 changes could add even more costs for new builds ranging from $14,000 to $55,000 and create additional burdens for prospective homeowners;

(g) the Government has already delayed adoption of the NCC 2025 changes by 12 months, recognising the need for industry certainty and the cost pressures already facing the residential construction sector; and

(h) current global economic conditions, including supply chain disruption, energy cost pressures, material price volatility and broader inflationary pressures are already adding cost and uncertainty to new home builds;

(2) further notes that:

(a) changes that add cost, complexity and delay to new homes must be properly assessed in the context of the housing crisis and current global cost pressures; and

(b) Canberrans cannot afford any further barriers or increase to costs in building the homes the city needs; and

(3) calls on the Government to:

(a) freeze the adoption of any NCC 2025 changes that would increase the cost or complexity of delivering new homes in the ACT; and

(b) publish a cost-benefit analysis before adopting any further NCC changes.

My message today is very clear: we need to build homes, not barriers. In the middle of a housing and affordability crisis, we must build more homes, not barriers. The housing and affordability crisis is hurting everyone in different ways. Working Canberrans are increasingly being shut out of home ownership; weekly rents have skyrocketed 77 per cent over a decade and renters are competing in a shrinking rental pool; more vulnerable Canberrans are on public housing waitlists; tradies, apprentices and small subcontractors are seeing work dry up; and local manufacturers and suppliers are being squeezed out.

That is why the Canberra Liberals are today calling for the ACT government to freeze the adoption of the National Construction Code 2025, which will, without any doubt, add complexity, confusion and cost to building new homes in the ACT in the middle of a housing crisis. Freezing the adoption of the National Construction Code 2025 casts no judgment on the principle of the code. Building quality is fundamentally important, and safety, health, amenity, accessibility and sustainability should always be factored into a new build. The principle behind the code is not in question. Instead, this motion is about timing, cost, common sense and priorities.

In February this year, the ACT Legislative Assembly unanimously supported a motion that I brought into this place to recognise our current housing crisis and to improve transparency around Canberra's housing supply by ensuring we have reliable reporting on the increase of our housing stock. With recognition and transparency, that motion was a very small step forward in addressing the housing crisis in Canberra. The goal was to bring light to an area of utmost significance to the future success of Canberra by

improving the flow of information on housing supply in Canberra and the corresponding policy settings.

The data that is available to us from the Australian Bureau of Statistics is very concerning. We are not building enough homes for Canberra. We are not reaching the commencements and completions needed to house a growing city. The government are not on track to meet their target of 30,000 additional homes by 2030. The ACT is already more than 1,200 homes behind their target. In the year to December 2025, only 3,663 homes were completed—well short of the pace required and 834 fewer than in 2024. New home approvals are also signalling a thinning pipeline and serious risk to future completions. This is not an abstract policy failure. As Mark Cole, from Freedom Built, points out:

> The National Construction Code, building costs and the housing pipeline impacts broad sections of the community. It is felt by first home buyers who cannot get into the market. It is felt by young families, who watch the deposit they need move further and further out of reach. It is felt by renters competing for a limited number of homes as the cost of rent climbs even higher. It is felt by older Canberrans who want to downsize but cannot find something suitable and affordable to move into. And it is felt by builders, apprentices, tradies, subcontractors, suppliers, small businesses rely on a healthy residential construction sector.

As Mark says, "When the industry slows down, the consequences ripple out a long way past the building site." That is why this matters. Can a young person in Canberra still believe that, if they work hard, save and do the right thing, they can one day own their own home? Can a couple starting a family reasonably hope to buy or build a place of their own? Can someone renting in this city believe there will be enough homes available that they are not forced into constant stress every time their lease comes up? For more and more Canberrans, the answer is becoming less certain. Renters know this better than anyone. Over the last 10 years, average weekly rents have increased by almost 80 per cent. That is just not sustainable. We cannot continue to see that sort of growth.

Canberrans always tell us that cost of living is the primary, the number one, issue that affects them. We cannot disassociate housing from the cost of living process. Housing affordability is fundamentally and intrinsically linked to cost of living. Even ACT Treasury's own 2025-26 cost-of-living budget statement says that cost of housing remains the largest expense for households. The ACT had the third-highest median property price and the third-highest median weekly rental price of all Australian capital cities. For most households, the real pressure is rent; it is mortgage repayments; it is a share of income swallowed before a family even gets the rest of the weekly budget. Domain's December 2025 analysis found a household would need $121,000 in pre-tax annual income to rent a typical Canberra house without rental stress and $100,000 for a typical Canberra unit. That is the reality of what we are dealing with, and every decision government makes should therefore be tested against a simple question: does this help Canberrans into homes and improve affordability or does this make home building and ownership harder and more expensive to deliver? That is a test that this motion applies to the National Construction Code 2025.

The National Construction Code should be practical; it should be achievable; it should set clear, workable minimum standards; it should support safe, durable and affordable

homes; and it should be implemented in a way that is realistic, where industry has ample time and opportunity to prepare for what are very significant changes documented over 2,000 pages, which effectively require legal teams for them to try and understand. But the code has become increasingly complex. Industry professionals have warned that the growing regulatory burden has added cost, reduced productivity and made compliance harder in practice. We need to listen to that. We need to listen to the industry experts.

So let's talk some figures about what this code will do. Industry estimates put the cumulative cost of the 2022 National Construction Code compliance at between $25,000 to $40,000 per new home in a cool climate like Canberra. That is the 2022 Construction Code—adding an additional up to $40,000 to a new home build. The Master Builders Association has warned that the 2025 code could add on top of that an additional $14,000 to $55,000 extra to the cost of new builds. That is an extraordinary amount. That would mean that the ACT government, through the National Construction Code, would be adding approximately, if you factor in the 2020 code and the 2025 code, $39,000 to $95,000 on top of a typical family home build—which, excluding that cost, would typically cost between $700,000 and $950,000. We have not factored into those figures any of the money required for land, site works, tree removals, fees and charges, which can easily run into the hundreds of thousands of dollars.

When you look at those figures, is it any wonder that we are in a housing crisis? Where are Canberrans supposed to get that money from? For many Canberrans this is not a rounding error; it is the difference between getting finance and not getting finance. It is the difference between building and walking away. It is years of saving. It is money added to a mortgage before a family had ever moved in. Also, these costs do not land in isolation. They land on top of high land costs; they land on top of slow planning approvals; they land on top of skill shortages; they land on top of rising material costs; they land on top of an already strained housing market; and they are why we cannot simply say it is only one more change. For a family trying to build a home, it is never only one more change; it is more cost, it is more uncertainty and, ultimately, it means homes do not get built.

The concern being raised by industry is not that standards should never improve. Many builders support better-performing homes. Many support high standards where they are sensible, clear and practically achievable. The concern is the pace, the cumulative cost and it is the implementation process. This is why the ACT Assembly has to take this matter seriously. We have seen what happens when the code changes and moves faster than the industry can properly absorb. The government has delayed the code by 12 months. That seems to be an acknowledgement that certainty does actually matter. This motion says we should not simply delay and then impose costly changes anyway. It says: freeze the changes that would increase the cost or complexity of delivering new homes in the ACT, publish a cost-benefit analysis before adopting any changes and show the community what these rules will actually cost. In the middle of a housing crisis, the burden should be on government to justify new costs. The government should have to prove that new regulation will not make affordability worse.

The motion is saying that, when Canberra is short of homes, when rents have risen dramatically, when completions are behind, when young people increasingly feel home ownership slipping away, we cannot afford to keep adding cost without a transparent assessment. We need to build more homes and we need to stop making the task harder

than it already is. The dream of home ownership must stay alive in Canberra, and I am determined to make that happen. It should not be something that young Canberrans look at as belonging to their grandparents' or their parents' generation but not to them. It should remain realistic—an aspiration for people who work and save and who want to build a life for themselves here in Canberra. That means the Assembly has to make choices. We cannot say we are in a housing crisis and then ignore every single additional cost placed on new homes. We cannot say we want more supply and then make it harder for builders to actually deliver that supply. We cannot say we care about affordability and then adopt new rules without showing Canberrans what they will cost. This motion is modest; it is practical; and it is necessary. I commend it to the Assembly.

MR STEEL (Murrumbidgee—Treasurer, Minister for Planning and Sustainable Development, Minister for Heritage and Minister for Transport) (3.11): The government will not be supporting today's motion brought forward by Mrs Morris, but I would like to thank her for bringing this forward and welcome the opportunity to set out the ACT government's position in relation to the National Construction Code.

The ACT government agrees that housing supply is one of the most significant challenges facing Australians, and we are tackling this challenge from all angles. We, alongside other states and territories and local governments, have agreed to the National Housing Accord and its aspirational target to build 1.2 million new well-located homes over the next five years from mid-2024. We furthered this with our own commitment to enable 30,000 new homes in Canberra by 2030. Meeting these goals requires sustained productivity, system reform and a strong pipeline. This is why we are delivering important planning reforms, to allow more housing choice through the missing middle housing reforms in our existing residential areas and more well-located homes close to public transport, connections, shops, employment opportunities and other services near commercial centres. We are also delivering the ACT's construction productivity agenda through tranches of reforms delivered at six-monthly intervals. These reforms are being developed hand in hand with industry to take out unnecessary costs, delays and complexity from our planning, development and building processes in order to lift productivity, strengthen sector resilience and ensure that these new homes are delivered on time and to a high standard.

I am pleased to say that the ACT is already in very good stead to meet the national housing target. Recent national data released by the National Housing Supply and Affordability Council has identified that the ACT is one of only two jurisdictions currently on track to meet the national housing target, and we are currently on track by 103 per cent. We are currently showing that we will deliver even more homes than what was identified in the national housing target for the ACT. The Property Council of Australia has also recognised that the ACT is one of the strongest-performing jurisdictions in the country when it comes to meeting housing supply targets.

As we work to deliver these new homes and enable more housing choice in the territory, it is critically important that these homes are well built, which is why we cannot agree with today's motion, which, at its core, asks the ACT to step away from a nationally collectively agreed standard for new builds, which is the National Construction Code. The 2025 version of the National Construction Code introduces modern, nationally consistent standards that lift building performance, improve quality and strengthen consumer protection. This is what Canberrans deserve in their homes. I do not share the

view that the NCC 2025 will undermine housing supply in the ACT. In fact, very few of its changes actually affect residential housing in the way that has been suggested. The focus of the 2025 code is, in fact, on commercial, community and public buildings.

I would also note the claims in this motion that the code will add between $14,000 and $55,000 to the cost of a new home are not supported by evidence. Going from a recent article in the *Canberra Times* that also quoted this figure, they point to a high minimum NABERS energy rating and new water drainage requirements as the reason for that. The first thing to say is that NABERS does not actually apply to houses at all. NABERS is an energy-rating tool used for commercial buildings, not standalone homes. So it is unclear why this is being raised in this context. They may be referring to NatHERS, which is the tool for energy rating houses, but this is unchanged in NCC 2025. So there is no possible impact there.

The second point relates to water management, with these changes in NCC 2025 applying only to apartment buildings and having no impact on standalone or attached houses. While it is acknowledged that these changes have been costed at adding around $900 per apartment in the initial build, they are designed to avoid rectification costs several times higher in the future—typically in the range of $2,500 to $10,000 per apartment in rectification and repair work. I think that it is a worthwhile investment to make in building quality, and these are the sorts of decisions that Canberrans expect us to take to protect them against poor-quality building outcomes. The same applies to new condensation measures. Most homes in the ACT already use vented wall cavities—meaning minimal cost impacts and significant long-term benefits for homeowners, including avoiding health impacts from mould. Where the code does introduce changes that affect new homes, those changes are squarely focused on public benefit. They strengthen waterproofing standards, reduce the risk of mould and condensation and protect the long-term health of occupants. There are also improvements to fire safety requirements that reduce the risk of serious injury or loss of life. These are practical, evidence-based changes and they reflect what the community rightly expects—modern building standards that deliver cost-effective outcomes.

These updates are also designed to prevent much larger costs emerging later. The Australian Building Codes Board analysis shows that rectification costs from building defects range up to $10,000. So getting it right the first time is far better for homeowners and for industry. Nationally, the benefits of waterproofing reforms alone are substantial. They are expected to deliver more than $1 billion in net benefits for apartment buildings and a further $2.5 billion for commercial and community buildings. This is about getting the rules right up-front and avoiding the expensive failures down the track.

NCC 2025 is the product of a national process involving extensive public consultation and regulatory impact assessment. Cost and benefit analysis being called for has already been undertaken. All changes to the NCC were subject to regulation impact assessment during their development. These were made available on the ABCB website in May 2024 during the public comment period on the draft NCC 2025. The final regulation impact changes are expected to be published shortly by the Australian Building Codes Board. This analysis demonstrates the commitment to transparent cost-benefit assessment and does not need to be relitigated every step of the way.

Notwithstanding its value and need, in October 2025 building ministers agreed to pause

further residential changes to the NCC following the finalisation of NCC 2025. This has provided certainty to industry, allowing builders to invest with confidence in workforce development and innovation-related activities. Building ministers also agreed that there is potential to improve and modernise the NCC, ensuring a fit-for-purpose regulatory environment that supports the industry to build more homes more quickly, and have taken this pause as a timely opportunity for collaboration amongst jurisdictions and industry to improve the NCC for the future. Part of that discussion was taking what is several thousand pages of documentation under the NCC and seeing whether we can come up with a shorter version that is simpler to use, noting that part of the extensive documentation of the NCC are guides to assist practitioners with applying the NCC. So there is a balance to be struck, and there is work happening in a review of the NCC.

Modernising the NCC is not a technical exercise; it is a system reform critical for housing delivery, productivity and public confidence. The challenge is to restore clarity, proportionality and national consistency so that the NCC operates as a trusted foundation for safe, efficient and innovative construction. Governments across Australia are working together to modernise the code in a practical way. We are simplifying it where possible, improving usability, enabling innovation and supporting modern construction methods, while maintaining safety, quality and durability. The ACT supports strengthening a genuinely single national market through a truly national code which will allow governments to unlock competition as the driver of productivity and innovation, while collectively addressing barriers to a more efficient and equitable economy. But we will not step away from the code.

By adopting the 2025 code, the ACT is joining New South Wales, Queensland, Victoria, Western Australia, South Australia and the Northern Territory. We are aligning ourselves with our neighbours under a nationally consistent framework, providing certainty for builders, designers and suppliers who operate across jurisdictions. Our decision recognises the need for consistency in regulatory arrangements within the unique, shared ACT-New South Wales economic region to support our highly mobile workforce that often does work across the border. What this motion asks us to do is step away from the core principle of the NCC of national consistency. What it is asking us to do is make it harder for construction companies in the ACT and in our region by stepping away from the NCC and stepping away from the consistency across jurisdictions in the Building Code.

As Mrs Morris has noted, we have already put in place a 12-month transition period, aligning with New South Wales. While NCC 2025 commenced in the ACT on 1 May this year, industry has until 1 May next year before this becomes mandatory for new building approvals. We have allowed further flexibility for projects that are substantially progressed. Those with a DA or works approval application formally lodged before 1 November 2026 may continue to use NCC 2022 until that development application expires. This transition period was introduced following consultation with industry. It provides time to plan, adapt and finalise projects already in the pipeline. We will use this transition period to monitor implementation across other jurisdictions in determining the adoption of any variations to NCC 2025. This will include ongoing engagement with the construction sector to ensure that they have the tools they need in order to apply them as we work towards enabling 30,000 new homes. We also listened to industry in allowing appropriate exemptions for existing buildings where it is not

practical to apply certain requirements during renovations. That flexibility has been formally incorporated into our regulatory framework. These transition arrangements provide the right balance between supporting existing proposals to progress to construction while improving building standards over time in a way that does not compromise new housing supply.

The updated code will deliver safer, healthier and more resilient homes and buildings while supporting a strong and capable construction sector as we work towards the national housing target. We will continue to work closely with industry to ensure a smooth implementation of NCC 2025 and to address practical feedback.

MS CLAY (Ginninderra) (3.23): I rise to speak to Mrs Morris's motion today, and I thank her for bringing it forward. The Greens will not be supporting it today. We are in a housing crisis, but we do not think this motion will take us forward.

Too many Canberrans are struggling to find a home they can afford. Our public housing waitlist is around 3,500 households, and many do not bother to apply. There is only one affordable rental listing in all of Australia for a single person on JobSeeker. I was shocked by what we were told at Laura Nuttall's recent housing event. We told the uni students there that if they were spending more than 30 per cent of their income on rent and housing, they were in poverty. They all put up their hands and said they were spending 70 per cent, 90 per cent and, in one case, 95 per cent of their income on housing. For Canberrans who do not yet own a home, many of them think that they probably never will. But freezing updates to the National Construction Code is not the solution to this.

This motion presents a false choice—that we have to choose between affordability and quality, between supply and standards, between speed and safety. That is not a choice that we should ask our community to accept. The National Construction Code exists to ensure that homes built in this country are safe, durable, energy-efficient and fit for purpose. It evolves because our knowledge evolves—our knowledge about fire safety, accessibility, structural integrity and, increasingly, our knowledge about climate resilience and energy performance.

Freezing the National Construction Code changes would not make homes cheaper in any meaningful, long-term sense. It would simply shift the costs from the builder to the occupant. Lower standards mean higher power bills, homes that are less resilient to extreme heat and cold, homes that will need costly retrofits in 10 or 15 years, and ACT homes that have fallen behind national standards. In a city with cold winters and increasingly extreme summers, building substandard homes is not a cost saving; it is a cost transfer, and it is a health risk.

The drivers of housing affordability in the ACT are many and complex, but the primary drivers are economic. We need more homes, and we certainly need enough homes for our people. But the reason our homes are unaffordable is not because we do not have enough and because they cost too much to build. It is because we have cooked the market. Negative gearing and capital gains tax discounts make it easier for someone who owns 10 homes to buy an 11th, even if they make a loss on it. They can borrow far more to buy that 11th home than any non-homeowner. That pushes up the whole market. The Greens and many others have been raising this problem for years.

The market has been further cooked by federal Labor interventions, and programs like the expanded Home Guarantee Scheme that let you buy your first home with a five per cent deposit simply push up the price. You do not save money or manage to buy a home that you could not otherwise afford. You just give the bank and the seller more money for that home. They will charge as much as you can raise. That is where our housing market is at the moment. If government pours in a bit more, or lets you get into a bit more debt, the price goes up.

These demand-side stimulus methods are widely acknowledged as inflationary. They are popular, but they do not work and they make the problem worse. I am delighted to see federal Labor finally acknowledge this, after years of denial. The federal Labor government have announced that next week's budget will feature changes to capital gains tax and negative gearing. Whether the changes they announce are meaningful will be a test of good policy versus good lobbyists.

The Greens have had a clear policy on this for years: end negative gearing for all future investment properties and phase out CGT deductions. These are federal government levers, so we cannot make them happen at the ACT level. All we can do here is give voice to the problem, and to our people, and call on our colleagues up on the hill to do the right thing.

There are plenty of local steps that we can take. We can use our planning system and our own resources to create more public and community housing. That works. We know it works because it has worked in other places and it has worked here before. I have put out a discussion paper on zoning for inclusion, which will require new developments to include public or community housing as part of their development, or pay a fee so that it can be done somewhere else.

Government could also provide support by granting cheap land for public and community housing, just like they do for our corporate university developers. Government could also provide LVC discounts to make this work affordable, just as they do under the affordable housing development fund. Inclusionary zoning is a proven system in place in many states around Australia, and I would love input to get our settings right. Geocon seems to particularly hate the idea—which is the best endorsement that a Green can get.

I have also been calling for more government-funded public and community housing. Again, we know this works because Canberra was built on government housing. In the 80s we had twice as much as we have now, compared to our population. There are many ways to get there, including more ACT and federal funding, incentives like cheap land and LVC discounts, and planning and legislative changes. I was pleased to lead the changes to planning law recently to ensure our community housing developments will get priority status. That means they can access more federal funding and those homes will be built more quickly.

We are in a housing crisis, and we need to address it. But the National Construction Code is not the primary cause of our housing crisis, and freezing all climate adaptation and safety reforms will not help the crisis or help our people. If the standards are frozen, low income households are more likely to end up in low-performing homes. That means

our renters will bear the brunt of higher energy bills.

If we freeze national standards here, we also create fragmentation, and the planning minister has just explained this in some detail. Our builders operate across jurisdictions and they benefit from consistency. Diverging from nationally agreed settings does not create certainty; it creates confusion.

Crucially, we need to stay consistent with New South Wales. I often hear the Canberra Liberals and the industry ask us to be consistent with New South Wales law. Today, the Canberra Liberals are asking the ACT to go out on our own and depart from New South Wales law. That means our cross-border builders will have to comply with two different sets of standards. Why would we do that to them?

The government has already delayed adoption by 12 months to allow industry transition. That is measured and responsible. But an indefinite freeze sends a signal that long-term building quality is negotiable whenever economic pressures arise. It also undermines industry certainty rather than improving it. The best time, the cheapest time, the most efficient time to improve safety and climate adaptation standards is when a home is first built. Making sure a new home has insulation and basic safety standards adds a tiny cost proportionally to the overall build. Coming back in a few years and trying to retrofit is difficult and expensive.

New homes built today should stand for 50 to 100 years. They will shape household energy bills, emissions and livability for decades. We should not lock in avoidable inefficiency because we are focused on a short-term, up-front line item. If we are serious about increasing supply, let us focus on planning efficiency, land release, workforce capacity and productivity reform. Let us provide greater housing choice with the missing middle reforms, such as through allowing more townhouses, terrace houses and row houses in our established suburbs, in locations that are close to shops, public transport, schools and open places—places where people want to live.

We should streamline approvals and support smaller builders through transition, zone for inclusion, and make sure a decent proportion of new homes are public and community homes. We need to fix the economic measures that cooked the market in the first place, like negative gearing and capital gains tax discounts. We should not respond to a housing crisis by lowering the standard of the homes we build. That short-term fix will not change the market and will not help our people.

Canberrans have been vocal about their expectations of quality development, and the National Construction Code changes will help that. We do not want homes that are slightly cheaper to build—to build, not to buy; just to build. They may still be as expensive to buy—slightly cheaper to build, but much more expensive to live in, far less safe, particularly in a changing climate with extreme weather. I do not want Canberra in a decade to have lots of homes that are 40 degrees inside in summer, and that send our people to the hospital. Canberrans deserve homes that are affordable to buy and affordable, comfortable and safe to live in. For those reasons, the ACT Greens cannot support this motion.

MR PARTON (Brindabella—Leader of the Opposition) (3.32): I rise to support this motion from Mrs Morris. It is impossible to argue with the premise of this motion. This

motion is about our housing crisis, as much as it is about anything else, and the core of this motion comes from people who build houses. They are the ones on the ground who are doing it, and they are very clear about roadblocks that are about to appear in front of them.

I find it fascinating that Ms Clay can stand here, as she just did, and suggest that, somehow, if homes are cheaper to build, they will still be the same price when they are passed on to the market. I find that astounding. The two biggest causes underpinning our housing crisis today are lack of supply and the cost of that supply. This motion aims to deal with both these roadblocks. This motion aims to get more Canberrans in secure accommodation. How could you argue about that?

This Assembly has unanimously agreed that the ACT is facing a housing crisis, so let us do something about it. This government has promised to deliver 30,000 homes by 2030. As an Assembly, let us allow them to do that, and let us make those homes as affordable as they can be. This is our chance to do it.

Mr Steel conceded that the housing crisis is one of the biggest challenges. He knows; we all agree on this. He then got into waffle mode, detailing the things that his government is doing to deliver new homes. It is fascinating that Mr Steel assures us—he is as confident as Mick Gentleman was four years ago—that we are going to fulfil those 30,000 homes by 2030, but none of the other stakeholders seem to believe that that is the case. They just do not believe it.

I do recall my good friend and our former colleague Mr Gentleman standing here with such optimism and confidently declaring that the missing middle changes that he had just committed to law would deliver 40,000 new dwellings. We asked him about the number; he was adamant there would be 40,000 potential new dwellings as a consequence. He stood as confidently as Mr Steel has stood today and assured us that this magical change in the RZ1 dual occy laws could deliver 40,000 additional dwellings.

That was four years ago. How many do you reckon there are of the 40,000? A dozen? 20? 40? It is one of the reasons why the current minister—and give him credit for it—has basically revamped and changed it, or he is certainly going through the process of changing it, because it was never going to work. Like Mr Gentleman, Mr Steel's rhetoric is not anchored in any form of reality. I also note that, obviously, we know there has been a pushback of the National Construction Code changes until 2027, and the reasons that have been pointed out by Queensland and New South Wales are not likely to go away between now and 2027.

I want to take the debate back entirely to the housing crisis. I know that, despite the fact that I have been critical of some of the things that Ms Clay has had to say, we are all on the same page in terms of our promise to this community that we will do whatever we can to provide as much supply, and as much affordable supply, to the market as we can. If we are worth our salt in terms of that promise, we would be agreeing to this motion today. I certainly commend it to the Assembly.

MR EMERSON (Kurrajong) (3.36): I rise to speak to Mrs Morris's motion calling for a freeze on the adoption of any changes that exist in the National Construction Code

2025, and the publishing of a cost-benefit analysis before adopting any future changes. I note, as has already been remarked, that the ACT has already delayed adoption of the NCC for 12 months, giving industry time to accommodate the changes to the Construction Code. The NCC aims to ensure improved minimum standards for safety, health, amenity, accessibility and sustainability.

I broadly support the concept of ensuring that regulatory changes of this kind do not unnecessarily increase the cost or complexity of delivering new homes. The question that arises is: what is considered unnecessary? Mr Parton is right to indicate that the aim of this motion, on the face of it, is to improve supply and affordability of housing. These are critical factors, and it is great that we are all in agreement that they need to be addressed. There is, of course, a line between nice-to-haves and essentials, and I would argue that housing quality and sustainability are as essential as housing supply and affordability. We need to strike this balance.

The National Construction Code 2025 contains a number of changes, of course—stronger waterproofing, ventilation changes to mitigate condensation and reduce mould in new homes, upgraded fire safety provisions for car parks attached to commercial and apartment buildings, and a host of commercial building energy efficiency changes. It is important that our regulatory oversight systems are streamlined and efficient wherever they can be, and I note the federal government is currently working to improve the efficacy and efficiency of the next NCC.

I understand that builders are under the pump, that the construction sector has been hammered by multiple concurrent crises, and that concerns exist about introducing construction code changes into that mix. I get it, and I understand why this motion is before us today. The housing affordability crisis that we face is a very real one, and we have a responsibility here to ensure that the policy settings in place make it as easy as possible for people in our community to access safe and secure housing.

We also have a responsibility to ensure that sustainable decisions are being made that have positive impacts downstream, far beyond our time in this place as decision-makers. When it comes to housing, this is, of course, particularly important. We do not have to look very far to find examples of shoddy housing developments that may have been cheaper up-front but cost a fortune in remediation works.

We can all think of examples in the ACT where remediation costs have placed a significant, unforeseen burden on people in our community. One example on which I have engaged with residents is in Narrabundah, where construction issues have led to a massive reduction in the value of people's properties and a massive burden on home owners who cannot afford the remediation costs, some of whom cannot afford to move out. There is no other option for them.

There is no point cutting down the initial build cost of a property if it results in far higher costs down the line. I am really sympathetic to listening to voices of people working in the sector. We also need to consider the voices of those living in these homes. I know someone who runs a local concrete remediation company and 90 per cent of their work is on new builds—brand-new builds. Many of the issues they encounter stem from poor waterproofing—brand-new builds with waterproofing issues that damage concrete and require remediation, often at a huge cost.

A few months ago, at a mobile office in Dickson, I spoke to a young couple who came up to me and said they had recently become first home owners. Having bought a newly built apartment in the inner north just a few years ago, they now need to pay tens of thousands of dollars to repair concrete cancer in the balcony caused by poor waterproofing, something that the updated NCC likely would have prevented from happening. This is happening in our community and people are being impacted.

Even more serious than the downstream cost burden is the potential safety risk that inadequate regulatory frameworks can cause. I have visited countries where construction quality is a huge issue, as I am sure many members have. It is terrifying. A number of examples come to mind of physical harm caused by lack of oversight. Of course, we do not want to create policy settings that lead to a disaster such as the Grenfell Tower tragedy.

Downstream costs extend beyond just what an individual may have to pay. While those calculations are very relevant to this motion, the wider social costs of not ensuring new homes and buildings are built well and sustainably is equally important. The Climate Council has demonstrated a 25 per cent reduction in carbon emissions when comparing 7-star to 6-star energy-rated homes, and direct savings of up to $450 per year on heating and cooling costs between the two.

As the Australian Institute of Architects said in relation to the NCC 2025, "Focusing on speed without performance risks locking in higher long-term costs for households and poorer outcomes for communities." While it may be politically beneficial in the current moment to accelerate the supply of housing without consideration of the repercussions of the impacts downstream, I think there are more people in our community who want to see their politicians making good long-term decisions—thinking not just about what might be best for us now, but what is best for our future, showing leadership by resisting politically expedient short-termism and committing to what is best for the collective in the long term. It is imperative that we tackle the housing crisis with evidence-based, long-term solutions, investing now, so that we can pay less later.

Mrs Morris's motion touches on the global economic conditions that are contributing to the housing crisis, and I believe it is important to acknowledge the other factors, as well as regulation, that impact housing supply and affordability—tax settings that promote wealth generation over shelter provision, decades of underinvestment in social and affordable housing, a failure to view housing as a right and as absolutely critical social infrastructure, and insufficient wraparound support services for people experiencing homelessness. These are all variables exacerbating the housing crisis where clear policy levers are sitting there, waiting to be pulled. Let us pull those levers; let us not skimp on quality.

The housing crisis will not be fixed by avoiding measures whose purpose is to ensure our future housing stock is developed properly and sustainably. I understand this issue is nuanced, as much as we might prefer that it was not, so I am not standing here to dismiss the concerns raised by Mrs Morris today. I know that they reflect concerns from the sector and from organisations like the MBA here in the ACT. Ultimately, I support the move made by the ACT government to provide some additional time for the industry

to prepare for the NCC changes, but I do not support an indefinite freeze, which is why I will not be supporting this motion today.

MR COCKS (Murrumbidgee) (3.43): I am very glad to support this motion today. It is an excellent motion. It is excellent because there are so many young people in Australia right now who could benefit from being able to afford a house. There are too many young people—and we have said it here plenty of times before—who have given up hope of ever owning their own home. We have heard from a few people today that, yes, we should be aspiring to build the best in quality, and the best time to do that is when a house is built. And I appreciate that.

At the same time, we have to deal with the world of reality. The reality is that no-one can live in a home that is enabled but not delivered. No-one can live in a potential home. No-one can buy a house if it costs more to build than they can afford to pay. That is fairly simple, cost-benefit 101. You have to be able to afford it before you can live in it.

The fact is that the cumulative effect of the regulatory impact across the building sector over a number of years has been huge, and some of that has been well directed to improving the quality of our homes. At the same time, it has become effectively impossible to build an affordable house, and continuing to pursue these layers on layers of additional regulation will just make the problem worse.

I said that too many young people have given up hope of ever owning a home. A lot of those people refer back to periods like the 1950s, the 1960s and the 1970s, when our parents could quite affordably buy a new home. They could go out into the suburbs; buy a block of land at a price they could afford and pay a builder to build a house on it at a price they could afford. That was on one income; they did not have to rely on having multiple incomes in a single household. No matter what the Greens try to tell us, it is not because of changes to tax settings in the 1990s that that has changed. That is not what has happened here. If you compare the situation in those previous years to what it is now, the biggest difference is in the cost of building a home.

It would be wrong to try and argue that, somehow, the builders, the tradies on the ground, are making inordinate amounts of money, and that they will just reap the rewards and skim off the top, in taking a sensible approach as proposed in this motion. There is competition in the marketplace. That is the way competition works. Builders compete to provide homes at lower costs. If you force a project builder to push up the costs in one area, they will see whether they can cut a corner in another.

Good builders will be up-front and they will tell you, "Yes, if you want double glazing it will cost an extra $30,000 for your house." If you want to get thermally broken double glazing, that will cost you maybe another $10,000. I might be being a little conservative in the estimate of how much double glazing in a home costs now. After all, we lost the last manufacturer of residential glass in the country, due to the increasing cost of energy.

The fact is that the regulatory burden is directly contributing to the increasing cost of housing in Australia. If we keep layering more and more burden on top of that, we will just make things worse. From where we stand today, we are genuinely at a point of diminishing returns. The houses that we build today are already of a massively higher

standard than they were previously. Here in the ACT, since the introduction of self-government, since the introduction of star ratings in the ACT, we have gone from five-star requirements to six-star, then to seven-star. At some point, when you look at the numbers, things start to really diminish, when it comes to how much you can adjust as you go. You start to have to add to your design cost before you can even achieve the level of improvement that we might be looking at.

We were talking about improvements to building quality. Thank you, Mr Emerson, because building quality is a critical consideration across the ACT. There are too many homes that have been built that are literally falling down around people's ears.

Mrs Morris: The police station.

MR COCKS: The police station; indeed. It is not just homes that suffer from this. Buildings must be built to a high quality, and that is why the Canberra Liberals have been advocating for a long time for stronger protections for the way buildings are actually built, not just the regulations, because, as you introduce more and more complexity into these regulations, it also becomes more difficult to assess whether a builder has met those regulations.

We have a performance-based code in Australia—and, trust me, I have edited enough essays by family members on the Building Code and the various aspects of it to realise this—and, as you increase the complexity, we rely more and more on interpretation. That interpretation does not necessarily fix the problems that Mr Emerson has been talking about. That level of interpretation may indeed be contributing to some of those problems.

We must be able to deliver a simple, straightforward code in Australia in future that supports a clear standard that must be met. We cannot keep layering cost on cost, just to add to the bureaucracy and the multiple levels of uncertainty in our construction regulation. If you print out the National Construction Code, if you look at all the regulations that apply across the planning regulations in the ACT, if you look at the number of contradictions across all of that regulation, you will see why things are getting more expensive. You start to discover exactly why we could build affordable, cheap homes in the 1960s and the 1970s, but today we cannot.

We need to make it possible to build cheap homes. No home that someone is moving out of is going to lower in price, because there simply are not enough of them. We have to build more, we have to build them quicker, and we have to give people the genuine choice about what they want in their home. It is time to reduce the amount of overly restrictive, unnecessary, burdensome regulations that governments apply.

MRS MORRIS (Brindabella) (3.52), in reply: Thank you, colleagues, for your contributions to this debate today. It is interesting that we all agree that we are in a housing crisis—

Mr Cocks: There is only one party willing to fix it.

MRS MORRIS: and there is only one party, as Mr Cocks says, that is willing to fix it, and that is abundantly clear today. The minister has been quite happy to talk about their

modest contribution to the National Housing Accord, but not so happy to talk about their 30,000 target by 2030, where they are increasingly falling behind, quarter by quarter. The reality is that they talk a very big game, but they fail to deliver.

It is always interesting, when the government or the minister tell us that they are listening, that they are talking to industry and that they are listening to what they have to say; then, in the next breath, they will just rubbish all the evidence that the industry has put forward, and effectively do the complete opposite.

Industry is telling us that the code is costly and, collectively, with the 2022 code, could add up to $95,000 to the cost of a new home build. Industry is telling us that the pace of transition is just not realistic. Twelve months is not a realistic timeframe to transition to an extremely complex code. Consultants in the industry cannot gain consensus on what most of the clauses even mean. There is no consensus in the industry on what half the stuff they are being required to do actually means.

Industry tells us that changes are being implemented one problem at a time, without ever stopping to resolve the interactions between them. Yet the minister tells us that he is listening to the industry. Yeah, nah, they are listening! But they are not really listening, because they will push on ahead and vote down this motion.

Who are we to believe? Industry, who are on the ground every single day? They are the ones delivering the homes to the community. They are on the front line; they have the experience. Or shall we believe the ACT government, which have a very long and colourful record, a very well-documented record, of broken promises? We could list those broken promises across perhaps every single portfolio in this place. On their watch, the weekly average cost of rent has skyrocketed by 77 per cent over a decade. That has occurred under Labor and the Greens. The Greens have to take responsibility for that, too, because they were in government, too, when rents skyrocketed by 77 per cent on their watch.

Twelve months is simply not enough time to transition to a 2,000-page code, when there is conflicting consensus on what the heck it means. Industry is telling us that it is not enough time. How can you retool a production line, source new componentry, achieve certification, train staff, and scale production in 12 months? In fact, industry says that a more realistic timeframe would be 24 to 36 months. We know this because we need only look at the transition to the 2022 code. How long were industry given to transition? Twelve months. We have a pretty good test case to look to, and how did that pan out for industry then? In 12 months, we saw—

Mr Cocks: Houses are cheaper, aren't they?

MRS MORRIS: Yes. Are houses cheaper? That is a good question. We saw Europe and China fill the compliance gap at premium prices, and several local Australian manufacturers shut their doors, or they are now in severe hardship, and they are still trying to recover. With the lesson from 2022, it was not that the standard was wrong; the lesson was that restructuring an entire national industry in 12 months does not always uphold the intent of what is trying to be achieved. In fact, it can cause significant harm, and it can take you backwards, in the middle of a housing crisis.

It is so disappointing that Labor, the Greens and Mr Emerson are so determined to repeat the mistakes of the past and to sign up all of our prospective homebuyers to an additional $55,000 on top of the cost of a new home build. What happened to housing being a human right? What happened to that concept? Where were all the caveats when we were discussing housing as a human right?

The fact is that, if we want Canberrans to have a roof over their head, we must improve supply and we must improve affordability. This code undermines both of those, in the way that it is currently proposed to be implemented. Pushing to adopt it without giving industry sufficient time to prepare will undermine all our efforts to improve housing supply and housing affordability.

It is deeply disappointing that we are about to have this Labor government, along with the Greens and Mr Emerson, vote to add $55,000 on top of the cost of a new home build in Canberra. I hope that every prospective homebuyer in this city takes note.

Question put:

> That the motion be agreed to.

The Assembly voted—

Ayes 8	Noes 15	
Chiaka Barry	Yvette Berry	Marisa Paterson
Peter Cain	Andrew Braddock	Michael Pettersson
Leanne Castley	Fiona Carrick	Shane Rattenbury
Ed Cocks	Tara Cheyne	Chris Steel
Jeremy Hanson	Jo Clay	Rachel Stephen-Smith
James Milligan	Thomas Emerson	Caitlin Tough
Deborah Morris	Laura Nuttall	Taimus Werner-Gibbings
Mark Parton	Suzanne Orr	

Question resolved in the negative.

Leave of absence

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

> That leave of absence be granted to Ms Lee for this sitting day due to personal reasons.

Juries (Peremptory Challenges) Amendment Bill 2025

Debate resumed from 3 December 2025 on motion by **Mr Werner-Gibbings**:

> That this bill be agreed to in principle.

MS BARRY (Ginninderra) (4.05): Let me start by acknowledging the work that my colleague has done on this bill. I appreciate that he is looking to find solutions to issues that ordinarily we would not consider in our everyday business, and I commend him for

that effort. Having said that, I oppose the proposal to reduce the number of peremptory challenges available to parties in criminal trials under the Juries Act 1967.

At first glance, this may seem like a modest procedural issue—technical, even. In reality, it goes to the heart of one of the most fundamental common law principles in our justice system—the right to a fair trial before an impartial jury. Peremptory challenges have long been recognised as a historical right of an accused person. They are not about manipulating jurors or discriminating against potential jurors; they are about safeguarding fairness and confidence in the process, avoiding mistrials and mitigating the prospects of a jury later being discharged.

My concern is not only about rights; it is about this reform potentially worsening efficiency issues, despite supposedly being designed to improve them. I will come back to that point in a minute. From the outset, let me say this plainly: the proposal is not supported by evidence in the ACT. There is no dataset showing misuse of peremptory challenges. There is no ACT study demonstrating systemic bias arising from their use. There is no local analysis showing that juries are less representative because of them.

In fact, stakeholders consulted by my office explained why this bill is particularly inappropriate for the ACT, because of the unique structural and procedural rules governing criminal trials in this jurisdiction. What we have been asked to do is to weaken a longstanding safeguard without any ACT-specific evidence that it is causing harm. Indeed, it may well create harm, because in the ACT we are dealing with a legal matrix that is distinct from that of many other jurisdictions. For many criminal offences, trials by jury are mandatory, not discretionary. That is in stark contrast to jurisdictions that permit judge-alone trials.

The ACT requires a jury to make the ultimate decision, often in cases where an individual's liberty is at stake. These are not trivial matters or light decisions. We should be ensuring that parties are comfortable with the composition of a jury in order to strengthen confidence in our criminal justice system, not diminish it.

The Canberra Liberals therefore are not willing to support the Labor government's pursuit of expediency, particularly when studies already demonstrate widespread public criticism around jury impartiality. Without broader debate around structural reforms to improve efficiency, such as judge-alone trials, reducing peremptory challenges will only weaken the fabric of our criminal justice system. That is not in the interest of legislators, it is not in the interest of Canberrans, and it is certainly not in the interest of litigants. Stakeholders have also expressed concern that the proposal could make juries less equitable and less representative of the Canberra community, contrary to the principle of trial by peers.

Peremptory challenges exist for a reason. They recognise a simple but powerful truth: not all bias is visible, and not all bias can be proven. Peremptory challenges provide a necessary backdrop. They allow counsel on both sides to act where something does not sit right, where there is a reasonable concern that cannot be articulated to the legal standard required for a formal challenge. To reduce that safeguard is to accept that some jurors who raise genuine concerns may nonetheless remain simply because those concerns cannot be formally proven. That is not strengthening justice; it is weakening it.

The reduction of peremptory challenges for the sake of "administrative efficiency" is not a fair or reasonable justification for restricting the right to a fair trial. It is extraordinary that the ACT Labor government would rely on this as a justification. Just yesterday, Minister Paterson and the Attorney-General criticised Mrs Morris's motion on police wanding as "the cart pulling the horse", yet this bill is a perfect example of the government doing precisely that.

The ACT Labor government have little credibility when it comes to the order in which they choose to legislate. Their mode of operation is to allow the cart to pull the horse, but I do appreciate that the government's constant stream of contradictions is beginning to play out in this Assembly.

The ACT Labor government has consistently failed to address genuine inefficiencies in our justice system. The public and the courts do not need lectures about how arbitrarily limiting peremptory challenges would improve efficiency. This bill delivers no groundbreaking reform, and it risks corroding the fairness and confidence that litigants have in the jury system.

If this government is really interested in efficiency, let us instead talk about the inefficiencies that the government refuses to address, because they stem directly from years of neglect—problems like the chronic underfunding that is choking our courts, outdated digital case management systems and the failure to modernise court listing systems, problems like the ACT having fewer fulltime equivalent judicial officers per capita than any other jurisdiction, while the government delays appointments, problems like having a justice system where real net expenditure per lodgement and finalisation is higher than every other jurisdiction, and problems like having one of the lowest case clearance rates nationally.

The ACT Labor government is entirely insincere when it claims to take court efficiency seriously. But these issues point to another principle at stake here—confidence in the system. Justice is not only about outcomes. It is about legitimacy. It is about whether an accused person and the broader community can trust that the process is fair.

Peremptory challenges give the accused a limited but meaningful role in the composition of the jury that may determine their fate. That matters, particularly in serious cases, and particularly where the accused already feels disadvantaged. If we reduce that safeguard, we risk increasing the perception that juries are imposed, rather than constituted through a fair and balanced process. This is especially relevant in light of findings from the Jumbunna report into the over-representation of First Nations people, which identified evidence of systemic racism and institutional bias contributing to low confidence in the judicial system. Reducing peremptory challenges in that context risks further undermining public confidence in our judicial system.

It is also important to recognise the practical functions that these challenges serve. The law already permits challenges for cause. There is a real risk that reducing peremptory challenges will simply lead to more challenges for cause, resulting in more complex jury empanelment hearings, longer delays and increased costs, which is precisely the opposite of what the bill is seeking to achieve, in my view.

This change will not eliminate concerns about bias. It will merely shift them into a more formal, time-consuming and more adversarial process. We risk turning jury empanelment into a series of mini-hearings. We risk placing jurors under greater scrutiny, forcing them to publicly justify their impartiality. We risk lengthening trials and increasing costs simply to remove a tool that currently resolves these concerns quickly and discreetly.

There is an argument that peremptory challenges may be used in a discriminatory way that affects jury composition, including the percentages of women serving on juries in other jurisdictions. That may well be the case, but we simply do not know that, because we do not have the data that goes to that in the ACT. Indeed, other stakeholders have suggested that the bill may worsen these concerns, and this is the critical point. Reform without evidence is not reform; it is speculation.

I want to address the argument that this proposal is modest, mainstream and consistent with reforms elsewhere. Yes, some jurisdictions have reduced the number of peremptory challenges over time, but in every case the underlying principle has been preserved because it is recognised as an important safeguard in the criminal justice system. What has not occurred, particularly in jurisdictions committed to due process, is the weakening of that safeguard without clear local evidence of harm, and that is precisely the problem that is before us today.

We are not considering reform grounded in ACT evidence. We are not responding to demonstrated misuse in ACT courts. We are not acting on a detailed local review, and we are not operating in a jurisdiction where jury trials are infrequent. In the ACT, jury trials are compulsory for many categories of crime. We are being asked to follow a generalised trend without first asking whether there is a problem here that needs fixing and whether it is compatible with the ACT system.

Other jurisdictions have undertaken extensive law reform inquiries. They have gathered data; they have tested assumptions. Even then, reform has been cautious and incremental, favouring adjustments rather than erosion of fundamental safeguards. Here in the ACT, as I have mentioned over and over again, that work has not been done. If that work had been done, the government may have discovered that the ACT's comparatively small population and the greater likelihood of people knowing one another could justify retaining more peremptory challenges than larger jurisdictions.

This proposal asks us to reduce a safeguard protecting the right to a fair trial without evidence. For those reasons, we will not be supporting this bill.

MR RATTENBURY (Kurrajong) (4.16): I am pleased to indicate that the ACT Greens will be supporting this bill today. We consider this to be a positive reform that will improve the conduct of the justice system. This particular reform has been discussed in the ACT for some time, and I welcome the fact that Mr Werner-Gibbings has crystallised that discussion in this bill before the chamber.

Amendments to the Juries Act were initially proposed to be included in legislation way back in 2018. Amendments at that time did not proceed due to stakeholder concerns. Then, in 2021, as Attorney-General, I released a discussion paper that canvassed a number of court- and jury-related issues for potential reform. While a number of

reforms did proceed as a result of that process, including majority verdicts, as a result of stakeholder feedback being given at that time, I undertook to further consider the matter. Unfortunately, with other things that arose, and different matters coming up, I did not get a chance to return to it, and that is why I am particularly glad that Mr Werner-Gibbings has taken it up and progressed this bill.

As the 2021 discussion paper said:

> The current eight peremptory challenges mean that the parties are able to reject a significant number of potential jurors from the jury pool, which risks manipulation of the jury composition by excluding people of a certain age, race or gender. This is contrary to the principle that juries should be, as far as possible, representative of society at large.

The paper went on to say:

> Reducing the number of challenges to four for each party would emphasise that peremptory challenges should be the exception rather than the rule, while still ensuring the parties are able to quickly exclude jurors who appear unsuitable, and without having to meet the requirements for a challenge for cause. This approach reflects that the average number of peremptory challenges in 2020 was less than four per trial.

And I think that last point is particularly interesting because it demonstrates that the practice in the ACT has seen, to some degree, limited use of this, and I think it reinforces the notion that this is a reform that can be put in place to prevent the outlying cases where we see parties using the challenge for purposes that are designed to potentially seek a particular outcome in the trial. In my view, those couple of paragraphs succinctly describe the rationale for these amendments and why the Greens intend to support them today.

I did listen to the points that were made by Ms Barry, but I ultimately do not believe that they carry sufficient weight that should see us reject this proposal. In Mr Werner-Gibbings's introductory speech, and again in the explanatory statement, he cited an example from 2018-19 in Victoria, where 70 per cent of peremptory challenges were against women, resulting in Victorian juries having a lower proportion of women than in the general community. This is one piece of factual data we have that I think demonstrates the exact point this bill seeks to address to ensure that we do not have those sorts of situations occurring in the future in the ACT.

I think the points that, Madam Assistant Speaker, you also made in your remarks were some interesting points about other areas of reform that are warranted in the courts. I think those are matters that are definitely worthy of further consideration. Whilst I will not be here to do it, I am sure the legal affairs committee might want to take those matters on. But despite the merit of those issues, the fact that they are not addressed in this bill is, in my opinion, not a reason not to proceed with a reform that has merit in its own right, which is what I believe this bill contains.

So on that basis, that is the reason the Greens intend to support this bill. I commend the bill to the Assembly, and I will take this opportunity to congratulate Mr Werner-Gibbings on what I believe to be, and appears to be, his first successful private

member's bill in this place.

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) (4.21): I want to rise today to speak in support of Mr Werner-Gibbings's bill and to congratulate him also on his first bill to the Assembly. At its core, this bill is about something simple and fundamental: ensuring that juries who sit in judgment in our courts genuinely reflect the community they serve.

In the ACT currently—hopefully not by this afternoon—both the defence and prosecution are entitled to eight peremptory challenges each; that is, eight opportunities to exclude a potential juror without providing any reason. In fact, this places the ACT at the highest end of jurisdictions in Australia. By comparison, New South Wales, Victoria, South Australia and Western Australia each allow just three challenges. Tasmania and the Northern Territory allow six, and Queensland has, historically, allowed eight. It is fantastic to see Mr Werner-Gibbings's bill today come to challenge this.

Peremptory challenges have a long history. They exist for a reason—to provide a safeguard when bias is suspected but cannot be easily proven. They are part of ensuring a fair trial. Importantly, this bill does not abolish that right; it preserves it. So let's be clear that this bill does not undermine that right—it strengthens it.

We know that the high number of challenges can distort the composition of juries. Because these challenges require no explanation, they can be used—intentionally or not—in ways that exclude people based on assumptions, stereotypes or unconscious bias. And as Mr Rattenbury said, we see this play out particularly in sexual violence trials.

As Minister for the Prevention of Domestic, Family and Sexual Violence, I see first-hand how critical it is that victim-survivors have confidence in our justice system. We ask them to come forward to tell deeply personal, often very traumatic, stories. We ask them to place their trust in a justice system that can feel intimidating and overwhelming. The least we owe them is a system that is fair, credible and representative—a system where the jury reflects the diversity of the lived experience in our community. I commend Mr Werner-Gibbings's bill to the chamber.

MR EMERSON (Kurrajong) (4.23): I rise to speak briefly on Mr Werner-Gibbings's private member's bill. I would like to firstly congratulate Mr Werner-Gibbings on his first bill and applaud the intent behind this piece of legislation. Our judicial system, as we often hear, is consistently overworked, and any changes that can be made to improve the efficiency of this system are worth considering. The same can be said about any improvements that make our judicial system more representative and just.

The role of a jury in our legal system is historic and important. Trial by peers who are representative of the community is a core pillar of our justice system. Research from the Victorian Law Reform Commission in 2014 found that peremptory challenges can lead to a less diverse selection of jurors. As Mr Werner-Gibbings laid out, the existing number of challenges poses a risk that juror composition can be manipulated based on

stereotypes linked to visual identity markers like skin colour. Repeated challenges also slow down the legal process, which is a broader issue that is often raised with me by Canberrans and by legal practitioners in our city.

Peremptory challenges have long been considered a fundamental part of a jury trial process, enabling both parties to challenge jurors they view as unacceptable. And while it is important for both sides to be able to have a say over juror composition, eight challenges, as Minister Paterson has just remarked, is more than all other jurisdictions except Queensland, I believe.

I note this bill only impacts the number of challenges that can be made without giving a reason—without cause. It reduces the number of challenges by four and does not do away with them entirely, which, with respect, Madam Assistant Speaker, some of the remarks you provided earlier seemed to imply—although I understand, of course, you understand what the bill does.

I think this is a welcome measure, a sensible one. Hopefully, the change brought about by this bill will ensure our juries are more representative and trials by jury are conducted more efficiently. I will be supporting this piece of legislation today, and, again, I congratulate Mr Werner-Gibbings on its apparent impending passage.

MS CHEYNE (Ginninderra—Manager of Government Business, Attorney-General, Minister for Human Rights, Minister for City and Government Services and Minister for the Night-Time Economy) (4.26): The government appreciates the work of Mr Werner-Gibbings in bringing this bill forward and in identifying and responding to an issue that goes to the heart of public confidence in the administration of justice: how we ensure that juries are fair, representative, and selected in a way that supports the efficient operation of our courts.

There is no question that the parties to a proceeding should have input into jury selection. The policy question that this bill seeks to answer is whether the ACT's current settings strike the right balance between the rights of an accused; the interests of victim and witnesses; the obligations placed on jurors; and the broader community interest in a justice system that is fair, timely and trusted.

A peremptory challenge allows a party to object to a potential juror without providing a reason. That has long been part of the jury selection process, but it carries an obvious risk: where no reason is required, decisions may be based not on evidence of bias but on assumptions about a person's age, gender, ethnicity, disability or other observable characteristics. Research has shown that a larger number of peremptory challenges can result in empanelled juries not reflecting the diversity of the community from which they are drawn. That matters, and it matters and it justifies reform, because juries are, of course, one of the clearest ways in which the community participates directly in the justice system. A jury that better reflects the community not only is more inclusive but also strengthens confidence that justice is being done by, and in the name of, the community.

This bill is a simple one. It reduces the number of peremptory challenges available in ACT criminal jury trials. For a jury of 12, the number would reduce from eight to four for both the prosecution and the defence. The bill will also reduce the number of

peremptory challenges available for expanded juries.

It is important to be clear about what the bill does and does not do. It does not remove trial by jury. It does not remove the ability to challenge a juror for cause. It does not prevent either the defence or the prosecution from raising a genuine concern about impartiality. Challenges for cause remain available without numerical limit, and they remain the appropriate mechanism where there is a reason, grounded in fact, to question whether a potential juror can serve impartially.

This is a bill that recognises that there may still be circumstances where a party has a concern arising from a prospective juror's behaviour but where that concern may not be capable of being established to the standard required for a challenge for cause. By retaining peremptory challenges this bill retains a very practical safeguard, but it also reduces the scope for arbitrary or stereotyped exclusion. The bill takes a measured approach to reform.

The bill also advances efficiency in the justice system. Jury empanelment necessarily takes time. Where large numbers of potential jurors are challenged, that can delay proceedings and impose real burdens on the people who have been summonsed to attend court. Efficiency in this context should not be misunderstood. It is not about speed for speed's sake. A criminal trial must be fair before it is fast. But unnecessary delay can itself undermine access to justice. Delay affects accused people waiting for trial. It affects victims and witnesses waiting to give evidence or achieve finality. It affects jurors who have rearranged work, caring responsibilities and daily life to perform an important civic duty. A system that reduces the unnecessary delay while preserving fair-trial safeguards is a better justice system. The right to a fair hearing is not diminished by reducing the number of peremptory challenges. Fairness does not require an unlimited capacity to exclude people without explanation. What fairness does require is impartiality, transparency and safeguards directed to actual risks of bias.

This bill is a bill that is supported by key criminal justice entities, including the Chief Justice of the Supreme Court, the Director of Public Prosecutions, and Legal Aid ACT, and ACT Policing. The government has taken into account stakeholder feedback since the bill was introduced that it would be preferable for the bill to commence as soon as possible, rather than after six months, as proposed in the bill as it was introduced. So, today I will be moving a simple amendment in the detail stage, and this amendment simply changes the commencement date so that the commencement date will be the day after its notification date.

In closing, I warmly thank Mr Werner-Gibbings and his office for their work on this bill in preparing this bill and in engaging with the executive arm of government on it, and his genuine commitment to improving the ACT's criminal justice system. I think the fact that there are so many various stakeholders who do support this bill today reflects that there is a need for it, and I appreciate the very considered way that Mr Werner-Gibbings has gone about it and his collegiate and collaborative engagement with my office to get it done. I commend it to the chamber.

MS TOUGH (Brindabella) (4.31): I too rise to support this bill and congratulate my colleague Mr Werner-Gibbings for bringing his first bill before this Assembly—begrudgingly before my first bill! But this is a fantastic reform, so I am very happy

about it. I am lending my support to this bill—

Mr Rattenbury: Adjourn it, Caitlin!

MS TOUGH: Yes, I might actually just adjourn, and we can wait until mine comes and do that! Thank you, Mr Rattenbury! In all seriousness, in lending my support to this bill, I want to speak on some of the reasons why this reform is important and why we should all be proud in the ACT that this will, fingers crossed, hopefully become our law shortly.

While historically justified as a safeguard for fair trial rights, peremptory challenges have increasingly come under scrutiny for their potential to undermine the impartiality and representativeness of juries. This reform will make juries more representative of the broader community.

Excessive peremptory challenges can distort the demographic composition of juries. Research shows that parties often use these challenges to exclude individuals based on perceived biases linked to race, gender, age, socio-economic status or, basically, just how someone looks when they walk in the room—factors that may have little bearing on a juror's actual impartiality.

Reducing the number of challenges limits the ability of parties to shape juries in their favour, thereby promoting a more representative cross-section of the community. This is particularly important in the ACT, where the population is diverse and civic trust in institutions depends on inclusive participation. This reform will reduce the risk of discriminatory practices towards prospective jurors.

Although these challenges are exercised without stated reasons, studies in Australia and abroad have documented patterns of discriminatory use. In the United States, for example, the Batson v Kentucky line of cases addressed the exclusion of jurors based on race. While Australia lacks an equivalent legal framework, the risk of unconscious bias still remains. By reducing the number of these challenges, the ACT can mitigate the potential for such discrimination and reinforce the principle that justice must not only be done but be seen to be done.

This reform will improve trial efficiency and reduce costs, as Minister Cheyne has just touched on. Jury empanelment is a time-consuming process. Each challenge requires the court to pause, record the challenge and draw a new juror. In trials with multiple accused, this process can be significantly prolonged. Reducing the number of challenges would streamline jury selection, reduce delays and lower the administrative costs—benefits that align with the ACT government's stated goals in the 2023 reforms.

This reform will align the ACT with national and international trends. Several jurisdictions have already moved to limit or abolish peremptory challenges, as Mr Werner-Gibbings pointed out, so I will not go into too much detail, only to say that these reforms have not led to a decline in fair trial standards. Instead, they have been associated with greater transparency and public confidence in the justice system.

These reforms will safeguard fair-trial rights through challenges for cause. Reducing peremptory challenges does not eliminate the ability to exclude biased jurors. Parties

retain the right to challenge for cause, requiring a reasoned objection based on evidence of partiality or incapacity. This mechanism is more transparent and accountable than peremptory challenges and ensures that exclusions are based on legitimate concerns rather than speculation or prejudice.

I do understand that there are also some concerns about the bill, so I want to address some of these. Will this bill undermine the accused's right to a fair trial? The simple answer is no. The right to a fair trial is preserved. It is preserved through the continued availability of challenges for cause; judicial oversight of jury empanelment; and the random selection process, which is inherently neutral. Moreover, reducing peremptory challenges does not eliminate them entirely. Having a limit still allows parties to exercise discretion.

Will this lead to more biased juries? On the contrary, limiting peremptory challenges reduces the opportunity for parties to exclude jurors based on assumptions or stereotypes. It encourages reliance on objective indicators of bias and promotes a more balanced jury.

In summing up all of that, reducing the number of peremptory challenges in ACT criminal trials is a modest but really meaningful reform. It would bring the territory in line with best practices, reduce the risk of discrimination and improve the efficiency and fairness of the justice system. This change would build on the momentum of the 2023 jury reforms and further demonstrate the ACT's leadership in progressive legal policy.

I also want to thank Mr Werner-Gibbings and his office for providing me with almost all of what I just said, and the information contained in this speech, and for the work they have done in pulling this together—the consultation they have done and their collegiate nature in working on it and taking an idea and turning it into legislation. Well done, Mr Werner-Gibbings, and I commend the bill to the Assembly.-————————

MR WERNER-GIBBINGS (Brindabella) (4.37), in reply: I will quickly foreshadow that I am aware of the government's amendment coming from the Attorney-General. I thank the Attorney-General, as always, for her excellent and constructive engagement and for bringing forward the amendment that changes the commencement date. I support it. It reflects advice that the courts are ready to implement the reform sooner than I originally proposed. That readiness speaks to both the practicality and the utility of this reform and it is exactly the way I wanted this bill to be framed. I also wish to thank Minister Cheyne's office and her legal advisor Elsa Sengstock for her assistance and engagement. I appreciate my colleagues in the chamber for your thoughtful contributions and nice words. I thought I may be too sanguine about this this morning. I was not too worried, but suddenly it is all coming up very quickly. Ms Tough, for your excellently made points, thank you. You, Madam Assistant Speaker, while we do not always agree, your arguments are always considered and your engagement is always genuine. I particularly thank Mr Rattenbury for every one of his insights and all his support since I first discussed the bill with him.

This bill amends the Juries Act 1967 to reduce the use of peremptory challenges in ACT jury trials. It is a focused, modest, practical reform that reduces the number of

peremptory challenges available to the prosecution and the defence. It does so in order to make juries more representative of our community and to reduce unnecessary cost of delay in our courts through the jury impoundment process. In simple terms, the bill reduces peremptory challenges from eight to four in trials with juries of 12 with corresponding reductions for juries of other sizes.

I want to explain again why this change is both necessary and proportionate. The jury selection process provides two methods by which parties may object to prospective jurors. The first is a challenge for cause. A party must identify a reason why a prospective juror should not serve on the jury and the judge makes a ruling on that evidence. These challenges are unlimited in number and rightly so because they protect the right of an accused person to a fair trial. This bill does not interfere with challenges for cause. They remain unlimited. They are an important safeguard that will continue.

The second method of objection to jury membership is the peremptory challenge. This permits a party to exclude a potential juror without stating a reason. In practice, lawyers know very little about the people they exclude. Decisions are therefore made based on visible characteristics such as age, gender, ethnicity or physical disability. The problem with that practice is not difficult to identify: it relies, as it must, on assumption. It encourages stereotyping. It is the definition of judging a book by its cover. It undermines the random nature of jury selection and weakens public confidence in the fairness of the system. Juries are meant to represent a cross-section of our community. When we allow broad exclusion without reason, on a larger scale like we do now, we move away from that principle.

There has not yet been a formal study of jury empanelment in the ACT. However, evidence from other jurisdictions is instructive. A Victorian Law Reform Commission study about inclusive juries from 2018-19 found that 70 per cent of peremptory challenges were exercised against women. The result was that juries were less representative than the communities from which they were drawn. A lower proportion of women on juries was also a pattern observed in England prior to that common law jurisdiction's abolition of peremptory challenges in 1998, a nullification that had been slowly worked towards since the 14th century when the number of such challenges allowed was 35.

Be that as it may, how juries are made up is the fundamental point of this debate. Random selection is an important feature of the jury system, but it is tied to the notion that a jury should be representative of the community. Juries are asked to make serious decisions on behalf of our community. The legitimacy of those decisions depends in part on whether the community sees itself reflected in the jury box. A representative jury guards against bias by ensuring that those who determine the outcome of a trial have not been chosen by the court or the parties involved. Reducing the number of peremptory challenges will not eliminate bias, but it will limit the capacity for exclusion based on assumption and stereotype rather than evidence. It has been shown to support more diverse and more representative juries that are more consistent with the intent of random selection.

There is also the efficiency argument, which is equally persuasive. Jury impoundment is expensive because every additional hour in court has a cost for everyone. Higher numbers of peremptory challenges prolong the empanelment process. They increase

stress for prospective jurors who have to attend jury selection when they may not be selected and delay proceedings for accused persons, victims and witnesses. They increase the costs for the court system and legal expenses for parties, including in cases supported by Legal Aid. An extreme example is the 2009 trial of Abdul Benbrika and his associates in the Supreme Court of Victoria. Over 2,000 citizens had to be summoned in order to empanel one jury and over 1,000 had to attend court over two days for the empanelment process. From what I understand in the ACT, extreme cases like this are uncommon, but they do demonstrate the point clearly. Even in ordinary trials, unnecessary delay consumes public and private resources. There is also a cost borne outside the courts. Employers lose staff for extended periods. Self-employed jurors may suffer direct financial loss.

Reducing inefficiency in this process benefits not only the justice system but also the broader ACT community. The ACT currently permits eight peremptory challenges per party and in some cases eight per accused. What are other jurisdictions doing, I hear you ask. Mr Emerson, I hear you ask.

Mr Emerson: What are they doing?

MR WERNER-GIBBINGS: Thank you, Sir. Apart from Northern Territory murder and manslaughter trials, which allow for 12 peremptory challenges, Queensland and the ACT are the Australian jurisdictions that permitted the highest number of peremptory challenges in jury trials. In 2000, Western Australia reduced the number of peremptory challenges from eight to five. It is now three. In 2017, Victoria reduced the number of peremptory challenges permitted from six to three. New South Wales and South Australia allow three, Tasmania and the Northern Territory, six. Peremptory challenges were abolished altogether in the UK in 1988 and in Canada in 2019.

This bill does not propose the wholesale abolition of peremptory challenges; it adopts a moderate and balanced approach. It aligns the ACT with the Federal Court of Australia, which permits four peremptory challenges per party. That number remains sufficient to address situations where a juror's conduct raises concern but does not meet the threshold required for a challenge for cause. I am talking about things like observable reactions, hostility or flippancy which may suggest bias without proof. Retaining a limited number of peremptory challenges allows parties to respond to those situations while preventing routine mass exclusion based solely on stereotype.

I believe that this bill will improve the system without dismantling it. It aims to strengthen fairness and enhance representation of our juries here in the ACT. I do take the points made by yourself, Madam Assistant Speaker, which are similar to arguments made by the Law Society of New South Wales and the ACT Law Society. The former argued to the New South Wales Law Reform Commission that peremptory challenges allow both parties to eliminate extremes of bias but offered no evidence to this point. I challenge that view with an extract from a report titled *Jury management in New South Wales*, by Mark Findlay. It was published in 1994, and I quote:

> For the purposes of detecting bias in securing an impartial jury composed of the accused's peers, peremptory challenges are inaccurate and arbitrary, to the point of being apparently without use.

In 2019, Jacqui Horan, an Associate Professor of Law at Monash University, noted:

> A substantial body of US research has highlighted that based on such limited information, the peremptory challenge process is no better than a guessing game, as it is not possible for a defendant to know whether a citizen is going to be favourable to their defence just based on what they look like and their occupation.

However—and this has been cited a couple of times—in its consideration of the issue, the Victorian Law Reform Commission went further and cited studies showing that there was no link between characteristics and verdict preference. Therefore, the argument that excluding potential jurors on the basis of observable characteristics lead to the elimination of bias in the jury is not supported by the evidence.

The arguments to retain the status quo in the ACT relies on there being no empirical evidence to show that there has been excessive use of peremptory challenges in the ACT. That is correct insofar as there is no evidence in the ACT, because that data is not collected here. But in jurisdictions where the data is or was, like Victoria and the UK, the empirical evidence supports the reduction in the number of peremptory challenges. Be that as it may, this debate has demonstrated broad agreement on the importance of maintaining fairness while also improving efficiency and strengthening public confidence in our justice system.

On that note, I think there is plenty of interesting but difficult work to do, if it can be done, about juries—interesting, because the idea of non-expert participation in the legal system is, we believe, vital to a functioning democracy, if nothing else by acting to reduce the lawyers' monopoly over the law; and difficult, because we cannot ask jury members, and we should not ask judges, how to improve a jury's experiences of their participation. Using non-experts to determine the validity of information presented by experts in reasonably expert and technical ways is an interesting philosophical stance and not one societies tend to replicate, except perhaps in parliaments. Would we prefer a layperson or a doctor to review our medical symptoms presented in medical language and make a judgment on our best treatment? Would we prefer a trained computer engineer or a trained aircraft engineer to assess which is the most effective operating system or safest aeroplane, or could we leave that to people randomly selected from a pool of citizens? I suspect, strongly, that jurors could be better supported in the ACT in their work in decision-making if their experience could be improved and their tasks simplified.

In recent years, for instance, jurisdictions such as Victoria have undertaken significant reforms to simplify and clarify jury directions through legislation—notably the Jury Directions Act in Victoria in 2015. These reforms aim to reduce jury confusion, improve trial efficiency and enhance the fairness of proceedings. The Australian Law Reform Commission in 2025 put out a report called *Safe, informed, supported: Reforming justice responses to sexual violence* and also made recommendations concerning jury directions, particularly in the context of sexual offence trials.

However, it is very, very difficult to gather evidence and testimony on what works for juries, what does not and what could or would work better. The Juries Act in the ACT prohibits disclosing the identification of a person being a juror in particular proceedings. This would severely impact an Assembly committee or a directorate's

ability to collect evidence and testimony. In addition, judges, not surprisingly, are reluctant to appear as witnesses due to issues with the separation of powers. Nonetheless, outcome of such an exploration might be well worth the effort. That is in the future perhaps.

In the now, I thank my staunch and doughty office team. Kathy, Ben and Jacob have each played an important role in the process of bringing forward this private members bill. Madam Assistant Speaker, I appreciate everyone's contributions and I commend my Juries (Peremptory Challenges) Amendment Bill 2025 to the Assembly.

Question resolved in the affirmative.

Bill agreed to in principle.

Detail stage

Bill, by leave, taken as a whole.

MS CHEYNE (Ginninderra—Manager of Government Business, Attorney-General, Minister for Human Rights, Minister for City and Government Services and Minister for the Night-Time Economy) (4.50): I move amendment No 1 circulated in my name *[see schedule 1 at page 1612]*, and table a supplementary explanatory statement to the amendment.

Amendment agreed to.

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

Bill, as amended, agreed to.

Statements by members

The Handbook of Innovation Ecosystems: Placemaking, Economics, Business, and Governance—book launch

MR BARR (Kurrajong—Chief Minister, Minister for Economic Development and Minister for Tourism and Trade) (4.51): Last month I had the great pleasure of attending and participating in a panel discussion of the Canberra launch of the *Handbook of innovation ecosystems*. I would like to congratulate Dr John H Howard on the release of his book. The *Handbook of innovation ecosystems* is an impressive and thoughtful contribution, providing a clear framework for understanding how innovation ecosystems function and what enables them to succeed. It was particularly pleasing to see Canberra recognised as one of the 90 international and Australian case studies, reflecting the maturity and strength of our local ecosystem. I want to particularly thank the Canberra Innovation Network for hosting the event and for bringing together researchers, practitioners, policymakers and ecosystem leaders in such a constructive and engaging setting.

The discussion reinforced how deliberate investment in education, research, skills and collaboration has shaped Canberra's evolution into a resilient knowledge-based economy. The themes of the handbook—connection, co-location and collaboration—

strongly reflect Canberra's lived experience. I appreciated the opportunity to participate in the launch. It was a valuable reminder of the importance of continuing to invest thoughtfully in the people, institutions and partnerships that underpin Canberra's innovation future.

International Day of the Midwife

MR PARTON (Brindabella—Leader of the Opposition) (4.53): Last night the ACT branch of the Australian College of Midwives celebrated the International Day of the Midwife. The theme of the International Day of the Midwife 2026 is "One Million More Midwives". While I was disappointed not to be able to attend myself, my office was represented and they briefed me on an exceptional oration delivered at the event by Canberra midwife Alix Dornbusch. Alix shared her stories and incredible highs and lows, including the journey and the path many midwives need to navigate, including complex challenges facing midwives in both our community and internationally. Closer to home, we know that workplace culture and bullying, a lack of professional development and career progression pathways and difficulties managing work-life balance are some of the serious challenges that midwives are facing routinely.

As a community, we must acknowledge and celebrate the enormously positive contribution midwives make to the experiences and outcomes of women and babies in the ACT. On International Day of the Midwife 2026, we recognise the extraordinary skill, compassion and dedication of midwives, who support women and families through some of life's most significant moments. Midwives are the backbone of safe, respectful maternity care, advocating for mothers, protecting newborns and strengthening communities every single day. I take this opportunity to congratulate Karel Williams on being awarded the Rhodanthe Lipsett Midwifery Award 2026. Not only do I thank our midwives but I also reaffirm my commitment to ensuring that their supported, valued and empowered to deliver the high-quality care that every family deserves.

International Day of the Midwife awards—Ms Karel Williams

MS CLAY (Ginninderra) (4.54): I am delighted to speak about Karel Williams, who was last night honoured with the prestigious Rhodanthe Lipsett Award at an international day of the midwife event that I was honoured to attend. I first met Karel in 2023, when she provided invaluable contributions to my maternity motion. Karel has been a powerful and respected voice, elevating the role of midwifery, particularly First Nations midwifery. As a senior First Nations community leader on the Birthing with Country Cultural Governance Group, initiated by Ngunnawal Elder Aunty Violet Sheridan, Karel has guided culturally safe and respectful yarning with community to listen to what the most excellent First Nations maternity care model could be for the ACT.

Her coinage of the term "birthing with country" has become a transformative conceptual contribution. By articulating that country is not simply land but encompasses culture, identity, kinship and connection, she has reshaped our public understanding of what culturally safe maternity care means. Karel's work is centred on the wellbeing, dignity, cultural safety and cultural revitalisation for First Nations women and families. Her PhD research is on exploring birthing with country models of

care as restorative practice. It amplifies the voice of women who have experienced trauma, racism and systemic failures in maternity care. Her leadership in co-designing birthing with country models ensures that First Nations women in the ACT, many of whom birth away from their ancestral country, can still experience connection, identity and cultural continuity. Congratulations, Karel.

Macquarie—swimming pool

MR CAIN (Ginninderra) (4.56): I am going to call this "Big Splash part 2". I felt compelled to speak on it again following Ms Cheyne's, really "disagreeance" with me over what Minister Berry said at a public meeting on 19 February earlier this year at the Save Big Splash community meeting. I am going to quote what Minister Berry said to a very crowded Labor Club in Belconnen on 19 February. I quote: "I am as committed to all of you to bringing Big Splash back to how we remember it and also even better, and I know that we all want to see it alive for future generations." I did a bit of a paraphrase of this yesterday. I am reading from the uncorrected proof of the Hansard, and I said:

> … Minister Berry, at a public forum earlier this year, saying to a large community gathering, "Don't worry about Big Splash; it'll be back and it'll even be better."

Ms Cheyne interjected—and they do not always get caught, but—"That is not what she said", Ms Cheyne interjected. In fact, Mr Speaker, Minister Berry said something much stronger.

National Domestic Violence Remembrance Day

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) (4.58): I rise to acknowledge that today is National Domestic Violence Remembrance Day. Each year, communities come together for candlelight vigils to pay respect to and commemorate people who have lost their lives tragically by domestic and family violence.

Tonight, Minister Orr and I will be attending the ACT vigil event organised by the Domestic Violence Crisis Service. While this is a sombre event, I am always incredibly grateful to attend and share the important commemoration with our community.

The scourge of domestic and family violence continues to affect people across Australia at unacceptable levels, impacting their health, wellbeing, safety and freedom. At the extreme end of the spectrum, this behaviour results in victims being killed by the people who they love. At last year's vigil, we remembered 137 individuals who have been killed in the ACT over the past 37 years, as well as acknowledging the 170 children who grew up without a parent as a result of the violence.

The impact of the loss of even one Canberran in circumstances of family violence cannot be overstated. It carries devastating impacts of pain, loss and trauma for their friends, families, colleagues and communities. We must not lose sight of building a future free from violence, and I will continue to work every day to make that a reality. It is also important that we regularly pause and acknowledge the devastating impacts of

violence which have occurred.

Tharwa General Store—post office services

MS TOUGH (Brindabella) (4.59): I want quickly to speak about a letter that I, along with other members for Brindabella, received this afternoon from Australia Post, advising us that the Tharwa General Store will cease operating as the Tharwa licensed post office from 5 pm this coming Monday, but it will continue to serve as the community postal agent until the sale of the general store in a few weeks.

I know this will probably create a lot of concern in Tharwa. With Australia Post negotiating with the new owner of the general store to continue to provide this service, as well as seeking expressions of interest from other small businesses in the town, I am quite optimistic that there will not be a disruption to postal services in Tharwa and the surrounding areas. People in Tharwa need to know that this is happening before it happens, so that we can make sure that this transition is smooth and easy.

Australia Post has said that, if there is any interim disruption, the Lanyon Post Office will be there to support residents. If anyone has any concerns, or if there are any small businesses in the Tharwa region that would like to take part in the EOI and provide postal services to Tharwa and the region, please reach out to my office. We are very happy to put you in contact with Australia Post and ensure that services to the region are not disrupted.

Tree Week

MR BRADDOCK (Yerrabi) (5.01): I want to recognise that this week is Tree Week. For over a decade, Canberra has been celebrating Tree Week every autumn with a weeklong program of events to help the community to learn more about trees and the many benefits they provide, to participate in a variety of community events and to connect with their neighbours and environmental groups. This is important because our city is full of beautiful, unique and exceptional trees. Our forests provide so many positive benefits for Canberrans.

I will give examples of some of the upcoming events in the remainder of this week. You can walk with an ecologist in the Wanniassa Hills to learn more about tree species and the benefits that trees provide. You can undertake tai chi in nature—a beautiful opportunity to exercise mindfulness within a natural setting. You can do some walks around the arboretum, which is a fantastic facility, with so many different species of trees. You can learn from one of the arboretum's experts about what they have.

There is also a "forest resonance", which is an opportunity to immerse yourself in the soundscape that is a natural forest. It is a beautiful opportunity, again, to exercise mindfulness in nature, which is so important for mental health. You can learn more about the eucalypts of the Southern Tablelands or go through some of Westbourne Woods.

There are many opportunities here for Canberrans to get out and enjoy the trees and the many benefits they provide to our local community, and to connect with neighbours and environmental groups.

Discussion concluded.

Adjournment

Motion (by **Ms Stephen-Smith**) proposed:

> That the Assembly do now adjourn.

Food insecurity

MISS NUTTALL (Brindabella) (5.02): I rise today to speak about the food insecurity crisis that Canberrans are facing. We talk about rising costs and cost-of-living pressures, to the point that I think they sometimes almost lose their meaning. I do not think this language quite captures the reality that people are facing.

OzHarvest has released their *Frontline report 2026*, and their findings are damning. They call the food insecurity crisis the "canary in the coalmine". Nationally, there has been a 70 per cent increase in people seeking food relief and, within that, 36 per cent are seeking relief for the first time.

OzHarvest has found that children and young people are disproportionately affected. Dual-parent and single-parent families make up the majority of those seeking food relief, and 26 per cent of services are delivering food relief solely to children and young people.

There is an emerging cohort of people experiencing food insecurity that have not sought food relief until now. Particularly in America, this cohort is being referred to as the "working poor". Food relief services are reporting that more households with some level of employment are facing food insecurity and are actively seeking food relief services.

The *Frontline report* tells us that households are being forced to choose between eating and paying for their utilities, rent or mortgage. Parents are also frequently choosing to feed their children before feeding themselves. The OzHarvest report also tells us that grocery bills and housing costs are the primary reasons for households seeking food relief. We have seen the rise in housing costs, energy costs, healthcare costs and weekly grocery bills. Household budgets are being strained in all directions. As a result, families are dedicating less resources to food, which is still at the bottom of that pyramid of needs.

This is not just about the cost-of-living pressures anymore. People are struggling to survive. More than ever, Canberrans are relying on the limited supply of food relief services operating in the ACT. Food relief is designed as an emergency safety net, accessible to those in immediate need of food. But OzHarvest reports that, with the current funding, the food relief sector can only meet 31 per cent of demand. When the safety net fails, what can people actually rely on?

I have quoted ACTCOSS's *State of the ACT community sector report 2025* a few times in this place. It called for major government intervention for a sector that is well beyond

strained. Since then, just when we thought things could not get any worse, Trump and Netanyahu launched an illegal war on Iran and the Middle East, and now we are in a fuel crisis. If the sector was not struggling before, it certainly is now.

OzHarvest has stated that, since the disruption to the fuel supply, services have reported a 31 per cent increase in demand, on average. Locally, I have been hearing similar sentiments from people who work in the sector. People are now forced to consider whether it is too expensive to travel to receive food relief. If that is the case, we are really worried that government will read this as a decrease in demand, solely because people are not able to afford to access support.

All of this shows the need for government to be bold and act with urgency for the sake of the community. Tinkering around the edges of policies, or a small uplift in one area while a chunk of core funding runs out in another, just will not cut it. We are still waiting for the ACT government to prioritise the community sector and those households in need through the motion that I brought to this Assembly back in March.

We saw government's ability for swift and bold action during COVID. Low income households and the community sector that supported them were really grateful for that kind of support. We know that government possesses the capacity to provide that kind of support again.

The sentiment from frontline food relief services is extremely similar. There is an overwhelming feeling of uncertainty, and questions are circulating around how long these services can withstand the demand. How long should they prepare for, and how long can they take the current burden?

We need government to step up, just like they did during COVID, and work to close the widening gap between the haves and have-nots. They can do this by engaging with our food relief providers and the broader community sector to understand the gaps and fund them to meet the need that is in front of them.

Public transport—fare relief

MR CAIN (Ginninderra) (5.06): Yesterday, in question time, in response to a question without notice from Mr Werner-Gibbings, Minister Steel stood in this Assembly and talked about cost-of-living pressures, rising fuel prices and the need to support Canberra households. Indeed, in somewhat unfortunate timing for the minister, just as he was speaking, local Canberrans were being hit yet again with another interest rate rise, on top of inflation figures announced late last week by his federal colleagues, and surging fuel prices, which have once again skyrocketed in the last few weeks. All of this is happening against a backdrop of Canberra-based federal Labor minister and former friend of this chamber Senator Gallagher personally backing efficiency dividends and public service redundancies that will hit households across our city.

For many Canberra families, things are not getting easier; they are getting harder under a federal Labor government and a local Labor government. That is exactly why Canberrans are frustrated, when practical cost-of-living relief, like cheaper public transport fares, is dismissed with scare campaigns instead of evidence.

Yesterday, as I touched on, Minister Steel said the government wants to make public transport "more accessible, reliable and convenient". He talked about encouraging greater use of affordable public transport, boosting capacity, improving reliability, reducing costs, more buses, improved services, more frequent services and new public transport infrastructure. Those were quotes from different parts of his response.

In March, the Canberra Liberals, led by Mr Parton, proposed a simple cost-of-living measure—50c fares to help Canberrans deal with rising costs. Canberrans are telling us it would help, families are under pressure, and every dollar matters. In response, Minister Steel, just weeks ago, tried to kill 50c fares by claiming buses would be "completely full around the clock". That is a rather extreme statement, in my view. At the time I thought, "Wow, that's a big call from the Minister for Transport."

Yesterday, the minister described a transport network that can be managed, improved and expanded over time, but when Canberrans ask for cheaper fares during a cost-of-living crisis, suddenly the story becomes one of system collapse and fear. That is what the minister said last month. When the minister says that the buses will be "completely full around the clock", we ask a simple question: where is the evidence?

Question on notice 1057, which I asked, was answered in late April. I went looking for answers, and what came back was very revealing. Again, I refer members to question on notice 1057. There is no network-wide capacity figure. There is no peak utilisation figure. Ticketing data cannot reliably show when buses are full or where full buses are. There is no modelling of cheaper fares at a route or service level, yet the minister could confidently say, "No, we can't agree to lower fares because all the buses will be full." He has no way of ascertaining the capacity of buses, even as we speak now. There is no way of ascertaining the capacity of our bus network.

Why would he say something as confronting as that? "We cannot have lower fares; our network will be full". Why would he say such a thing? The answer I got back from Minister Steel to question on notice 1057 was, "We actually can't tell what the capacity of the network is." I think there is a contradiction there.

Mr Speaker, in 2026, in a modern, digital and interconnected transport system, you would think that Canberrans can know, and the government should know, when our buses are full, which buses are full and where the pressure is. This throwaway line from the minister clearly is not supported by evidence and he should retract it.

Dr Maxine Cooper—retirement

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) (5.11): I wish to take a moment this evening to acknowledge and thank Dr Maxine Cooper for her outstanding service to the ACT, particularly in her role as Commissioner for Sustainability and the Environment, and as Chair of the ACT and Region Catchment Management Coordination Group.

Dr Cooper has recently returned to the role of Commissioner for Sustainability and the Environment, taking on a 12-month stint following the end of the term of the previous

commissioner, who finished up last year. I would like to thank Dr Cooper for stepping in and coming back to a role in which I think she has been very happy to find herself for a year, and her stewardship of that role in the time that she has been holding the fort, while we appoint a new Commissioner for Sustainability and the Environment who will be taking over that role.

Dr Cooper has done quite a bit of work behind the scenes in that role, getting things ready for the next *State of the environment report*, undertaking a range of investigations referred from the community, working very diligently and doing quite a bit of work on behalf of the community and the environment.

Beyond that particular role, Dr Cooper has served for 6½ years as Chair of the ACT and Region Catchment Management Coordination Group. In that role she has been a tireless advocate for the health of the Murrumbidgee River and for stronger cross-border collaboration on water and catchment management. Her leadership helped to secure Australian government funding to improve the health of the upper Murrumbidgee and generated momentum that contributed to the review of the Snowy Water Inquiry Outcomes Implementation Deed, a once-in-a-generation opportunity to restore the natural flows and a healthier river system.

Throughout, she has consistently sought collaborative solutions, working constructively with governments, agencies, communities and stakeholders. Dr Cooper leaves a strong legacy, including the development of a regional catchment guideline that will support coordinated planning and care for many years to come. Her ability to bring together diverse perspectives while keeping a clear focus on shared outcomes has been of immense benefit to a region in a policy area that is notoriously tricky and contested.

On behalf of myself and all of my colleagues, and everyone who has worked with Dr Cooper in these roles, as we adjourn today, I would like to place on the record my sincere thanks to Dr Maxine Cooper for her dedication, leadership and service to the people of Canberra and the environment of Canberra, as she finishes up in both roles. As anyone who knows Max will know, she will certainly be finding at least 100 or 200 other things to keep herself busy, in all of her new free time.

Tuggeranong—community sports organisations

MR WERNER-GIBBINGS (Brindabella) (5.14): Germane to recent conversations we have been having in the Speaker's committee, when does a communication device become a prop? I will not seek to table my phone, Mr Speaker; but, for the benefit of *Hansard*, Mr Werner-Gibbings is showing his phone to the Assembly, and what it shows on the screen is tomorrow's forecast, and it says it will be eight degrees tomorrow.

That means two things. For me, as a self-diagnosed sufferer of seasonal affective disorder, I will need a very big and warm jacket on the way to work tomorrow. The other is that summer and summer-adjacent sports have absolutely well and truly finished for 2026. On that note, I would like to applaud, congratulate and thank all the Tuggeranong community summer sports organisations, who put a huge amount of effort into making community sports safe, accessible and fun, primarily for the youngsters

and kiddies who they are looking after but also for some adults. It is a really important part of our community and our summer.

From the Werner-Gibbings' perspective, I will give a particular thanks and congratulations to the Calwell Flames Little Athletics Club, the south-side Spartans Basketball Club, Vikings Water Polo, and Tuggeranong Valley Junior Cricket Club. I acknowledge and thank Bruce Trewartha from that club, who has been a pillar there, probably since before he did the first of his 16 stints as president of the club, which began in the 1980s, and he is still there delivering the Master Blasters and the Junior Blasters cricket programs. As far as sports go, there is not a lot that beats going to Chisholm oval on a Friday evening and watching youngsters run around, hit a ball, laugh and chase for an hour or two. It can be very pleasant. Thank you, Bruce.

I also acknowledge the Chisholm Pines Tennis Club and the Canberra School of Tennis for the work they do on the tennis program, and the Erindale Leisure Centre Swim School. Thank you, everyone.

Now that winter sports have well and truly begun, I thank the Aussie Rules clubs, the Rugby League clubs and the soccer clubs. The trampoline clubs are beginning to put together their winter programs for 2026. It is as valuable—perhaps even more valuable—to have somewhere to go to run around, even if it is going to be very cold. But there is more pressure when you are part of a team or when you have somewhere to go, as opposed to just going outside.

I thank the Tuggeranong United Football Club, the south-side Spartans Basketball, again, Vikings Water Polo, Chisholm Pines Tennis Club, the Canberra School of Tennis, the Erindale Leisure Centre Swim School, Aqua Harmony Swim School in Kambah, the south-side Canberra Athletics Club, which is again putting on its very cheap cross-country program every Sunday afternoon at Fadden Pines, and the Tuggeranong Valley Australian Football Club's Masters team, which I hope gets well and truly beaten by the mighty Weston Creek Wildcats Masters Aussie Rules team in the last game of the season.

Thank you to all those clubs, thank you to the people and the volunteers who do such a huge amount of work, and good luck for the season.

Australian Dance Week

MS TOUGH (Brindabella) (5.18): I rise this evening to reflect on Australian Dance Week, which is currently being celebrated here in Canberra, and to acknowledge the significant contribution dance continues to make to our community, our cultural life and our wellbeing. Last week, I was fortunate to attend the launch of Ausdance ACT's 44th Australian Dance Week on the International Day of Dance, an event that once again highlighted Canberra's unique place in the national dance landscape. It was a reminder that Australian Dance Week began here in our city in 1982, originally as a series of lunchtime performances before growing into what is now a nationwide celebration embraced by every state and territory, although we remain the only place where it is an entire week of events happening every single day across the territory.

It was a fantastic event atop Mount Ainslie with a fabulous performance by Liz Lea and

her Diamonds of Dance Week in the most fabulous sparkling costume. If you have not seen pictures of it on their socials or in *Canberra Weekly*, you must see it. It was the most dazzling, sparkling outfit, with the sun shining on Mount Ainslie, and just incredible. She even threw in the Macarena to part of her dance in reference of my inability to dance but knowing how to do the Nutbush and the Macarena. Thank you, Liz Lea, for such an incredible performance.

International Dance Day is observed globally and established by the Dance Committee of the International Theatre Institute, UNESCO's main performing arts partner. It is celebrated on the birthday of Jean-Georges Noverre, the creator of modern ballet, underscoring dance's enduring role in cultural expression across centuries and continents. Canberra continues to lead nationally in this space. We remain the only city in Australia to deliver a full week-long program for Australian Dance Week, and we consistently host the largest offering of events in the country. This speaks not only to the strength of our creative sector but also to the strong community appetite for participation in the arts.

With one in three Australians engaging in dance as their preferred form of recreation, Australian Dance Week plays an important role in promoting dance as a vital activity for physical health, mental wellbeing, creativity and social connection. Dance is accessible, inclusive and deeply human. It offers opportunities for people of all ages and abilities to move, to express themselves and to belong. The ACT is fortunate to be home to more than 230 dance studios, schools and community dance groups operating across Canberra and the surrounding region. These organisations contribute far more than performances; they provide training pathways, foster confidence in young people, support lifelong participation in movement and build strong local networks that connect families, schools and communities.

This year's program delivered by Ausdance ACT once again reflected the diversity and vibrancy of dance in our region. Events included hip-hop and street performance, folk dance, dance theatre, dance fitness, toddler workshops at the Tuggeranong Arts Centre and a high school dance competition. Importantly, many of these events were free and open to the public, reinforcing the principle that dance should be something everyone can experience not just something to be watched from afar. I would like to acknowledge the outstanding work of Ausdance ACT, whose leadership and coordination make Australian Dance Week possible year after year. Their commitment ensures that dance remains visible, valued and accessible within our city. I also acknowledge the dancers, teachers, choreographers, volunteers and families who contribute their time, energy and passion to the sector.

Australian Dance Week is, at its heart, a celebration of movement and creativity but also a reflection on Canberra's values—inclusion, participation and community connection. It encourages people to try something new, to engage in the arts in everyday spaces and to see creativity as part of daily life. Last week's celebrations were a reminder that dance is not a niche activity. It is part of how people in our community stay well, stay connected and tell their stories. Australian Dance Week provided an opportunity to recognise its contribution and to celebrate the many people who make it possible. I also want to acknowledge that Mr Cain was also at the launch last week. I commend Australian Dance Week and Ausdance ACT to the Assembly and look forward to seeing this important cultural celebration continue to grow in the years

ahead—so more and more people can hear my story about how my only dance experience is Junior Rock Eisteddfod.

Macquarie—swimming pool

MS CLAY (Ginninderra) (5.23): On 24 April, Access Canberra announced that it was not taking any further regulatory action against the owners of the Big Splash site and that it would not terminate the lease. The community are devastated. Many have lost confidence that the government have done all they can to ensure compliance. I asked the planning minister why Access Canberra did not terminate the lease. He said Access Canberra had considered actions taken by the owners to clean up the site and repair pool infrastructure. He also said they had committed to reopen the pool by 1 November 2026. This is not much comfort. The Big Splash owners made the same commitment to reopen the pool last year and the year before too. I have at least got a commitment that Access Canberra will be providing further information on the City and Environment Directorate website by 8 May as to why they did not terminate the lease.

I asked if Access Canberra had ever issued fines for breach of the Crown lease? The minister said, no, he did not think so and that he will get back to me to explain why. My colleague Andrew Braddock asked if the government had considered buying back the site and the Minister said they have not ruled out anything but they want to get the pool open again as soon as possible, and they think working with the current owners is the quickest way to do that. The minister said that Access Canberra will stay active on enforcement and that he is reviewing enforcement and compliance powers at the moment to improve them. But he cannot tell us why the current powers, that have not even been used, fall short, and he does not yet have terms of reference for the review. I asked if Access Canberra had provided information to Minister Berry and Minister Cheyne about their actions and reasons for their decision. A lot of community members are concerned that they have heard Yvette Berry and Tara Cheyne give the impression that Big Splash would come back or that the government was more supportive than recent actions indicate. The minister said that, yes, all of cabinet was briefed, including Ministers Berry and Cheyne.

I am lodging more questions about whether the government will make Big Splash pay their overdue taxes, whether the government will charge the full lease variation charge if the owners redevelop and whether the government will put that money into a waterpark elsewhere if Big Splash does redevelop. I am also lodging an FOI so the community can see Access Canberra's advice. For Friends of Big Splash, for the 7,500 people who signed our community petition, for every Canberran following the rise and fall of another public pool in our suburbs, I will keep at it. There may yet be a constructive pathway through to get a waterpark for Belconnen and for Canberra. I will certainly. Either way, we need transparency over how the government is making these decisions.

International Day of the Midwife

MS STEPHEN-SMITH (Kurrajong—Minister for Health, Minister for Mental Health, Minister for Finance and Minister for the Public Service) (5.26): Yesterday was International Day of the Midwife, celebrated each year on 5 May, marking the start of Nurses and Midwives Week. I would like to start today by saying thank you to all the

incredible midwives in the ACT and surrounding region. Across the entire perinatal journey, including pregnancy, birth and postnatal stages, midwives play an essential role for many women, birthing people and their families. We think of midwives' work in terms of pregnancy and birthing but they also hold expertise in pre-conception, sexual and reproductive health, as well as maternal and child/newborn care and support. Our midwives are highly valued, and we are committed to supporting them to provide the best care possible.

Through the ACT government's Maternity in Focus strategy, we are progressing the work of a birthing with country model for Aboriginal and Torres Strait Islander women and birthing people—and I acknowledge Ms Clay's earlier statement about Karel Williams's remarkable contribution in this space, which I will come back to; we have published the Maternity Experience Survey Dashboard, which shows the survey results and highlights the overall high consumer satisfaction rates with public maternity services; and we are improving access and equity in the midwifery-led continuity of care model. We have also introduced midwife to patient ratios in our public hospitals to support safer workloads, and we were the first jurisdiction in the country to count babies in the calculation of these ratios.

Last night, like Ms Clay, I had the pleasure of attending the Australian College of Midwives ACT Branch annual oration and International Day of the Midwife Celebration. Held at the East Hotel in Kingston, we joined about 50 midwives and their colleagues and allies from across the ACT, including executives from Canberra Health Services and the Health and Community Services Directorate. Also in attendance was Dr Sim Hom Tam, ACT chair of the Royal Australian and New Zealand College of Obstetricians and Gynaecologists. It is good to see those professions continuing to work together. It was a wonderful opportunity to recognise the critical role of midwives across our healthcare workforce.

We were all privileged to hear a powerful and entertaining oration from Alix Dornbusch, an early career midwife who works at Canberra Hospital. Alix is currently doing her honour's year at the University of Canberra with support from our nursing research partnership SYNERGY while working full-time. She shared some powerful insights from her research into workforce retention for early career midwives. Alix is a midwifery leader despite being early in this new career. She has a passion for the profession—or "calling", as she described it—and I look forward to seeing where Alix's career takes her. The insights she shared are consistent with the work being undertaken through Maternity in Focus, which clearly supports midwives working in models of care that are evidence-based and best practice, as well as supporting the wellbeing of our midwives.

As Ms Clay talked about earlier, it was fabulous to see the Rhodanthe Lipsett Award presented to Karel Williams. This award recognises excellence in midwifery. Rhodanthe Lipsett is a legendary Australian midwife and world-famous author of *Baby care: Nurturing your baby, your way*. Nationally, the Rhodanthe Lipsett Indigenous Midwifery Charitable Fund provides a number of scholarships each year to support and encourage Aboriginal and Torres Strait Islander people to undertake their midwifery education and expand their skills and confidence in caring for First Nations mothers and their infants. So it was particularly meaningful to see this year's award going to Karel. Ms Clay has spoken in more detail on this, but our community is incredibly

fortunate to have Karel as a local midwifery leader.

Of all that Karel has undertaken and achieved, her research and work on co-designing the birthing with country model of care is groundbreaking. It is not only an extension of her broader work improving culturally safe maternity care but also a new way of thinking about birthing on country that is especially relevant in a place like Canberra, where many First Nations people are off their traditional country but can still be connected to community and culture and the land and country. To Karel: absolutely, congratulations. It is incredible to have you working in our community. To all of our amazing midwives: we celebrate what you do every day, caring for parents at one of the most vulnerable times of their lives, not to mention holding and nurturing the next generation in your hands. Thank you.

Question resolved in the affirmative.

The Assembly adjourned at 5.31 pm.

Schedule of amendment

Schedule 1

Juries (Peremptory Challenges) Amendment Bill 2025

Amendment moved by the Attorney-General

1

Clause 2
Page 2, line 4—

omit

6 months after its notification day

substitute

on the day after its notification day

Standing Order 118AA—answer to a question without notice
Government procurement

Mr Pettersson (in reply to a question by Mrs Morris on 6 May 2026):

The response to the Speaker's determination is as follows:

The Secure Local Jobs Code Advisory council is an advisory body and does not have a role in determining the compliance of entities with the Code or whether an entity should be certified. The Secure Local Jobs Code Registrar is responsible for the operation of the code. The Audit Guideline and Complaints and Noncompliance Investigation Guideline outline the requirements for certifying entities and to monitor compliance with the Code.