



Debates

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TENTH ASSEMBLY

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Tuesday, 25 June 2024

MADAM SPEAKER (Ms Burch) (10.00): Members:

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

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

This is Ngunnawal Country.
Today we are gathering on Ngunnawal Country.
We always pay respect to Elders, female and male, and Ngunnawal Country.

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

Legislative Assembly—unparliamentary language Ruling by Speaker

MADAM SPEAKER (Ms Burch) (10.01): Members, before I call the clerk, I draw your attention to last week and that I took some matters that I would consider.

During the debate on 6 June 2024, on a motion moved by Ms Lee on tax reform and housing affordability, Ms Lee spoke and closed debate. In her closing remarks, Ms Lee stated:

If you want to take those as insults, compare that to the bulk of Mr Barr’s contribution: using the “same old Canberra Liberals” argument—once again, reducing me to nothing while they are comparing me to middle-age white men in my party; saying “She can throw mud but cannot even sit still for 10 minutes.” How condescending and what a misogynistic statement. Mr Rattenbury is utterly complicit. Can you imagine Mr Rattenbury aiding and abetting this if it were thrown at any other woman of colour that was not a member of the Canberra Liberals? Can you imagine? I will call this out, because it is not right. It is very poor for the Chief Minister and the Leader of the Greens, who are in government in this place, to be throwing those types of personal insults.

Subsequently, Mr Barr took a point of order in which he alleged that the Leader of the Opposition had accused him of being misogynistic, which he considered was unparliamentary and offensive, and asked that Ms Lee withdraw it.

On another point of order, Ms Lee noted that she had specifically referred to a statement of Mr Barr’s as being misogynistic. She pointed to a ruling I had made earlier in the week when Mr Barr had used the term “moronic” in relation to the premise of a question that had been asked by Ms Lee in question time. On that matter, Ms Lee had raised a point of order seeking a decision as to whether the language was unparliamentary. In response, Mr Rattenbury had risen to suggest, in effect, that there was a material difference between describing the nature of a question versus describing a member as being moronic.

At the time I noted that:

I must admit that the word slipped through. We will let it stand, but can I just remind people that we should have respect and regard and not have words that can be offensive to members across the chamber.

On reflection, and having considered the underlying principles in more detail, I consider that the use of the terms “moronic” and “misogynistic” are unparliamentary and, in the same way that it is disorderly for a member to remark that another member’s statement is a lie, I consider the use of these terms to describe a statement made or proposition put by another member to be similarly disorderly. Such expressions amount to a characterisation of the conduct of a member and are, by implication, capable of being regarded as a reflection on the member themselves.

Standing orders are clear that a member may not use offensive language against another member and that imputations of improper motives or personal reflections are highly disorderly. I draw members attention to guidance offered in the 23rd edition of *Erskine May*, and that being:

Good temper and moderation are the characteristics of parliamentary language. Parliamentary language is never more desirable than when a Member is canvassing the opinions and conduct of their opponents in debate.

That is something to reflect on, members. Against this background, and in the interests of upholding the dignity of this place, I will ask that the Chief Minister and the Leader of the Opposition withdraw the terms “misogynistic” and “moronic”. I note that neither of them is in the chamber. They are both aware of this statement and they have assured me that when they come into the chamber that they will withdraw. Thank you, members.

Petitions

The following petitions were lodged for presentation:

Roads—Red Hill and Narrabundah—petition 11-24

By Mr Cocks, from 134 residents:

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, That every morning and every afternoon traffic is banked back along Dalrymple Street all the way from the intersection of Hindmarsh Drive to towards La Perouse Street. That local schools in the area both public and independent have increased in number and without dedicated school buses this has increased traffic along this street. That development and infill around the Red Hill shops has increased the daily traffic along this exit. That when future stages of the development behind Red Hill Shops settle this issue will only become worse.

That the street is busiest at the exact time that school children are walking to and from school each morning and afternoon. That the delays along Dalrymple Street push cars onto other local residential streets. That Dalrymple Street south of Goyder Street is wide and is lined by unleased land on either side. That duplicating this short stretch of road, in just the southbound direction would be the most cost effective way to alleviate traffic congestion in this area.

Your petitioners, therefore, request the Assembly to call on the ACT Government to investigate the duplication of Dalrymple Street between Goyder Street and Hindmarsh Drive in the southbound direction, allowing a greater number of cars to pass through the intersection at each light change.

Gordon—playing fields—petitions 14-24 and 25-24

By **Mr Parton**, from 135 and 20 residents:

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 that an arson attack caused significant damage to the facilities at the Gordon Playing Fields in 2022. Since the fire, the facilities have sat, waiting for either repair or demolition. Currently, various sporting codes use the playing fields at Gordon with temporary facilities, with the existing, damaged, structure still standing. The various sporting codes have been using these facilities since 2023 but have not been provided with a clear timeline of what is happening to restore a permanent structure at the playing fields.

Your petitioners, therefore, request the Assembly to call on the ACT Government to expedite the provision of permanent facilities at Gordon Playing Fields either through the restoration of the damaged facility or the construction of a new facility and to commit to and communicate to stakeholders a firm timeline for this project.

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

Ministerial responses

The following responses to petitions have been lodged:

Taxation—general practice clinics—petition 24-23

By **Mr Barr**, Treasurer, dated 14 June, in response to a petition lodged by Ms Lee on 19 March 2024 concerning the objection to general practitioners payroll tax.

The response read as follows:

Dear Mr Duncan

Thank you for your letter of 19 March 2024 regarding Petition 024-23 lodged in the ACT Legislative Assembly on 19 March 2024.

My response to the petition is attached.

Response to petition E-PET-024-23 Stop the ACT Government's GP Tax

The ACT Government has not introduced a new tax on medical practice businesses or made any decisions which applied payroll tax to medical practices. The contractor provisions are a long-standing feature of the payroll tax laws and there have been no recent changes to these provisions or any reinterpretation of payroll tax legislation.

Medical practices are treated the same way as any other business operating in the ACT for payroll tax purposes. There is no "GP tax". Unless a specific exemption applies, payroll tax applies equally to all non-government businesses and industries in the ACT. This is an essential pillar in ensuring equality in tax system design. Providing a payroll tax exemption for general practitioners would inevitably lead to calls from other occupations for similar exemptions.

The ACT has the highest payroll tax-free threshold in Australia at \$2 million per annum. This means most small and medium-sized businesses, including most GP medical centres, fall below this threshold and are not liable for any payroll tax. Payroll tax in the ACT is focused on large national and multinational corporations and provides revenue to fund essential services for the Canberra community.

While there have been no changes to the law, the Government has acknowledged a previous lack of awareness of the application of the payroll tax laws among medical practices. Significant concessions have been provided to medical practice businesses which are not available to any other businesses. Payroll tax liabilities until 30 June 2023 for medical practices that have not previously paid payroll tax on GP payments have been waived – this ensures medical practice businesses are not subject to retrospective assessments. Additionally, medical practices which bulk bill at least 65 per cent of non-referred GP attendances are able to apply for a further two year payroll tax exemption on payments to GPs.

The Government recognises the vital role that general practice plays in our community's well-being. By assisting medical practice businesses that are supporting the community with significant levels of bulk billing, the ACT Government is seeking to enhance access to fully subsidised primary healthcare. We remain committed to accessible and affordable healthcare for all Canberrans and better integrating care across all parts of the health system.

Schools—Telopea Park—petition 4-24

By **Ms Berry**, Minister for Education and Youth Affairs, dated 17 June 2024, in response to a petition lodged by Ms Lee on 19 March 2024 concerning Telopea Park School timetable changes.

The response read as follows:

Dear Mr Duncan

Thank you for your letter dated 19 March 2024 regarding petition E-Pet-004-24 - *Reverse Telopea Park School Timetable Changes* (the Petition). I am writing to provide the Government Response to the Petition.

Teloepa Park School changed its timetable for 2024 to better allocate resources within the junior and senior schools to enable the school to meet new obligations under the updated *ACT Teaching Staff Enterprise Agreement 2023-2026*, while also responding to school community concerns. These obligations are outlined in the Frequently Asked Questions document which was sent to all parents/carers.

Substantial consultation with staff regarding a proposed timetable change commenced in April 2023. Consultation included:

- surveying staff regarding potential timetable changes;
- analysing and sharing data with staff;
- developing potential new timetable models based on information from staff, including risk; mitigation; and
- senior leadership consideration of potential models.

Once staff, including the school leadership, agreed on a preferred model the proposal was presented to parents and carers. Their feedback was sought with the school receiving 179 responses. These responses were analysed, and changes were made based on this feedback.

Under the previous timetable in 2023, Teloepa Park School students were already combined during break times for just over two hours a week. The current timetable used in 2024 means students are allowed to access their allocated play spaces during break times. Staff are available to support students where needed. Supervision protocols have been increased as follows:

- teachers are assigned to specific areas/zones within the primary and secondary areas;
- secondary areas/zones have an additional ‘Rover’ (Executive Teacher) to coordinate the teachers on duty in the various areas the secondary students use;
- all teachers wear high visibility vests (for easy identification and location); and
- all teachers carry Walkie Talkies, set to a K-10 common channel, to access appropriate assistance if required.

A Risk Assessment is also available on the school’s website.

I trust this information provides the petitioners with assurance their concerns are understood and have been acknowledged by the ACT Government.

Animals—snakes—petition 5-24

By **Ms Vassarotti**, Minister for Environment, Parks and Land Management, dated 18 June 2024, in response to a petition lodged by Dr Paterson on 19 March 2024 concerning snake licensing, catching and education in the ACT.

The response read as follows:

Dear Mr Duncan

Thank you for your letter about of 19 March 2024 about e-petition E-PET 005-24 that was lodged by Dr Marisa Paterson MLA with the Assembly on 19 March 2024. Pursuant to Standing Order No. 100 of the ACT Legislative Assembly.

I am pleased to provide you with this reply to address the subject of the petition.

In the ACT we have chosen to safeguard the ACT's unique biodiversity, protect public safety and adopt responsible practices that prioritise the wellbeing of both people and wildlife.

This includes supporting measures to conserve native venomous snakes in their natural environments, promoting public education about the importance of coexistence with wildlife, and implementing regulations to manage the keeping of native animals in captivity while minimising negative animal welfare impacts.

The ACT has some of the most progressive animal welfare legislation in Australia. For example, prohibiting greyhound racing, banning circuses that exhibit certain exotic animals and being the first to recognise sentience in animals. Codes of Practice under the Animal Welfare Act are endorsed by the Animal Welfare Advisory Committee, a statutory body under that Act. This committee includes members independent of government who are involved in research and teaching in the field of animal sciences, part of a native wildlife organisation, and finally a veterinarian.

The ACT has several pieces of legislation that ensures the preservation of ACT's wildlife for future generations and aims to foster a sustainable and harmonious relationship with its native species, including snakes. This legislation includes the:

- a. *Nature Conservation Act 2014* (NC Act)
- b. *Animal Welfare Act 2005* (AW Act)
- c. Nature Conservation (Licensing of Non-Exempt Animals) Conservator Guidelines 2021
- d. Animal Welfare (Private Keeping of Native Reptiles) Mandatory Code of Practice 2023
- e. Animal Welfare (Welfare of Native Wildlife – Rescue, Rehabilitation and Release) Mandatory Code of Practice 2022.

The Nature Conservation Act is designed to protect and preserve the ACT's native wildlife and natural habitats. All native animals in the ACT are protected under this Act. Currently, it is an offence to kill, injure, endanger, or take from the wild, such animals without lawful approval. Non-exempt animals, including most native animals, must not be kept in captivity without lawful approval.

The policy that governs the keeping of snakes in the ACT is the *Nature Conservation (Licensing of Non-Exempt Animals) Conservator Guidelines 2021*. These guidelines provide information on keeping of native wildlife for the purposes of private keeping, rehabilitation, and public display. This document is a notifiable instrument under the *Nature Conservation Act 2014* and has been endorsed by an independent scientific committee. Any change to the licensing arrangements of snakes is a statutory matter for the Conservator under the Act.

The Conservator's guidelines stipulate that a licence must be obtained to keep non-exempt wildlife for public display, and such a licence will only be issued to an incorporated association which demonstrates they possess the appropriate facilities, skills, knowledge, and experience to provide care and safe handling of venomous snakes.

In addition, such an association is expected to monitor member compliance with standards, and the ongoing competency of their careers, thus helping to ensure high standards of animal welfare and best practice.

The government has engaged thoroughly with expert interest groups such as the ACT Herpetological Association, ACT Wildlife, RSPCA, Canberra Reptile Zoo, Canberra veterinary practices known to treat reptiles, the snake catcher/handler community and inter jurisdictional colleagues such as Department of Energy, Environment and Climate Action, Victorian Government and the Northern Territory Government.

The key outcomes of this engagement is:

- a) There is not a consensus view that snake catching/handling should be a government service and responses seem to indicate that it may not be an economical business model.
- b) There was strong support for licences to only be supplied (if at all) to competent and trained catchers/handlers, but also that no such accreditation system exists in the ACT of other jurisdictions.
- c) There was strong support for more education on learning to live with snakes.

The keeping of venomous snakes is currently prohibited in the ACT, except by zoos that hold existing licences. These establishments may be permitted to keep such snakes for the purposes of public display if they provide evidence that the snakes have been sourced from captive-bred populations and they have the appropriate facilities to store these animals humanely.

The Conservator is finalising amendments to the Licensing Guidelines which will allow the Conservator to consider agreeing on a case by case basis for snake catchers to provide care beyond the existing 48 hours provisions based on veterinarian advice, the snake catcher having safe and suitable enclosures to manage and house the injured snake for the prescribed time; and the snake being returned to the wild as soon as the care is completed.

The amendments to the Guidelines are also proposing to remove the current restriction on interstate licence holders being able to bring venomous snakes into the ACT for the purpose of training and educational displays.

The Conservator will also be considering the ongoing appropriateness of permitting licenced snake catchers to apply for a licence import venomous snakes for training purposes. There may be other more suitable and humane options available.

ACT Parks and Conservation Services used to remove snakes from public and private premises. This service was greatly reduced when several businesses obtained licences to take and release venomous snakes and indicated they wished to offer this service to the community (presumably as a fee for service option). The ACT Parks and Conservation Service still remove high risk native animals from public land if they demonstrate a risk to public safety. This service was undertaken by rangers who were performing other duties when not engaged in snake catching.

There are currently 5 licences issued to businesses to take and release venomous snakes under the *Nature Conservation Act 2014*, which cover 15 people. The intent

of these licences is to allow the licensee to provide a service to people when there is a snake on private or public land that poses a risk to the occupants or public safety.

The licensees operate on a fee for service basis and set their own prices. This is not dissimilar to other instances where licences are also issued to businesses for the purpose of taking and releasing possums, typically when they have entered the roof space of a premises and need to be removed for hygiene or personal amenity purposes. Similarly, those licensees operate on a fee for service basis, and set their own prices. These services are provided throughout the year.

The need for snake removal services is very seasonal in the ACT, and there is no evidence to support an increased demand for the service. There is no evidence of increased interactions between people and snakes, or that there have been occasions when a resident has been unable to obtain the service to remove a snake which was causing them concern.

The petition also cites the current Northern Territory (NT) arrangements of using a contractor or public servants to provide snake removals and public education in the Katherine, Tennant Creek and Darwin areas.

Consultation with the NT has revealed that their government previously used contractors in the Katherine area from 2005-2020, and in the Darwin area from 2015-2023. However, following a procurement process undertaken in Darwin in 2023, all offers were declined by the NT Government, as it was considered to not be cost effective.

In the ACT, records submitted by the current licenced snake catchers indicate the work is sporadic, with frequent troughs of many days with no callouts, or days where several callouts may be received.

The combined total of callouts from all snake catchers is typically less than 300 calls per year. To meet demand on the days when multiple calls are received, it may be necessary to have several contractors available, however this then increases the numbers of contractors who are not doing anything on the days when no calls are received.

With the seasonal work limitations associated with snake catching in the ACT, and the limited number of interactions between snakes and members of the public, there does not appear to a justified need for the government to resume a snake catching service in anything other than emergency situations.

However, the Conservator is open to extending opportunities to other parties who are offering similar services, such as possum trapping, to undertake snake handling work should they decided to seek an extension to their licencing arrangements.

The government is cognisant of the need to work with community and industry representatives to build community literacy on matters such as the very important role that snakes play in the environment, their habitats and the way that they move through the landscape.

The ACT Government will continue to proactively promote snake awareness to our broader community, particularly those who visit our parks and reserves or who live close to green space in our urban areas where snakes may co-exist. The ACT Government already have a program of signage to alert people in our urban areas that snakes routinely use.

The ACT Government is also pleased to support education programs about snakes in the ACT. In addition to information made available on the environment.act.gov.au website, the government has provided a \$35,000 grant through the ACT Environmental Grants Program to facilitate research and develop “living with snakes” information products to help Canberrans become familiar with snakes, and to normalise the presence of snakes in the urban environment.

Whilst the Conservator and the government does not see a need for changes to current licence conditions of current snake handlers, or the need for the government to resume snake handling work, there does appear to be consensus on the need for nuanced education programs.

In this respect I have requested the Conservator and officials to further explore with relevant stakeholders, opportunities for more targeted education programs about how to live with snakes. This is a more effective and harmonious solution than removing snakes from the natural environment.

Coombs—Ruth Park playground—petition 1-24

By **Ms Cheyne**, Minister for City Services, dated 18 June 2024, in response to a petition lodged by Dr Paterson on 19 March 2024 concerning toilet facilities at Ruth Park playground in Coombs.

The response read as follows:

Dear Mr Duncan

Thank you for your letter regarding petition 001-24, lodged by Dr Marisa Paterson MLA, regarding toilet facilities at Ruth Park playground in Coombs.

Transport Canberra and City Services (TCCS) is responsible for the maintenance of public land across Canberra, including 69 public toilets at shops and in urban parks. The ACT Government generally provides public toilets in high use urban open space locations, such as district parks, larger shopping centres and for user hire at sports grounds, where private facilities are not available.

Ruth Park playground in Coombs is classified as a central community park and includes picnic facilities that are intended to support a broad catchment area and encourage visitation for longer periods of time. TCCS advise that the provision of toilet facilities at Ruth Park would be consistent with ACT’s Municipal Infrastructure Standards. As identified through the petition, toilet facilities were not built at the time the park was constructed as a result of consultation with nearby residents.

However, I acknowledge that community views may have shifted during this time and the strong support from the petitioners for the construction of toilet facilities. In recognition of this and the strong advocacy by Dr Paterson on behalf of the petitioners and members of the Molonglo Valley and Weston Creek communities, I am pleased to share that the ACT Government will fund the construction of a new toilet at Ruth Park in the 2024-25 Budget.

The delivery of a new toilet will ensure that all members of the community can visit and enjoy all that Ruth Park has to offer. Delivery timeframes will be subject

to design, utilities works and procurement, but I expect the new toilet will open in the new year. TCCS will engage with the community through the delivery process.

The ACT Government is committed to providing high quality parks, playgrounds and amenities for all Canberrans and will continue to invest in projects that support the growing Molonglo Valley and Weston Creek communities.

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

Motion to take note of petitions

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

That the petitions and responses so lodged be noted.

Gordon—playing fields

MR PARTON (Brindabella) (10.07): I seek leave to present an out-of-order petition on the Gordon District Playing Fields.

Leave granted.

MR PARTON: I present:

Petition which does not conform with the standing orders—Gordon Playing Fields—Provision of permanent facilities—Mr Parton (65 signatures).

The people of Tuggeranong feel that this government has completely forgotten them, and the neglect of the Gordon District Playing Fields sporting pavilion is one of the reasons why. This facility was subject to a fire in 2022. It has not been used since then. The fire, of course, affected the pavilion itself, which has the toilets and canteen facilities. It also has had a major effect on the power supply, which has meant that for long periods of time in the winter the facility could not be used as a training facility. Soon after the blaze, I contacted the relevant minister, as did Ms Lawder, and of course Sport and Recreation were in contact with the two principal clubs that use the facility—the Tuggeranong Valley AFL and the South Tuggeranong Knights Rugby League.

My understanding is that relatively informal advice was given to those clubs indicating that this facility would be either repaired or replaced, either in full or in part, for the start of the current season. Clearly, that is not the case. Indeed, at the start of the current season the structure was in worse shape than it had been at the end of 2023 following another arson attack. The Knights have been forced to relocate to other facilities on the other side of Tharwa Drive, and the AFL crowd have battled on as best they can with temporary facilities. It has fed enormously into this feeling of neglect of the south.

Subsequent to this petition being publicised, I note the government has moved to commence the partial demolition of the building in question, but communities like these in the Lanyon Valley should not have to embarrass the government about matters like these to get action.

I want to thank Deborah Morris, the lead petitioner for this petition who is a community-minded Tuggeranong-based mother, keen to stand up for this part of the electorate. I also want to thank the South Tuggeranong Knights, the Tuggeranong Valley AFL and all of the people who I was able to engage with in this process. I note that, when we collate all numbers, including the out-of-order petition, we have a number that is well over 200. I do hope this government will be in a position to provide you the facilities that you deserve for season 2025.

Roads—Red Hill and Narrabundah—petition 11-24

MR COCKS (Murrumbidgee) (10.10): The daily traffic problems on Dalrymple Street are clear for anyone to see. As the petition that Mr Pentony has brought and I have sponsored states:

... every morning and every afternoon traffic is banked back along Dalrymple Street all the way from the intersection of Hindmarsh Drive to towards La Perouse Street.

Madam Speaker, you can watch this happen. It is a predictable pattern of traffic congestion that is linked to a single intersection which results in long delays for residents and increasing frustration as people sit stuck in traffic. It is not just a matter of convenience; as the petition also points out, there are many more students in schools in the area, many students are walking to school in the area, and it has become a matter of safety.

It is a longstanding issue, and it deserves some attention. It is an increasing issue. As I have engaged around this petition, many people in the area have brought up the issue of the infill that has occurred across Red Hill and the lack of investment in the local infrastructure to deliver a better experience for all of the people who are moving into the area.

This petition quite reasonably asked the government to investigate a solution. It seems to me, on the face of it, to be a reasonable solution, but what is beyond doubt is that something needs to be done to deal with the traffic problems—here with this intersection in Red Hill, across my electorate and across many areas in the south. As we see increasing populations in these areas, we have to make sure we have the infrastructure and services that are going to support them.

Question resolved in the affirmative.

Leave of absence

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

That leave of absence be granted to Mr Braddock for this sitting due to personal reasons.

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

That leave of absence be granted to Mr Hanson for this sitting due to personal reasons.

Scientific Committee—retirement of Distinguished Prof Arthur Georges and Associate Prof Mark Lintermans

Ministerial statement

MS VASSAROTTI (Kurrajong—Minister for the Environment, Parks and Land Management, Minister for Heritage, Minister for Homelessness and Housing Services and Minister for Sustainable Building and Construction) (10.13): I rise to bring to the Assembly's attention the outstanding contribution of two members of the ACT's Scientific Committee who are soon to retire after lengthy and valued service to the ACT. I would like to note that they are here with us today.

The Scientific Committee is a statutory expert advisory committee established under the Nature Conservation Act 2024. The Scientific Committee is responsible for assessing and making recommendations to me on the listing and the conservation of native species and ecological communities that meet the criteria as threatened and require protection, as well as key threatening processes. They also provide high-value scientific opinion and support to me as minister and to the Conservator of Flora and Fauna. I greatly value the advice I receive from the committee on nature conservation in the ACT region and the considerable expertise that members of the committee hold in biology, ecology, conservation science and conservation management.

Four members are resigning from this committee at the end of June, and I would like to make note of the exceptional long-term service of two retiring members in particular.

Distinguished Professor Arthur Georges is retiring after 28 years of continual voluntary service to the ACT government in statutory appointments, as chair of the Scientific Committee and its predecessors. From 1996 to 2007, he served as the chair of the Nature Conservation and Namadgi Subcommittee of the ACT Environmental Advisory Committee. From 2007 to 2015, Professor Georges served as the chair of the ACT Flora and Fauna Committee and, from 2015 to 2024, he served as the chair of the ACT Scientific Committee.

In those roles Professor Georges has provided important and extensive ministerial advice. He has shaped the ACT's conservation priorities and approaches through his contributions to declarations of threatened and endangered species, ecological communities and threatening processes, and the associated policy frameworks and planning under the Nature Conservation Act. Professor Georges' commitment to see a better nature environment in the ACT through scientific understanding is unwavering and he has done so in a calm, professional and qualified manner. The ACT's nature environment is a better place thanks to Professor Georges.

Associate Professor Mark Lintermans is also retiring in July after 12 years of voluntary service on the ACT Scientific Committee. Associate Professor Lintermans has also worked for the ACT government for 24 years and as an adviser for five years, contributing a total of 41 years of service to the ACT government. From 1982 to 1989 he was an aquatic ecologist in the ACT Parks and Conservation Service. From 1990 to 2005 he was Senior Aquatic Ecologist in the Aquatic Ecology Research and Management Program of the Wildlife Research and Monitoring Unit of the ACT government. From 2008 to 2012, he was an adviser on fish to the Conservation Planning

and Research Unit of the ACT government and, from 2012 to 2024, he has served as a member of the ACT Scientific Committee.

In these roles, Associate Professor Lintermans has contributed foundational contributions to the conservation management of freshwater fish and wetland birds in the ACT. He prepared nominations and drafted the original recovery plans for threatened freshwater fish species in the ACT. He has also had substantial input into the drafting of the ACT Aquatic Species and Riparian Zone Conservation Strategy and its revisions in 2017. I sincerely thank Associate Professor Lintermans for his service to the ACT.

The ACT Scientific Committee also farewells Dr Janet Gardner and Ms Penney Wood from the Scientific Committee after three years, and I would like to thank them for their service. Janet has contributed significant advice on climate change considerations and Penney's expertise on the current dingo discussions has been particularly valued.

This Assembly and all Canberrans can be thankful for the value and the high standard of scientific advice from the Scientific Committee. The extensive expertise of these members has been particularly important in informing decisions about the ongoing management of threatened species and ecological communities in the ACT. I wish all retiring members of the ACT Scientific Committee all the very best in their future endeavours. I thank their family members—one of them at least is here—for sharing your loved ones and their expertise.

I present the following paper:

Scientific Committee—Ministerial statement, 25 June 2024.

I move:

That the Assembly take note of the paper.

Question resolved in the affirmative.

MADAM SPEAKER: Congratulations, and thank you for the work that Ms Vassarotti has just outlined for our community.

Environment—Connecting People Connecting Nature initiative Ministerial statement

MS VASSAROTTI (Kurrajong—Minister for the Environment, Parks and Land Management, Minister for Heritage, Minister for Homelessness and Housing Services and Minister for Sustainable Building and Construction) (10.19): I rise to speak about the government's successful delivery of the Connecting Nature Connecting People initiative that is now complete.

Canberra's network of nature reserves, forests and urban green spaces provide important areas of habitat for biodiversity conservation, as well as providing connection with nature and the Ngunnawal culture. As Canberra grows, the combined influences

of habitat loss, fragmentation and climate change pose a serious threat to nature, plant and animal conservation, Ngunnawal cultural practices and the wellbeing of our community. To ensure that Canberra's nature, people and culture can flourish, our urban landscapes need to host biodiverse and resilient green spaces.

The Connecting Nature Connecting People initiative has been designed to address these complex issues. The government funded \$2.98 million in the ACT budget for 2022-23 over two years to deliver a series of projects that support the movement of species through the landscape, enrich and build the resilience of urban biodiversity, enhance our community's connection to nature and help cool our city in a changing climate. Connecting Nature Connecting People is being delivered in partnership with a variety of community groups. In particular, it is working closely with the Ngunnawal community to embrace opportunities to celebrate and preserve Ngunnawal culture and values across projects, policies and interpretive material. This initiative delivered a wide range of fantastic outcomes, some of which I will now detail.

Connecting Nature Connecting People developed the *ACT Biodiversity Sensitive Urban Design Guide* and associated content within the district strategies and the new Territory Plan. This ensures that the need for appropriate consideration of biodiverse natural spaces within our city can be consistently and transparently integrated through new elements of the 2023 ACT planning system, which took effect on 28 November 2023.

The *Biodiversity Sensitive Urban Design Guide* in particular seeks to align environmental outcomes with the planning system. It provides design guidance on how developments can improve biodiversity, ecological connection and human wellbeing outcomes in urban areas through ecologically sensitive design. This design guide communicates the ACT government's intent to deliver best practice, biodiversity sensitive and ecologically sustainable design outcomes across new developments within the ACT. A comprehensive training program on the guide has also been developed and delivered to industry professionals, ACT government staff and the broader community.

Connecting Nature Connecting People developed and launched the ACT Ecological Network Dashboard, which provides an interactive platform for the public to engage with the aspirational ecological network, as presented in the new district strategies. The ecological network seeks to identify areas of urban Canberra which are likely to provide critical habitats and movement corridors for our urban wildlife, to help balance strategic land use decision-making into the future.

The Ecological Network Dashboard also presents a series of mapping layers of potential urban habitat and ecological fragmentation for seven key species groups across the ACT. Collectively, the dashboard provides a suite of evidence-based tools to enhance the robustness of advice to the planning system decision-makers and other key stakeholders. These resources support best practice urban planning, ecologically sensitive development and the prioritisation of ecological restoration sites. The dashboard is a flagship. It is a publicly available resource developed to increase access to information and help government and the community to identify habitat fragmentation and restoration opportunities in the landscape. It allows for a shared vision of our future ecological network which supports connected wildlife habitats and other diverse environmental and social values across urban Canberra.

The implementation of the ecological network vision is supported by the Canberra urban biodiversity surveys, affectionately known as CUBS. CUBS is a program of biodiversity and habitat monitoring surveys which engage citizen scientists to address biodiversity data gaps around nature conservation values in the urban area. CUBS consists of surveys for target fauna groups and habitats within urban areas of the ACT. CUBS provides a representative “snapshot” of existing urban biodiversity values for the first time in Canberra. It spans different ecosystems and conditions, from intact habitats within nature reserves to degraded urban stormwater drains. CUBS validates and ground-truths the Ecological Network Dashboard, helping us to refine associated maps and data. It also inspires and is a catalyst for new collaborations in the field of urban ecological research, enabling future academic contributions to refine and revise current guidelines in accordance with the principles of adaptive management.

The Connecting Nature Connecting People initiative also supported the expansion and improvement of the Canberra Nature Map platform. This has boosted the ability of members of the public to provide accurate data as citizen scientists. In turn, it has built biodiversity and landscape knowledge, which the ACT could not otherwise afford to collect, to further populate urban habitat and connectivity mapping. Canberra Nature Map is an online database that helps our community to explore and document the natural environment in and around Canberra. Connecting Nature Connecting People is supporting the Canberra Nature Map to record local sightings of plants and animals through citizen science. It is a powerful way for individuals to help with scientific research. Citizen science not only speeds up discoveries; it also builds a stronger bond between the public and scientists, making problem-solving and decision-making more inclusive and informed.

As Canberra grows, it is essential to address habitat loss, urbanisation and climate change. These factors pose real threats to native species, cultural preservation and community wellbeing. The Connecting Nature Connecting People initiative is developing a long-term, aspirational vision and landscape plan for Sullivans Creek and its surrounding waterways, wetlands and reserves. The Sullivans Creek re-naturalisation plan envisages creating an ecological corridor through the city that celebrates Ngunnawal culture and enhances our climate resilience. Community consultation on the community vision for the creek opened on 11 October 2023, and closed on 6 December 2023. The listening report was published in February 2024. The draft plan is scheduled to go up on the ACT government Your Say consultation website very soon for consideration by the community.

As part of this project, the ACT government is also working closely with the Ngunnawal community to deliver several specific sites along Sullivans Creek that express Ngunnawal culture as it relates to this waterway. Led by Ngunnawal community input, construction is underway of a dry creek bed that connects the highly modified stream to improve ecological outcomes in the area. Three Ngunnawal cultural nodes will be constructed to culturally active areas along the creek, including intermittent timber structures that mimic the meanders of the creek and provide seating and gathering spaces and watermarks on public paths displaying Ngunnawal language. Lastly, a bridge-to-bridge art project will showcase Ngunnawal artwork to further enrich the cultural values of the landscape.

The initiative has also worked with local community groups to restore and protect 20 urban open space areas that will increase the functionality and connectivity of wildlife habitat and resilience to the impacts of climate change and urbanisation. These projects have enhanced wildlife habitat, improved resilience to the impacts of climate change and urbanisation and enhanced the amenity of our city. These projects have embraced the passion and enthusiasm of our local community to build connections with nature, culture and each other. The 20 sites are within identified habitat corridors of Yarralumla, Ginninderra, Tuggeranong, Sullivans and Jerrabomberra.

The Connecting Nature Connecting People initiative is working with key community groups, including the Ngunnawal community, Landcare ACT, catchment groups and government agencies to deliver on-ground projects and connect people with nature. As noted, this initiative has involved working closely with the Ngunnawal community to capitalise on opportunities to celebrate and preserve Ngunnawal knowledge and values.

There has been work across ACT government to support land management decisions enhancing the ecological network. I refer, for example, to working with Transport Canberra and City Services to develop planting lists of local native species and a biodiversity planting map which resulted in the planting of riparian species along a small riparian corridor in Forde. Multiple community tree planting days have been delivered, which have put close to 1,000 trees and shrubs in the ground, with more to come.

The program commissioned the Molonglo Conservation Group to produce the *Species in our suburbs* colouring book, which inspires young people to connect to nature and learn about native species within the ACT. And, yes, we do have some spare copies; so let me know if you would like a copy of the book.

Now that the initiative is coming to an end, the learning and practices are now being incorporated into the ongoing business practices of government. The biodiversity sensitive urban design guidelines will be a major legacy of Connecting Nature Connecting People, but its ongoing implementation is likely to be a considerable and challenging task. This will place new demands on processes and require additional capacity and technical guidance, particularly over the first few years. Two additional full-time employees have been added to the Office of the Conservator of Flora and Fauna to assess responses to the Biodiversity Sensitive Urban Design Guide and associated Territory Plan assessment outcomes submitted with any eligible development applications under the new Planning Act, and these officers will also investigate compliance.

Building on the success and lessons learnt from the Sullivans Creek re-naturalisation plan project, ACT Natural Resource Management will undertake similar aspirational re-naturalisation project plans for a waterway in the southern part of Canberra from 2024-25 to 2026-27. This project will deliver a community vision for the waterway, with a strong focus on Ngunnawal culture and connection to country.

The Office of Nature Conservation will continue to refine the urban ecology and habitat connectivity mapping, including the publicly available dashboard, and advocating for its integration into ACT government processes and decision-making. ACT Natural Resource Management is the chair of a cross-government working group designed to address environmental land management issues and support community environmental volunteers.

The Australian government is providing \$300,000 through ACT Natural Resource Management to further enhance the Canberra Nature Map over the next two years. The project team will continue to seek opportunities to deliver additional on-ground projects that further the intent of Connecting Nature Connecting People.

I congratulate all government officials and community members that have been involved in the delivery of the highly successful Connecting Nature Connecting People project over the last two years. The government looks forward to ensuring the legacy of this project and ongoing opportunities to better connect Canberrans with nature.

I present the following paper:

Connecting Nature Connecting People—Ministerial statement, 25 June 2024.

I move:

That the Assembly take note of the paper.

Question resolved in the affirmative.

Standing orders—suspension

Motion (by **Mr Gentleman**) agreed to, with the concurrence of an absolute majority:

That so much of standing orders be suspended as would prevent:

- (1) any business before the Assembly at 5 pm on Tuesday 25 June 2024 being interrupted to allow the Treasurer to be called on forthwith to present the Appropriation Bill 2024-2025 and the Appropriation (Office of the Legislative Assembly) Bill 2024-2025;
- (2) where business before the Assembly has concluded before 5pm on 25 June 2024, the Assembly shall suspend proceedings and reconvene at 5pm to allow the Treasurer to be called on forthwith to present the Appropriation Bill 2024-2025 and the Appropriation (Office of the Legislative Assembly) Bill 2024-2025;
- (3) at 5pm on Thursday 27 June 2024, the order of the day for the resumption of debate on the question that Appropriation Bill 2024-2025 and the Appropriation (Office of the Legislative Assembly) Bill 2024-2025 be agreed to in principle, being called on notwithstanding any business before the Assembly;
- (4) debate on any motion before the Assembly at the time of interruption being adjourned until the adjournment questions in relation to the Appropriation Bill 2024-2025 and the Appropriation (Office of the Legislative Assembly) Bill 2024-2025 are determined; and
- (5) where business before the Assembly has concluded before 5pm on 27 June 2024, the Assembly shall suspend proceedings and reconvene at 5pm to allow resumption of debate on the question that Appropriation Bill 2024-2025 and the Appropriation (Office of the Legislative Assembly) Bill 2024-2025 be agreed to in principle.

Legislative Assembly—unparliamentary language

MADAM SPEAKER: Ms Lee, could I ask you to withdraw?

Ms Lee: Yes, Madam Speaker. In reference to the ruling that you made this morning, I withdraw.

Legislative Assembly—standing committees Reference

MS LEE (Kurrajong—Leader of the Opposition) (10.36): I move:

That:

(1) this Assembly notes:

- (a) that the ACT Integrity Commission is undertaking an inquiry, Operation Luna, into circumstances surrounding the awarding of over \$8.5 million worth of consultancy contracts by the Canberra Institute of Technology (CIT) to ThinkGarden and Redrouge Nominees Pty Ltd;
- (b) the investigation is to determine whether the conduct of certain CIT public officials amounts to corrupt conduct and/or serious or systemic corrupt conduct; and
- (c) according to CIT documents, the contracts were for “strategic guidance and mentoring services to executives and staff” as well as “design structures and elements that enable greater coordination of analysis and decision-making in relation to products, offerings and service”;

(2) this Assembly further notes:

- (a) the Chief Executive Officer (CEO) of CIT was stood down by the CIT Board on 23 June 2022 on paid leave;
- (b) the CEO of CIT was on a salary of \$318,687 per annum at the time she was stood down on paid leave;
- (c) since being stood down, the ACT Remuneration Tribunal has approved three pay rises for the CEO, taking her salary from \$361,544 per annum to \$383,278 per annum, a total increase of over \$20,000 (noting the most recent pay rise takes effect on 1 July 2024); and
- (d) that the CEO of CIT resigned on Tuesday, 18 June 2024, after being on paid leave for two years;

(3) this motion be referred to the appropriate standing committee to inquire into:

- (a) the circumstances around the CEO’s resignation on Tuesday, 18 June 2024;
- (b) the details of any severance payment that the CEO is entitled to be paid as a result of her resignation; and
- (c) what legislative changes would be required to the *Remuneration Tribunal Act 1995* to provide the Tribunal with the power to delay consideration of a determination for a particular position in the instance where the person holding the position is the subject of an Integrity Commission investigation in relation to their conduct in their official role; and

- (4) the committee report back to the Assembly on the last sitting day of this Assembly, Thursday, 5 September 2024.

In June 2022, over two years ago, the Canberra Liberals and the local media brought to light serious questions over the awarding of several contracts worth millions of dollars by the Canberra Institute of Technology to two companies, Think Garden and Redrouge Nominees. Both companies are run by the same individual, Patrick Hollingworth. These contracts were awarded over a period of five years, with the first worth \$86,280 signed in 2017, and the contract that raised a lot of eyebrows because of its \$4,999,990 value was signed in March 2022. All of these contracts were for services to be delivered to the CEO and the executive of CIT.

Let us remind ourselves of what ACT taxpayers were stumping up millions of dollars for: CEO and executive team mentoring; familiarisation of organisational transformational theory and practices; strategic guidance on transformation; providing CIT staff with learning materials, research articles and relevant reading texts; regular and strategic guidance of nominated staff; design processes, systems and structures that enable greater coordination of analysis and strategic decision-making in relation to products, offerings and services, and tighter feedback mechanisms to apply a coherent approach to the implementation of strategic actions for the whole of the organisation; developing system-wide capabilities of situational awareness, early weak signal detection and noise sorting; and developing iterative capacity to cycle through adaptive-renewal processes across multiple spatial and temporal scales. This is what \$8½ million of ACT taxpayer money paid for. It would be laughable, Madam Speaker, if it were not \$8½ million of ACT taxpayers' money.

What has been revealed since these issues were first made public is truly staggering. We learnt how concerns around how these contracts were awarded were raised several times but no-one did anything. We learnt how questions were raised about whether these contracts represented efficient use of public funds and, again, no-one did anything. In fact, not only did no-one do anything; even after questions were raised, more contracts, worth even more money, were signed. It was not until these issues hit the media that any action was taken. Perhaps we could ask the really sobering question: if these matters were not exposed publicly, would ACT taxpayers be continuing to pay millions of dollars and with more contracts going to Think Garden and Redrouge Nominees? I guess we will never know.

As bad as this is—and this is bad—the minister responded by putting his hands in the air and saying, “Not our fault; we don’t get involved in procurements.” Well, there is not getting involved in procurements on one hand and then there is what this is! The minister has failed to take any ministerial responsibility when serious issues about the integrity of these contracts were raised with him. Mr Steel has admitted that he raised concerns about these contracts. But, even when he had cause to ask questions, it seems that he completely dropped the ball, because he did not even seem to be aware that a subsequent contract was awarded, despite and after he had cause to raise questions about whether these contracts were legit. The lack of ministerial responsibility extends to not taking any proactive steps to look at what might have needed to have been tightened when these contracts were allowed to skirt further scrutiny by the government’s own Procurement Board by coming under the value of the threshold by a mere \$10.

Questions still remain on what the CIT board's role was in relation to these contracts. There seems to have been a complete lack of scrutiny over the contract outcomes, which—and I am being as generous as possible here—at best, lacked any rigour in outcomes and achievables.

The CEO, whose conduct in the awarding of these contracts has been directly questioned, was stood down by the CIT board shortly after the utterly ridiculous terms and the extraordinary values of the contracts came to light. She was stood down—but on her full pay of what was then \$318,687 per annum. She remained on full pay when, on 23 June 2022, the ACT Integrity Commission confirmed that it had cause to investigate the circumstances surrounding the awarding of over \$8½ million worth of contracts to Think Garden and Redrouge Nominees. She remained on full pay when, in July 2022, it was announced that this position would get a pay increase of 3.25 per cent, taking the annual salary to \$361,544. She remained on full pay when, in June 2023, it was announced that this position would get yet another pay increase of 3.5 per cent, taking the annual salary to \$373,061.

The Canberra Liberals have consistently raised questions about how much longer the CEO would continue to remain on leave on full pay of almost \$380,000. We were assured repeatedly that this situation would be reviewed regularly—reviewed regularly. Obviously, it was not reviewed regularly enough—or, if there were reviews done, they were utterly useless, given the CEO remained on leave on full pay for a full two years. Let us not forget that, for the entire two years whilst she has been on leave on full pay, ACT taxpayers have also forked out the exact same salary for an interim CEO, plus additional travel expenses, as she does not reside in the ACT.

When I questioned the Chief Minister about whether he had made a submission to the ACT Remuneration Tribunal urging them not to award pay increases to the stood-down CEO, once again, the Chief Minister threw his hands in the air and said there was nothing that he could do; that it was up to the tribunal. But, when I raised this concern directly with the tribunal, they told me that they were restricted by legislation.

This does not pass the pub test. It does not pass the pub test in this place, and it does not pass the pub test out there. At a time when Canberrans are facing a cost-of-living crisis, when they are being smashed by rising mortgage costs, rising taxes and charges, when they are having to make decisions about being able to buy groceries this week or see a doctor, this Chief Minister is sitting on his hands, happy to shift the blame to the tribunal, to allow several large pay rises to be paid to an individual who is not only on leave but also under a serious corruption investigation.

Mr Barr is the Chief Minister of the ACT, the head of this government, and he can bring whatever legislative changes he would like to make to this chamber. He has done it plenty of times. He and his Labor and Greens colleagues do it every sitting day. They get together and pass legislation; some of which has serious and significant impacts on the everyday lives of Canberrans. But, suddenly, he cannot make changes to the Remuneration Tribunal legislation to stop this sorry situation. Who is he kidding?

After being on paid leave for a full two years, after two years of the CIT board and this government defending her being on paid leave to allow natural justice, suddenly she

ups and resigns last week. This was four days after the Integrity Commissioner advised interested parties, of which Ms Cover is one, that he had completed his long-awaited special report and would be handing it over to you, Madam Speaker, on Wednesday 19 June for tabling. Four days after he notified those interested parties, Ms Cover resigned. Coincidence?

Of course, that is not all, Madam Speaker. On 19 June, the very day that you were to receive the report from the Integrity Commissioner, the Integrity Commissioner released a public statement confirming that, after two years, after the completion of the long-running procedural fairness process which meant that some 35 people, including the Chief Minister and Mr Steel, had a copy of the draft report, just as the release of his special report to the public was imminent, one of the interested parties in the investigation had commenced proceedings in the ACT Supreme Court seeking an injunction to prevent the commissioner from releasing his report.

This is the second court action in as many months against the Integrity Commissioner. Both are seeking to have serious corruption investigations stopped. This one is to prevent the commissioner from handing over his completed special report to you. The one that we became publicly aware of last month is seeking to have the investigation into the Campbell Primary School modernisation project tender shut down.

This brings me to the purpose of my motion. There are very serious questions to be answered here. Why, after over two years on paid leave, did Ms Cover resign days after being advised that the Integrity Commissioner was going to hand over his report? What gain, if any, will she receive, having resigned, rather than being dismissed due to adverse findings that may or may not be made by the Integrity Commission's special report on the matter? Was she allowed the option to resign rather than being dismissed and, if so, what was the role of the CIT board in facilitating this? What are the full details of her payout following her resignation? What are the legislative changes that are required to the Remuneration Tribunal Act 1995 to give the tribunal the power to delay consideration of a determination of an individual position should this sorry situation ever arise again?

After millions of dollars having been spent on suspect contracts, after ACT taxpayers footing the bill for her paid leave for two full years as well as the salary and travel costs of the interim CEO on top of that, after Ms Cover being awarded substantial pay rises whilst she has been stood down pending the outcome of the Integrity Commission's investigation, surely, after all this time, it is now time for Canberrans to get some answers.

It is quite straightforward. If this Labor-Greens government has nothing to hide, if the circumstances around Ms Cover's resignation are all aboveboard, every single member of Labor and the Greens should have no problem supporting my motion. If they do not support my motion, or if they seek to amend it beyond all recognition, Canberrans can have no faith that we will get answers to these questions, and the conclusion that we have to come to is that they have something to hide—perhaps even more than we already suspect.

I commend my motion to the Assembly.

MR STEEL (Murrumbidgee—Minister for Planning, Minister for Skills and Training, Minister for Transport and Special Minister of State) (10.51): We will not be supporting this motion, given that the Integrity Commission investigation is still ongoing. This is effectively asking for an inquiry into the circumstances of an inquiry that is still underway. Given that Ms Lee’s narrative has gone to the matters under investigation, it is entirely inappropriate to comment on matters before the Integrity Commission before their report is handed down, and the broader investigation will be ongoing.

The courts are currently or have been seeking to remedy an attempted injunction by a party in relation to the release of the report into Operation Luna. We are all looking forward to that matter being resolved. In the meantime, there are opportunities to ask questions through a range of other parliamentary processes, if it is appropriate to do so in relation to certain matters.

By way of an update, the CIT informed me of the former CEO’s resignation last week, on Tuesday 18 June. I am pleased that a comprehensive recruitment process for a new CEO can now begin by the CIT board. This will ensure that the institution can continue to focus on delivering high-quality training to meet the needs of students and staff in the industry.

Building public confidence in the CIT as the centre of the ACT’s vocational education and training system is important. That will be my focus as skills minister. While we all agree that we want a resolution to this matter, there is a process underway. The Integrity Commission should be respected, and we will not be supporting this motion.

MR RATTENBURY (Kurrajong) (10.53): Any motion that begins with “that the ACT Integrity Commission is undertaking an inquiry” is something that we need to treat with caution. The present tense in that sentence, of course, gives us reason to pause and carefully reflect. Mr Braddock has been examining these matters closely for the Greens. He is, unfortunately, unwell today, but he and I have spoken about this. It is worth noting that this is perhaps the less problematic of two Assembly motions being brought by Ms Lee this week, although we remain uncomfortable with the substance of the motion.

The CIT consultancy contracts and the subsequent investigation of its now former CEO are matters which have been reasonably well aired. Investigating the circumstances surrounding their resignation and the details of any severance payments is something the Greens may consider supporting. Equally, we reflect that the answers to questions on notice, or even without notice, might be more readily able to serve that purpose in the immediate term. I note that Ms Lee has circulated a letter in advance, indicating that she intends to ask a range of questions during this sitting week.

The Greens would also note that it is a matter of public record that it looks like the report of Operation Luna is ready to be released. Clearly, that is now a matter to be resolved before the Supreme Court. My understanding is that the judgement is due this morning, pretty much as we are speaking. I believe that is the case. With those various moving parts in mind, and a range of potential questions arising, the standing committees of the Assembly, based on their purview, would be well placed to consider what self-referred inquiries might be most appropriate in the circumstances, and without

being limited to matters around the CEO's resignation. There may also be opportunities to pursue lines of questioning in budget estimates.

Taken together, this means that the Greens will not be supporting this motion at this time. Nonetheless, we remain open to considering what remaining matters need to be the subject of a meaningful inquiry covering off matters of integrity and accountability that the Assembly may wish to consider.

MS LEE (Kurrajong—Leader of the Opposition) (10.55), in reply: The contributions, if you can call them that, from Mr Steel and Mr Rattenbury prove exactly what the Labor-Greens government do whenever there is any attempt to try and get to the bottom of what they have been trying to hide.

Mr Steel said that it would be inappropriate because this matter is before the Integrity Commission. This motion that I brought to the Assembly was very carefully drafted, and I am sure that it was reviewed thoroughly by you, Madam Speaker, and the Clerk, and it was not ruled out of order. The reason is that it is asking some very specific questions for an Assembly committee to look into.

Because it is clear that Mr Steel and Mr Rattenbury refuse to genuinely consider this motion, I will repeat, for those members opposite, what it is asking an Assembly committee to look into: the circumstances around the CEO's resignation on Tuesday 18 June 2024; the details of any severance payment that the CEO is entitled to be paid as a result of her resignation; and what legislative changes would be required to the Remuneration Tribunal Act 1995 to provide the tribunal with the power to delay consideration of a determination for a particular position in the instance when the person holding the position is the subject of an Integrity Commission investigation in relation to their conduct in their official role. In the contributions made by both Mr Steel and Mr Rattenbury, they have confirmed that those three questions are matters before the Integrity Commission. Is there something that they know that we do not—that those specific questions are matters that are being considered by the Integrity Commission?

The other matter is this: Mr Steel said that it is an active current investigation. The fact is that the Integrity Commissioner has confirmed, several times now, that his report is complete. In fact, Mr Steel knows this very well because he was one of the few that was given a copy of the report back in November last year. He knows that the investigation has been completed. The Integrity Commissioner has confirmed as much on a number of occasions in public. In fact, Madam Speaker, the eleventh-hour application that the Integrity Commissioner was served with was the only reason that he was prevented from handing over the report to you on 19 June, and Mr Steel knows this very well. For him to stand in this place and use that as a cover for denying the ability to have an Assembly inquiry into these questions is utterly ridiculous, dubious at best, and wilfully destructive at worst.

Mr Rattenbury said that it is a problem because it starts with "ACT Integrity Commissioner is undertaking an inquiry". This government is so obsessed with muzzling any attempt at scrutiny and transparency that we cannot even, according to Mr Rattenbury, state a pure fact without them jumping up and down about it. It is a pure fact, and he cannot even accept that as a statement. Let us be clear: if he wanted to be

so purist about this and say, “As soon as there are the words ‘Integrity Commission’, we can’t discuss it,” how about maybe living by his own words? Let us be brutally honest: over the last couple of months, it has been utterly clear that this government, whether it is the Chief Minister, the Deputy Chief Minister, Mr Steel or Mr Rattenbury, are very happy to pick and choose what they say and what they put on the record.

Madam Speaker, it did not take long for a government spokesperson to confirm and say very loudly that the ACT government apparently has no role in the current Supreme Court action that is preventing the Integrity Commissioner from handing over his report to you. They are quite happy to come out publicly, put things on the record and answer any questions but, on other matters, at the mere mention of the fact that there is an investigation on foot, they lose their marbles. It just goes to show that Labor and the Greens are banding together and using their numbers to shut down what I am trying to do, which is to get answers for the public. It just goes to show that that is their attempt to continue the muzzling that we are seeing happening. That is doing an incredible disservice not only to the privileged position of minister but to the Canberra community. That is something that I ask all Canberrans to think about when they go to the ballot box on 19 October.

Question put:

That **Ms Lee’s** motion be agreed to.

The Assembly voted—

Ayes 7

Noes 14

Peter Cain
Leanne Castley
Ed Cocks
Nicole Lawder
Elizabeth Lee
James Milligan
Mark Parton

Yvette Berry	Marisa Paterson
Joy Burch	Michael Pettersson
Tara Cheyne	Shane Rattenbury
Jo Clay	Chris Steel
Emma Davidson	Rachel Stephen-Smith
Mick Gentleman	Rebecca Vassarotti
Laura Nuttall	
Suzanne Orr	

Question resolved in the negative.

Justice and Community Safety—Standing Committee Scrutiny report 43

MR CAIN (Ginninderra) (11.05): I present the following report:

Justice and Community Safety—Standing Committee (Legislative Scrutiny Role)—Scrutiny Report 43, dated 19 June 2024, together with a corrigendum to the report and a copy of the extracts of the relevant minutes of proceedings.

I seek leave to make a brief statement.

Leave granted.

MR CAIN: Scrutiny report No 43 contains the committee's comments on two bills, six pieces of subordinate legislation, proposed amendments to five bills, and four government and member responses. The report was circulated to members when the Assembly was not sitting. I would like to thank our secretariat and legal advisers for their professional support. I thank the committee members, Dr Paterson and Mr Braddock, for their cooperation in compiling this report. I commend the report to the Assembly.

Controlled Sports Amendment Bill 2024

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

Title read by Clerk.

MS BERRY (Ginninderra—Deputy Chief Minister, Minister for Early Childhood Development, Minister for Education and Youth Affairs, Minister for Housing and Suburban Development, Minister for the Prevention of Domestic and Family Violence, Minister for Sport and Recreation and Minister for Women) (11.07): I move:

That this bill be agreed to in principle.

I am pleased to rise today to present the Controlled Sports Amendment Bill 2024. This bill makes minor amendments to the Controlled Sports Act 2019 to harmonise the appointment process for the controlled sports registrar with similar positions across the ACT government, and to allow controlled sports officials and contestants to apply to add additional capacities and disciplines to their existing registration.

These amendments have been brought forward following a review of the act, which focused on identifying and addressing operational issues with the legislation. Additional recommendations from the review are currently under consideration and will be responded to by the government once this consideration is finalised.

This bill will amend the Controlled Sports Act 2019 so that a public servant may appoint the controlled sports registrar. While this amendment may seem minor, it will result in a streamlined and more efficient approach to the non-controversial and routine appointment of the registrar. This bill will also introduce two new sections of the act to allow registered controlled sports officials and contestants to apply to amend their existing registrations, for the purpose of adding additional official capacities and controlled sports styles to their registration.

The introduction of these provisions will increase the flexibility of officials and contestants to add capacities and controlled sports styles to their existing registration and will assist Access Canberra to effectively manage these applications when received. This issue has been communicated to the ACT government by industry participants, and the change to the legislation has been supported by industry stakeholders engaged throughout this review.

The bill includes provisions such that the decision to amend an application for both controlled sports officials and contestants will be a reviewable decision. This will

preserve the rights of registrants to a fair review process through the legislation. The impacts of the proposed bill are positive and will enhance the implementation of the Controlled Sports Act 2019 in the ACT. I would like to thank industry representatives for their engagement in the legislative review and in the development of this legislation. I commend the bill to the Assembly.

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

Housing and Consumer Affairs Legislation Amendment Bill 2024

Debate resumed from 9 April 2024, on motion by **Mr Rattenbury**:

That this bill be agreed to in principle.

MR PARTON (Brindabella) (11.10): The Canberra Liberals will be supporting this bill, the Housing and Consumer Affairs Legislation Amendment Bill 2024. By and large, this bill delivers on several measures in reforms agreed by National Cabinet. We have had a solid look at these changes. There is no great surprise or divergence from National Cabinet; most of them are pretty sensible.

There are many things in the suite, including allowing victim-survivors of domestic and family violence to end tenancies quickly and without penalty. How could you argue against that? It is pleasing to see, Mr Assistant Speaker Pettersson—and I know that you would agree with me—that in so many areas of Australian life, finally, the law is catching up with the reality of domestic and family violence.

We have still got a way to go. Indeed, on that front, we will hear more from Ms Castley later on today, with the coercive control amendment bill. I would like to think that these very serious matters would be considered by members in this place—and, indeed, every parliament—in a non-partisan way.

As agreed to in National Cabinet, this bill introduces mandatory break lease fee clauses which limit the amount that tenants must pay if they end a tenancy earlier than was the case on the document. There are also a swag of changes around streamlining rental processes for tenants and landlords in share house situations. Again, that is just the law catching up with the way that we live.

It is not all about housing, and I will touch very briefly on some of the other areas. The bill implements nationally agreed fundraising principles to reduce red tape for charities. In a nutshell, it seeks to harmonise laws across the country, which is pretty sensible. It will mean that the same laws and rules apply across all jurisdictions, allowing charities to focus on their work.

Recruitment companies will see reduced regulation to allow them to better deliver services. This bill removes the need for employment agents to be licensed to undertake their work for recruitment companies. It is going to reduce costs and, ultimately, reduce the administrative burden.

It must be said that the Canberra Liberals continue to have some concerns with this government's demonisation of landlords and the continual movement of the goalposts

in the residential tenancy space. But that is not what we are seeing in this bill, and we are not opposing these changes today. Thank you.

MS STEPHEN-SMITH (Kurrajong—Minister for Aboriginal and Torres Strait Islander Affairs, Minister for Children, Youth and Family Services, Minister for Disability and Minister for Health) (11.13): I confirm the support of Labor members for this bill. The Housing and Consumer Affairs Legislation Amendment Bill 2024 will amend a range of legislation in relation to property and consumer affairs to strengthen tenants' rights and remove regulatory barriers for charities and recruitment companies. The bill implements several of the measures from the National Cabinet agreed actions in the A Better Deal for Renters reform package, as others have mentioned.

This was an important national step to better protect renters across the country, instigated by Prime Minister Anthony Albanese and supported by the Chief Minister, that lifted many jurisdictions' protections to be closer to the ACT standard across a range of tenancy areas. Accordingly, the ACT requirements to meet the better deal agreement are relatively minor compared to some other jurisdictions. This bill comprises a first tranche of these reforms, covering most of the requirements.

Importantly, it will also have positive impacts by increasing protections for victim-survivors of domestic violence through streamlining the process in which they can end their tenancy. This will support a person to leave their home when they need to, for their safety and their children's safety. To protect the tenant's privacy, the inappropriate use or disclosure of information contained in the tenant's termination notice will be an offence.

The government amendments will also ensure that a landlord must not increase the rent more frequently than once every 12 months, where at least one tenant remains the same. The bill caps the amount of compensation a tenant may be required to pay for breaking a lease, with the amount depending on the length of time remaining in the tenancy and whether a new tenant is found. This will ensure that tenants are protected from excessive or unreasonable costs when terminating a tenancy.

This bill comprises practical, reasonable steps to better protect tenants and provide clarity to all parties involved in residential tenancy arrangements. I commend the bill to the Assembly.

MS CLAY (Ginninderra) (11.15): I would like to speak briefly about the Housing and Consumer Affairs Legislation Amendment Bill 2024. Firstly, I thank my colleague Mr Rattenbury, the Attorney-General, for bringing forward these amendments to the Residential Tenancies Act 1997, which are aimed at creating consistency in the rules regulating the frequency of rent increases. Members might recall that in April I put up the Greens' amendments to the Assembly on a broader set of amendments to the Residential Tenancies Act, which included these measures too. They were designed to provide increased support for renters in this city.

We have talked about how the housing system has created a widening gap between the haves and the have nots, that more people are renting and that rents are completely unaffordable for many, many people. With the cost-of-living crisis, this is getting worse, especially for those who are on low incomes and are experiencing rental stress.

In April Anglicare released its annual *Rental Affordability Snapshot*, which showed that the private rental market is failing people on low incomes. The May 2024 data from CoreLogic shows that investor lending as a proportion of new loan commitments is now at its highest level since May 2017. Meanwhile, gross rental yields continue to increase. In Canberra, these were at 4.1 percent in May 2024. According to Domain, rents for units and houses in Canberra are the second highest of all the capital cities.

The ACT Greens have worked with the current Assembly to provide increased support for renters. We also did some of that work in previous terms, before many of us were even here. In various capacities, Shane Rattenbury has led the work to ensure that no-cause evictions were ended, minimum energy performance standards were put in place, solicited rent bidding was banned and a rent relief fund was established. Unfortunately, we were not able to convince the Assembly to follow through on the next logical step to improve renters' rights and basic affordability. I was encouraged to hear that further consideration was being given to applying rent increase rules to successive fixed term tenancies, and I am pleased that the Attorney-General has acted quickly to bring forward these necessary amendments.

The proposed changes will cap rent increases consistently across all tenancy agreements, including fixed term tenancy agreements and consecutive tenancy agreements. This means that landlords can only increase the rent in line with the rent cap of 110 per cent of the changes in the rent component of the CPI index for Canberra. If a tenant moves out or if the fixed term tenancy ends and renters would like a new fixed term tenancy, the caps will apply. Landlords can still increase rents beyond the rent caps, with either the tenant's agreement or the approval of ACAT. If there is good reason to do it, they will be able to make their case. If there is not, the renters will be protected.

The proposed changes will not impact the viability of our rental market. Housing in the ACT remains a great place to invest. Over the years that the rental reforms have been introduced, the ACT rental supply has continued to grow. According to census data, in 2011 we had 39,592 rentals. A couple of years after the 2019 rental reforms, the 2021 census data showed that this had grown to 61,681 rental properties. People are choosing to invest in housing for a variety of reasons. If a landlord chooses to sell the home because of the changes, somebody else buys that home. More importantly, our housing is not an investment; it is a home for somebody to live in. It is really, really important that we make sure that there are enough homes for all our people.

The initiatives the ACT Greens brought to the table were designed to improve renters' rights, to reduce once again the imbalance of power between renters and landlords. I am pleased to be part of a party that is trying to help people who are struggling to put a roof over their heads. We will continue to bring about further changes. The ACT Greens recently announced a significant investment in the supply of 10,000 public housing homes to provide enough affordable housing for everyone. That will give renters who cannot afford the rent the option of moving into affordable and comfortable public homes. We have called on the federal government to waive the ACT's historic public housing debt and to fund more public housing.

We are working hard for renters because we continue to be in a housing and rental crisis. We wish we could do more. The housing market is complex and full of wicked

problems. We need to step up and make sure that more people can become home owners and more people can rent or live in a home, because everybody needs a home. Our governments need to do all that we can to ensure that this is what happens. We welcome the proposed amendments to the Residential Tenancies Act, and we look forward to the next Assembly setting further reasonable controls to protect renting Canberrans.

MR RATTENBURY (Kurrajong—Attorney-General, Minister for Consumer Affairs, Minister for Gaming and Minister for Water, Energy and Emissions Reduction) (11.20), in reply: I am pleased to speak today on the Housing and Consumer Affairs Legislation Amendment Bill 2024. It is an omnibus bill which makes amendments to a range of legislation relating to housing and consumer affairs. It will achieve some important reforms for our community. I will outline a few of them today. I also table a supplementary explanatory statement, for the benefit of the Assembly and members.

Firstly, the bill will introduce new rights and protections for renters, as has been touched on in the discussion so far. The amendments deliver on several commitments made by National Cabinet in August 2023 under the A Better Deal for Renters reform package. In particular, this bill introduces new protections for victim-survivors of domestic violence. It supports victim-survivors to leave a violent relationship by allowing them to end their tenancy agreement by way of notice, effective immediately and without penalty.

While anyone can experience violence, it is a matter of fact that violence is overwhelmingly more likely to occur against women. Devastatingly, in Australia, on average, one woman is killed every nine days by a current or former partner. Domestic and family violence has profound and far-reaching impacts on individuals, families and communities. We know that the point at which a woman decides to leave a violent relationship can be the most dangerous time, as this is when violent and controlling behaviour may escalate. We also know there are many barriers to escape. This bill takes an important step in reducing those barriers.

At present, if a victim-survivor wants to terminate a tenancy due to domestic and family violence, they must first obtain a protection order through the courts as evidence. They must then apply to the ACT Civil and Administrative Tribunal for an order to end their tenancy. Our courts and tribunals work hard to make this process accessible. Nonetheless, in our consultation on these reforms we have heard that any legal process can be a daunting and overwhelming prospect. It can also lead to an escalation of violence.

Requiring victim-survivors to engage with police, the Magistrates Court and the tribunal before they can end their tenancy can make it harder for those who need to leave to do so. Under these reforms, a person experiencing domestic and family violence will be able to leave a tenancy by consulting with a trusted professional, such as a general practitioner or a social worker, and obtaining a declaration that indicates that they have experienced domestic violence. This evidence can then be given directly to their landlord without needing a court or ACAT application. This will make it easier for people to leave violent relationships and better support their safety.

Noting the significant distress to victim-survivors during these difficult periods, the bill also includes new protections to support them in leaving rental accommodation. These

include preventing landlords from asking the tenant for further information to prove their experience of family violence after they have already provided the declaration from a trusted professional; preventing victim-survivors from having to pay break lease fees when they end a fixed term tenancy early; requiring the landlord to notify any remaining co-tenants, to prevent the victim-survivor from having to do so—this being especially important where the perpetrator may be a co-tenant; and protecting the victim-survivor's privacy by making it an offence to disclose any information in a family violence termination notice, subject to appropriate exceptions. I am proud that these amendments take further steps towards protecting vulnerable members of our community, and I welcome the support of all of the members in this place for these important reforms.

In addition to new family violence protections, the bill, together with the government amendments that I will move later in the discussion, will make the ACT's rent increase rules consistent across all types of tenancy agreements, including periodic, fixed term and consecutive tenancy agreements. There are two important changes. Firstly, rents will not be able to be increased more than once every 12 months in any circumstance. Secondly, the amount by which rent can be increased will be regulated consistently so that landlords cannot impose excessive rent increases without the tenant's agreement or the approval of the ACT Civil and Administrative Tribunal.

These changes make the law simpler and easier to understand for tenants, landlords and agents alike. They will also ensure that tenants are not required to choose between the security of a fixed term tenancy and the risk of an excessive rent increase. This is because, at present, the law treats any new fixed term agreement as a new legal relationship, and rent increases are not regulated even where the same tenants may have been at the same property for years. The changes in the bill will support tenants who wish to remain in their home under consecutive fixed term tenancies, while allowing landlords to impose reasonable rent increases from time to time.

The bill also introduces reforms to support charities that operate in the ACT. Charities play an essential role in our community by delivering vital support services to those in need and championing causes across areas of society and the environment. In February 2023 the Council on Federal Financial Relations announced its agreement to the national fundraising principles. These principles were developed to reduce red tape for charitable organisations that operate across jurisdictions. Today much fundraising occurs across borders, yet the states and territories have differing rules and reporting requirements. The lack of consistency causes charities to spend precious time and money meeting the requirements of differing compliance frameworks.

The bill will amend the Charitable Collections Act 2003 to implement the principles. The principles include rules about when a fundraiser can solicit donations, what disclosures must be made to potential donors and what identification a fundraiser must display. The bill will ensure that the ACT plays its part in harmonising fundraising conduct requirements across Australia. Streamlining the compliance burdens for charity will allow them to focus on their core mission, for the benefit of society.

The bill also deregulates employment agents, also known as recruitment agents. Employment agents provide a service to employers by connecting them with job

seekers. The bill will amend the Agents Act 2003 to remove the requirement for employment agents to be licensed. This follows a public consultation process undertaken by the government in 2023, as part of the regulation agenda.

The government's analysis, taking into account public feedback and arrangements in other jurisdictions, found that the existing licensing regime and associated fee creates an unjustifiable regulatory burden. The local licensing regime is no longer fit for purpose in the context of national, international and online employment markets, and it may act as a barrier to companies providing services in the ACT. However, in the interests of consumer protection, offence provisions will be retained to prevent employment agents from accepting fees from job seekers. This retains an important protection for job seekers and minimises the risk of exploitation.

In addition, the Australian Consumer Law contains general obligations which will continue to regulate the conduct of employment agents. These include, for example, prohibitions on misleading, deceptive or unconscionable conduct. These rules will offer legal protections for individuals and regulatory tools for the government, if needed. I intend to move a government amendment today to allow these reforms to commence on 1 July 2024. This will ensure that, for those agents whose existing licences expires on 30 June 2024, there will be no need to apply for a new licence for the new financial year.

The bill also strengthens the government's existing conciliation scheme for consumer claims. The Commissioner for Fair Trading currently has the power to require a business to attend a conciliation conference to attempt to resolve a consumer dispute under the ACT's consumer legislation where the value of the dispute is less than \$5,000. If the parties reach a voluntary agreement, the agreement is then enforceable through the ACT Civil and Administrative Tribunal. The scheme implements a recommendation from a 2021 federal Productivity Commission report that state and territory governments should enhance alternative dispute resolution options for consumers.

The government's pilot scheme in 2022-23 demonstrated that, where businesses engage in conciliation, it is highly effective in resolving disputes. However, where businesses fail to show up to conciliation, the only enforcement option available to the commissioner is an application to the Magistrates Court to seek a civil penalty order. This is a costly and time-consuming course of action. The bill will give the Commissioner for Fair Trading strengthened enforcement powers by implementing a criminal offence and infringement notice scheme where businesses fail to attend conciliations. This will support better outcomes for consumers and help drive a culture of engagement from businesses.

This bill reflects the government's ability to get things done. It delivers on our commitment to implement the national fundraising principles. It delivers on several reforms from the national A Better Deal for Renters program, and it delivers on a commitment from our Better Regulation Agenda. It supports charities and businesses by reducing red tape. It supports tenants, landlords and owners corporations. It supports people escaping family violence. It supports consumers in disputes with businesses. As these examples show, our laws around housing and consumer affairs affect the everyday lives of Canberrans, and it is important that we continue to modernise and improve them. I commend the bill to the Assembly.

Question resolved in the affirmative.

Bill agreed to in principle.

Detail stage

Bill, by leave, taken as a whole.

MR RATTENBURY (Kurrajong—Attorney-General, Minister for Consumer Affairs, Minister for Gaming and Minister for Water, Energy and Emissions Reduction) (11.31): I seek leave to move amendments to this bill that have not been circulated in accordance with standing order 178A.

Leave granted.

MR RATTENBURY: I move amendments Nos 1 to 15 circulated in my name together [*see schedule 1 at page 1668*]. I have already tabled a supplementary explanatory statement that goes with those government amendments.

MR PARTON (Brindabella) (11.31): I was not sure whether we were going to go through it clause by clause. We are certainly not intending to speak to each amendment. Suffice to say that we will not be opposing any of these amendments. Most of them are purely technical, as Mr Rattenbury alluded to. They were circulated a little late. Mr Rattenbury graciously offered to have the detail stage debate tomorrow because of that, but we cannot see the point of that.

I note that there will be some discussion about the addition that has come out of the Clay bill, or maybe Ms Clay has already made those comments. I do not know. I do not know if she is intending to speak now, but I have had brief discussions with the Rattenbury office about the amendments. Mr Rattenbury and his staff have walked me through them, and we are comfortable with them.

I am not going to lie; I remain somewhat frustrated at the difference in the process for me to get an amendment through on a bill, as opposed to the government. I find it interesting. Nevertheless, we are not intending to oppose any of these amendments.

Amendments agreed to.

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

Bill, as amended, agreed to.

Health (Improved Abortion Access) Amendment Bill 2024

Debate resumed from 10 April 2024, on motion by **Ms Stephen-Smith**:

That this bill be agreed to in principle.

MS LEE (Kurrajong—Leader of the Opposition) (11.33): I rise today to speak on the Health (Improved Abortion Access) Amendment Bill. From the outset, I confirm that

this bill will be the subject of a conscience vote in the Canberra Liberals' party room, so the comments that I make today in this chamber are my personal comments as the Liberal member for Kurrajong.

This bill has two parts. The first relates to changes made by the Therapeutic Goods Administration last year which removed restrictions on who can prescribe abortifacients. These changes allow the drugs to be prescribed by any regulated healthcare professional with the appropriate training and qualifications, including nurse practitioners and midwives.

I thank the minister's staff for providing a briefing on this bill to Ms Castley, my staff and me. At that briefing, assurances were sought that nurse practitioners and midwives would not be forced to undertake training on the prescription of abortifacients should they not wish to do so, and we were provided the assurance that the minister would confirm that during her summing-up speech. So I look forward to hearing that.

The other aspect of this bill is around the issue of conscientious objection. It amends the act to ensure that, if a practitioner does exercise their conscientious objection, they must provide information to the individual on how to contact another practitioner or facility who they reasonably believe will provide that service. This is a sensible amendment which will make the process less traumatic and less obstructive for any individual as they will not be required to "shop around" for support. I support this bill.

MS DAVIDSON (Murrumbidgee) (11.35): The Greens support the Health (Improved Abortion Access) Amendment Bill. When it comes to reproductive choice for Canberrans, the ability to access this health procedure is the result of decades of work by local women's organisations and non-government health services. In 1994, the Family Planning Association clinic began offering abortion services in Canberra, including financial options for those who could not afford the large up-front cost for health services that need to be accessed within a short time frame. The decriminalisation of abortion in the ACT in 2002 was a great relief for everyone who had rallied, lobbied and campaigned to shift termination of pregnancy from being a criminal issue to a health issue, but, without addressing the cost and difficulty in finding a care provider for this medical procedure, it remained inaccessible to many people.

Medical options available for termination of a pregnancy were expanded in 2015 in addition to surgical termination, but, for Canberrans, medical termination could only be accessed via telehealth or a clinic over the border in New South Wales. It was not until 2018, when Caroline Le Couteur's amendments to health regulations were passed to allow for medical termination of pregnancy to be prescribed by local GPs, that we were able to access this option more easily within the ACT.

Following the legalisation of medical termination by GP prescription, the barriers to accessing pregnancy termination services in the ACT were about cost and accessibility. In 2018, the Women's Centre for Health Matters published a report: *Improving choices and options: The views of ACT women about their sexual and reproductive health needs*. This report included detailed research through surveys, focus groups and one-on-one interviews with over 500 Canberra women, including women who had an abortion in the past three years. More than 81 per cent of respondents wanted to be able to access medical termination from their regular GP or a trusted health practitioner. It

is important to know that, for some women, the person they considered to be their trusted health practitioner is not a GP at all but a nurse practitioner or a midwife.

The experiences of women and health service workers who shared their stories with us at the women's centre during this research highlight the impact when they are unable to access their legal rights because of the difficulty in finding a healthcare provider. A woman who participated in the research and talked about the accessibility barriers when some GPs do not want to refer a woman to another service said:

... it can be really traumatising, really damaging and for someone who might be in a situation where their safety is at stake, don't have family close by, these are all barriers that whilst you know that this is the decision that you've made, each blow to it just makes it painful and scarier than it needs to be.

When I was working on this research at the women's centre and other research with women's and sexual health services in Canberra, nurse practitioners and midwives talked to me about how they supported women in relationships where coercive control and violence are a factor. They talked about their options, helped them set up an appointment with an understanding GP to write the prescription, sent them to a pharmacy to collect the script with their healthcare card, and followed up afterwards to make sure that their physical health and safety were being looked after.

As a result of this bill, the nurse practitioner or midwife could prescribe without having to refer to another provider. For a woman to be able to talk to someone they know and trust for that prescription and not wait for another appointment with someone they do not know overcomes one of their really big accessibility barriers. It has been very positive to see the cost of access addressed over the past couple of years.

The changes in the bill being debated today will enable a person seeking a pregnancy termination to find a suitable healthcare provider more easily. The combined effect of legalisation, affordability and accessibility means that a woman or pregnant person wanting to access this medical procedure can make their own well-informed choices about their body and their health care.

I want to again thank the individuals and organisations in our Canberra community who over the decades have rallied, written, lobbied and supported those who needed to access abortion services for their part in ensuring that we are now in a position where this healthcare procedure is legal, affordable and accessible here in Canberra.

I thank Women's Health Matters, where I worked until 2020; Sexual Health and Family Planning ACT, who I worked with on sexual and reproductive health promotion; Marie Stopes, who I worked with on data and costings for abortion affordability; the ACT Women's Health Service, who I worked with on advocacy for trauma-informed women's public health services; the Equality Rights Alliance, another past employer, and I especially thank their Young Women's Advisory Group; YWCA Canberra, where I first got to work with Minister Vassarotti; the Women's Electoral Lobby, where I was National Convenor until November 2020; the Canberra Rape Crisis Centre, who have been a strong voice of advocacy for people who have experienced sexual violence; and those of the women's liberation movement—you may be older, but your service to the movement is remembered by us and so many more.

Making progress towards a fairer, more equitable and inclusive community is always best achieved when government works alongside the community.

MS STEPHEN-SMITH (Kurrajong—Minister for Aboriginal and Torres Strait Islander Affairs, Minister for Children, Youth and Family Services, Minister for Disability and Minister for Health) (11.40), in reply: I rise to conclude the in-principle debate today for the Health (Improved Abortion Access) Amendment Bill. I am somewhat surprised that the shadow minister for health has chosen not to speak on this bill. That in itself probably speaks volumes.

The bill amends the Health Act to make abortion services more accessible in the ACT. Abortion is an essential feature of an equitable healthcare system. In Australia, medical abortions are provided by prescription medication, and surgical abortions are usually a routine minor surgery. Human rights bodies, including the ACT Human Rights Commission, the UN Committee on Economic, Social and Cultural Rights, and the UN Committee on the Elimination of Discrimination against Women have repeatedly emphasised that access to reproductive health services supports a range of fundamental human rights, with profound impacts on health and living standards. The ACT Human Rights Commission has stated that safeguarding reproductive choice is vital to the autonomy, security and freedom from discrimination of women, girls and all people with a uterus.

However, it was only in March this year that abortion was fully decriminalised in every state and territory, meaning no-one in Australia can be criminalised for abortion care access anymore. But Canberrans and Australians cannot take these rights for granted. They were hard fought over a long period, and I am proud that the Barr Labor government continues to adapt to the changing landscape for reproductive health and lead in access to abortion care.

Since April 2023, free and safe abortions have been available to all residents of the ACT, including those without a Medicare card, removing one of the greatest barriers to receiving care: out-of-pocket costs. One year on, the accessible abortion scheme has expanded to include no-cost medical abortions at participating providers across the community, providing more options to access abortion services. A complete suite of services is now available in the community through select GPs, pharmacists, pathologists and medical imaging providers on the north and south sides of Canberra who have chosen to participate, and we encourage more to consider doing so.

The ACT Labor government has been at the forefront of abortion rights and reproductive justice in Australia. With the passage of this bill, the ACT will align with the new progressive guidelines at the commonwealth level to support best practice.

As others have mentioned, these changes will allow nurse practitioners and authorised midwives with the relevant qualifications, training and scope of practice to prescribe the MS-2 Step medication to the community. We know our accomplished nurse practitioners and authorised midwives are capable of incorporating medical abortions in an expanded scope of practice, should they wish to. Nurse practitioners and authorised midwives can prescribe some medicines listed on the Pharmaceutical Benefits Scheme, including MS-2 Step. From 1 November 2024, the Medicare Benefits

Schedule will expand ultrasound imaging rights to support nurse practitioners in providing before and after medical abortion care. These changes will mean nurse practitioners and authorised midwives can work at an expanded scope of practice, making this vital health care more accessible and leading to better patient outcomes.

The right of a doctor, nurse or midwife to express a conscientious objection to abortion on religious or other conscientious grounds is protected under the Health Act. Currently the only obligation a practitioner has in relation to exercising this right is to tell the person requesting the abortion that the practitioner has a conscientious objection. There is no duty beyond informing the client. For Mr Lee's benefit, I can confirm that we have no intention of removing the right to conscientious objection in the delivery of abortion care.

However, conscientious objection has known impacts for women, girls and people with a uterus when approaching the health system for this essential service. Abortion is a highly time-sensitive matter and delays in care have serious consequences. The gestation period impacts the decision options and ultimately the eligibility to pursue the most appropriate type of abortion for the individual. Delays in care have meant that some people have had to escalate to a surgical abortion when a medical abortion would have been possible and preferred, if not for the delay.

In April 2023, the Standing Committee on Health and Community Wellbeing tabled its report on the inquiry into abortion and reproductive choice in the ACT. In the report, the standing committee considered that a lack of abortion services, combined with a lack of information, means that a practitioner exercising their right to conscientious objection has a greater impact on a person's ability to access abortion services than would be the case if these services were more prevalent and information were more readily available. The government's response to the report agreed to the standing committee's recommendation to require a conscientious objector to refer. It is important to note that the committee made this recommendation in the context that a form of referral in conscientious objection is currently legislated in all other states and territories except the ACT.

This bill provides two options for conscientious objectors. The health practitioner can provide relevant information to the client about where to access services or they can transfer the client's care in a more hands-on approach. Some health practitioners may consider that the act of referring an individual would be contrary to their religious or moral beliefs. However, the right of a practitioner to refuse to themselves carry out or assist in any type of abortion remains protected, and this will not change. No-one, including those in our public health service, will be obliged to provide abortions.

This approach is consistent with the accepted clinical and professional requirements in healthcare delivery of all kinds. During the bill's presentation in the Assembly, I gave the example of the Medical Board of Australia's *Good medical practice: a code of conduct for doctors in Australia*, which states that objection should not impede access to treatments that are legal. Under the code, a doctor's beliefs should not deny patients access to medical care. The codes of conduct for nurses and midwives under the Nursing and Midwifery Board of Australia also reflect this view.

Referrals are best practice. Health practitioners in the ACT have stated that our health system is already meeting these best practice guidelines and that, in most cases, referrals

already occur. Nothing proposed in the bill is unique or new in Australia; the bill merely entrenches existing ACT hospital and national practice guidelines into law.

Since the standing committee's report, the ACT government has also funded the Women's Centre for Health Matters to provide information about abortion options in the ACT. A comprehensive web resource is currently under development and will assist health practitioners in meeting their obligations under the bill.

This work does not exist in a vacuum. In 2022, people around the world were shocked when *Roe v Wade* was overturned in the United States. As a reaction to this, across Australia we saw a slew of progressive legislative reform in jurisdictions such as Western Australia, South Australia and Queensland in the last three years, all to address important access issues for abortion and to catch up to what we would consider today's standards. These inquiries, reports and reforms were informed by realities being faced by women, girls and people with a uterus overseas.

It is no exaggeration to say that women and people of diverse genders have faced significant barriers to access an abortion, despite abortion services being an essential part of reproductive health care and primary care. Submissions made to the Australian Senate's Community Affairs Committee inquiry into universal access to reproductive health care and the ACT Legislative Assembly's inquiry into abortion and reproductive choice described these limiting barriers. It has rightly sparked a recurring conversation between us, our community, our health practitioners, the commonwealth government and, ultimately, of course, the members present in the Assembly today on what we will do to protect and further the rights of women, girls and people with a uterus to help them get the essential care that they require to live their lives.

When I introduced the bill, I expressed my solidarity with Floridians Protecting Freedom, a coalition of civil liberty organisations, and with all who are campaigning alongside them to protect reproductive freedom in the United States. The right to abortion in Florida is on the ballot this November. I stand by them and all around the world continuing to fight for these basic rights.

Submissions to the ACT abortion inquiry and reception of the accessible abortion scheme have demonstrated that abortion should not be mired in controversy and that it is overwhelmingly supported. Access to it is overwhelmingly supported by the wider Canberra community. Improved access to abortion will have a positive impact on the most vulnerable groups of women and people with a uterus in the ACT who experience extra barriers when accessing care: those from low-income backgrounds, young people, people with disabilities, some people from culturally and linguistically diverse communities, and those in situations of reproductive coercion or domestic violence.

I would like to thank the professionals and health practitioners who contributed to the development of this bill with their valuable feedback, non-government organisations, the people who submitted their stories to the ACT abortion inquiry and shared their personal experiences in seeking care, and all those who have contributed to making abortions free, safe and legal in the ACT.

This bill is another step in the right direction for reproductive rights and to foster a responsive health system without barriers, with better service navigation and a

workforce outfitted to meet the needs of Canberrans. I am sure that the women of Canberra will be watching how every member of this Assembly votes today. I commend the bill to the Assembly.

Question put:

That the bill be agreed to in principle.

The Assembly voted—

Ayes 19

Noes 4

Andrew Barr	Laura Nuttall	Peter Cain
Yvette Berry	Suzanne Orr	Ed Cocks
Joy Burch	Mark Parton	Elizabeth Kikkert
Leanne Castley	Marisa Paterson	James Milligan
Tara Cheyne	Michael Pettersson	
Jo Clay	Shane Rattenbury	
Emma Davidson	Chris Steel	
Mick Gentleman	Rachel Stephen-Smith	
Nicole Lawder	Rebecca Vassarotti	
Elizabeth Lee		

Question resolved in the affirmative.

Bill agreed to in principle.

Leave granted to dispense with the detail stage.

Bill agreed to.

Legislative Assembly—unparliamentary language

Mr Barr: Pursuant to the Speaker's ruling this morning, I withdraw the comment I made that she referred to.

Parentage (Surrogacy) Amendment Bill 2023

Debate resumed from 31 October 2023, on motion by **Ms Cheyne**:

That this bill be agreed to in principle.

MR CAIN (Ginninderra) (11.57): The purpose of the Parentage (Surrogacy) Amendment Bill is to modernise surrogacy laws in the ACT by expanding access and enhancing pathways to surrogacy in the Parentage Act 2004. The Canberra Liberals will be supporting this bill. It has been conceded by the government that the ACT legislation governing surrogacy is out of alignment with contemporary laws in other jurisdictions, and an attempt will be made in this bill to update the language and create some consistency.

There is a significant amount of red tape that proscribes certain practices being undertaken in relation to surrogacy. This bill will permit, for example, single people to be an intended person, where previously only couples were allowed to enter into a surrogacy agreement. Surrogates will have access to their own eggs for fertility, which is termed traditional surrogacy, where previously only IVF treatment was permitted by artificially inserting an egg into an individual. Intended parents will not have to bear any biological relationship to the child, which provides accessibility for individuals or couples with fertility issues seeking a surrogacy. The surrogacy procedure will no longer need to occur in the ACT but can be executed elsewhere. Intended parents, however, will need to remain in the ACT should they wish to apply for a surrogacy order.

I will leave the rest of the detail in the hands of the government speaker on this matter, but, as I said, the Canberra Liberals will be supporting this bill. I believe some amendments are going to be proposed as well, which we will not interfere with.

MS CLAY (Ginninderra) (11.59): The Greens are happy to support the Parentage (Surrogacy) Amendment Bill and the government amendments. Surrogacy arrangements involve complex emotional, financial, legal, psychological and social aspects. It is important that each person involved fully understands the requirements and the consequences of a surrogacy arrangement.

This bill establishes a structured framework for surrogacy agreements, with a number of new requirements. These changes will mean that single people will now be able to become intended parents. The changes also update the language used to be more consistent with other Australian jurisdictions. Legal advice and counselling will be mandatory for all parties and the rights of the surrogate to manage their own pregnancy and birth will be protected. These are really important changes. The inquiry into this bill has made some sensible recommendations to improve it, and we are pleased to see that the government has agreed to some of those recommendations and has moved amendments to improve the bill further. We are happy to support this bill.

MS CHEYNE (Ginninderra—Minister for the Arts, Culture and the Creative Economy, Minister for City Services, Minister for Government Services and Regulatory Reform and Minister for Human Rights) (12.00), in reply: I rise to close the debate and note that I will be moving a number of government amendments to the bill today. Because I will be seeking leave to move them together, I thought I would streamline the process and talk about them in my closing speech as well.

First of all, this is an incredibly important bill for us. Again, how unremarkable this debate has been masks just how much work has gone into righting what I would describe as a wrong—a piece of legislation that has persisted too long. But, before I get into what this bill does, I would like to acknowledge the work of the Standing Committee on Justice and Community Safety in its inquiry into the bill and the matters raised in the public submissions. I would like to give my special thanks to all the individuals and organisations who participated in that public hearing and made submissions to the inquiry. Their voices and their advice have made such important contributions in creating positive change for the ACT, and as Ms Clay acknowledged, they improve the bill.

Altruistic surrogacy is an arrangement where a person agrees to carry and to give birth to a child on behalf of another person or couple for no financial reward, being compensated only for their reasonable expenses incurred through the process. Surrogacy can provide hope to people seeking to become parents when it would otherwise be impossible or extremely difficult.

The journey leading to a surrogacy arrangement and the process itself can be very complex, emotional and personal. People who become altruistic surrogates provide an incredibly significant and selfless gift, but for too long the ACT has lagged behind the rest of Australia when it comes to our surrogacy legislation. I want to acknowledge that this has had a very real impact on our families, people who hoped to be parents, and all those who, quite frankly, have been treated unfairly due to their relationship status or, in some cases, the surrogacy arrangement. So this bill is significant in what it does to harmonise with other jurisdictions to improve the experience for all those involved in the surrogacy arrangement, to recognise the diversity in family relationships and surrogacy arrangements, and to remove discrimination and reduce barriers.

To summarise, the bill includes allowing single people to become intended parents; removing a requirement in the Parentage Act that one intended parent must be a genetic parent of the child; and allowing for traditional surrogacy, where a surrogate provides their own egg and is a genetic parent. This provides additional flexibility, recognising the diverse situations where people may choose to enter into altruistic surrogacy arrangements. It is about removing the requirement that the child is conceived as a result of a procedure carried out in the ACT. Instead, it requires that the intended parents must be living in the ACT when they apply for a parentage order.

This measure will enable parties in surrogacy arrangements to have flexibility about how and where conception occurs and to use services of their choice. It reduces barriers to communication by removing criminal offences relating to the advertising or procurement of altruistic surrogacy, while retaining offences relating to commercial surrogacy. It updates and modernises language in the Parentage Act. It refers now to “intended parents” rather than “substitute parents” and replaces “substitute parent arrangement” with “surrogacy arrangement”. It establishes a structured framework for surrogacy arrangements with new requirements, including that all parties must receive independent legal advice and counselling before the agreement is made for the surrogate to become pregnant and carry a child for the intended parents. It includes a requirement that the agreement be in writing to reduce the likelihood of misunderstandings occurring.

It harmonises our surrogacy regulation with other states and territories by including the new requirement that provides that a surrogate must not enter an arrangement if they are under 25 years old. At the same time, there is an exception to this rule if the counsellor is satisfied that the person has sufficient maturity, recognising that some people may have sufficient maturity and understanding to participate in a surrogacy arrangement.

This is a bill that provides greater guidance about what reasonable expenses may be reimbursed under an altruistic surrogacy arrangement, and, as a further protection for surrogates, this bill recognises their autonomy to make informed decisions about their own medical care and bodies during pregnancy in the same way as any other pregnant person.

When a child is born through a surrogacy arrangement, the child is the legal child of the surrogate and any presumed parent—for example, the spouse or the partner of the surrogate—unless and until an order is made in the Supreme Court to transfer parentage to the intended parents. The bill confirms the basis on which the Supreme Court may grant parentage, which provides more certainty for all and allows discretion in limited circumstances.

Importantly, this bill provides transitional arrangements to allow the retrospective application of beneficial provisions introduced by the bill to remove barriers to altruistic surrogacy and to allow discretion for the court to make parentage orders for intended parents who were not previously able to seek an order—for example, because they were a single intended parent. The bill also provides transitional arrangements for surrogacy arrangements on foot when the bill commences to ensure that people who have complied with the law at the time are not disadvantaged.

Finally, in special and limited circumstances the bill also allows the Supreme Court to grant parentage orders for children born through commercial surrogacy if the child is facing a pressing disadvantage. This in no way condones commercial surrogacy; it remains illegal. What it does do is promote the rights of the child, recognising that that child should not be subject to substantive disadvantage because of the circumstances of their birth. In such cases a parentage order may only be made where the court is satisfied that the child is facing a pressing disadvantage that would be alleviated by making a parentage order that it is in the best interests of the child, and that it is reasonable in the circumstances.

As I flagged before, I will take the opportunity to speak to the amendments at this point. Amendment 1 is technical; it provides for section 4, which will create a new regulation, to commence on notification. This will ensure that the regulation made under this provision will be notified and come into effect at the same time as the rest of the bill on the day after notification.

Amendments 2 and 10 are intended to address recommendation 5 of the committee's report and the concerns raised by stakeholders during the course of the inquiry about the framing of reasonable expenses. It will ensure that expenses prescribed by regulation are not exhaustive and do not limit the reasonable expenses that would otherwise fall within the three categories of expenses relating to becoming or trying to become pregnant; pregnancy or birth; and entering into, and giving effect to, a surrogacy arrangement.

Amendment 3 inserts a new section 24A, creating a requirement for the qualifications of a person providing counselling for the purposes of a surrogacy arrangement. The requirements are prescribed in regulation so that they can be more readily updated if needed. Amendment 11 provides the corresponding new section in the regulation.

Amendments 4 to 8 respond in part to recommendation 7 of the committee's report. The amendments modify the requirement that the birth parents and intended parents receive counselling from different counselling services. Instead, the requirement will be that the birth parents and intended parents receive counselling from different counsellors. This will avoid a real or perceived conflict of interest that could arise if the

same counsellor was to see all parties, but it provides more flexibility by allowing parties to see different counsellors from the same counselling service.

Amendment 9 implements recommendation 4 of the committee report. It will give the court discretion to hear an application and to make a parentage order for a child outside the six-month time frame if there are exceptional circumstance to justify the court deciding the application.

Mr Assistant Speaker, you would be aware that this is one of several significant human rights reforms that we have brought this term. Some of these were clearly part of our agenda at the beginning of this term—like reforming discrimination law. Others—like the right to a healthy environment—were dependent on consultation, or, in the case of voluntary assisted dying, entirely dependent on another parliament.

Still others were not on our agenda. Reforming surrogacy was one of them. It was not on our agenda at the beginning of this term, but I soon understood the very real impact such unfair discriminatory laws were having on people and families in the ACT. As the minister responsible for this legislation, I could not, and I would not, allow this to persist in the ACT. That sounds all well and good, and very simple, and it is true, but that statement masks what an extraordinary amount of largely unanticipated work has been done by a very small team which continues to go above and beyond. It is the culmination of several years of consultation, research, and community engagement to improve access to altruistic surrogacy arrangements in the ACT.

So, with respect to that, I thank Gabrielle McKinnon and Daniel Ng and their teams for their leadership in this space. These are names that I have mentioned several times, and I would be happy to speak about them for the rest of this speech, to be honest, because they are remarkable public servants and they really do set a particular standard for work ethic, and also for diligence and expertise, and I am just so grateful to be able to work with them and to have worked with them this term.

I also want to recognise the ACT Human Rights Commission and the Office of LGBTIQ+ Affairs for their support, encouragement and engagement. Of course I also recognise the stakeholders, without whom this reform would not be possible, especially but not limited to Surrogacy Australia, Donor Conceived Australia, Rainbow Families, Equality Australia, Andrew Pennington, Associate Professor Ronli Sifris, Sarah Jefford, Stephen Page, ACT Youth Advisory Council, and the ACT Law Society and the ACT Bar Association. Thank you especially to my office—Jemma Cavanagh, Jonah Morris, and Michael Liu—who provide me with such extraordinary support in delivering a real reformist agenda. Again, I hope this is something that they will forever remember and be very proud of.

Perhaps most especially, I send a big thank you to the Parliamentary Counsel's Office. I promise I have no more reforms up my sleeve, but I very much appreciate your engagement, your willingness, and your expertise in drafting a bill that really does right some wrongs. It does correct such an unfair and unfairly persistent situation for people and families in the ACT. With that, I commend this bill and its amendments to the chamber.

Question resolved in the affirmative.

Bill agreed to in principle.

Detail stage

Bill, by leave, taken as a whole.

MS CHEYNE (Ginninderra—Minister for the Arts, Culture and the Creative Economy, Minister for City Services, Minister for Government Services and Regulatory Reform and Minister for Human Rights) (12.13), by leave: I move amendments Nos 1 to 11 circulated in my name together [*see schedule 2 at page 1672*] and table a supplementary explanatory statement to the amendments.

Amendments agreed to.

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

Bill, as amended, agreed to.

Sitting suspended from 12.14 to 2 pm.

Ministerial arrangements

MR BARR: I need to advise the Assembly that Minister Cheyne will be absent from question time due to personal reasons. Minister Steel will assist in the City Services portfolio and I will endeavour to assist in the remainder of Ms Cheyne's portfolios.

Questions without notice

Canberra Institute of Technology—chief executive officer

MS LEE: My question is to the Chief Minister. Chief Minister, I refer to the sudden resignation of Leanne Cover, the former CEO of CIT, on Tuesday 18 June 2024. As you are aware, Ms Cover has been on paid leave for two years pending the outcome of an Integrity Commission inquiry into her conduct in the awarding of over \$8.5 million in contracts from CIT to Think Garden and Redrouge Nominees Pty Ltd. Chief Minister, when did you or any of your staff first become aware of Ms Cover's resignation or intention to resign?

MR BARR: Nineteen June, Madam Speaker.

MS LEE: Chief Minister, was Ms Cover's sudden resignation due to the impending release of the Integrity Commissioner's interim report?

MR BARR: I cannot speculate on that matter, Madam Speaker.

MS CASTLEY: Chief Minister, will you commit to ensuring the impending report by the Integrity Commission into this matter will be released in full to the public?

MR BARR: That is not a matter I have control over under the Integrity Commission Act, or indeed other laws that apply in the territory. So I cannot guarantee that for obvious legal reasons.

Canberra Institute of Technology—chief executive officer

MS LEE: My question is to the Chief Minister. Chief Minister, I refer to the Public Sector Management Standards which, among other matters, detail the circumstances of financial entitlements paid to SES members upon the end of their employment. Section 72(1) of the standards sets out the circumstances where entitlements are not paid, including if the employment of the SES member ended “(a) for serious misconduct, serious corrupt conduct or systemic corrupt conduct”. Chief Minister, does section 72(1)(a) of the Public Sector Management Standards apply if an SES member resigns before any adverse findings have been made against them?

MR STEEL: I am happy to take this one, Madam Speaker. I presume that the question is in relation to the former CEO of CIT. I can inform the Assembly and Ms Lee that the board has advised me that Ms Cover is not entitled to any additional special benefits or payments but that she will be paid her accrued unpaid entitlements, as required by law. CIT are currently reviewing the legal requirements of paying out any entitlements and are yet to finalise any figure and provide it to Ms Cover.

For the benefit of the Assembly, I table the following documents relating to the employment of the former chief executive officer of the Canberra Institute of Technology:

Canberra Institute of Technology—Chief Executive Officer—

Contract of employment, undated.

Resignation—

Copy of letter to the Minister for Skills and Training from Ms Lee (Leader of the Opposition), dated 24 June 2024.

Copy of response to Ms Lee from the Minister for Skills and Training, dated 25 June 2024.

Copy of letter to the Minister for Skills and Training from the Chair of CIT Board, dated 19 June 2024.

Copy of response to the Chair of CIT Board from the Minister for Skills and Training, dated 19 June 2024.

Financial Management Act, pursuant to section 80—Canberra Institute of Technology—Chief Executive Officer—Ending of appointment consideration—
Copy of letter to the Minister for Skills and Training from the Chair of CIT Board, dated 11 June 2024.

MS LEE: Minister, did Ms Cover have any discussions with either you or members of the CIT board about the effect of her departure in terms of the impact it would have on any entitlements; that is, whether she resigned or whether there were adverse findings against her?

MR STEEL: I cannot speak for the CIT board in relation to that but, in relation to me, no, I did not have any conversations.

MS CASTLEY: Minister, what action is available to the government to recover the moneys paid to Ms Cover during her two years on fully paid leave if there are adverse findings made against her as a result of the Integrity Commission investigation?

MR STEEL: I refer Ms Castley to the correspondence that I have just tabled. In my letter of 19 June, I asked the board to provide me with an update on all efforts and options to recover public money expended during the course of the matter.

Canberra Institute of Technology—chief executive officer

MS LEE: My question is to the Minister for Skills and Training. Minister, I refer to the sudden resignation of Ms Cover, the former CEO of CIT, on Tuesday 18 June 2024. As you are aware, Ms Cover was on paid leave for two years, pending the outcome of an Integrity Commission inquiry into her conduct in the awarding of over \$8.5 million in contracts to Think Garden and Redrouge Nominees Pty Ltd. Minister, when did you or your staff first become aware of Ms Cover’s resignation or intention to resign?

MR STEEL: My office was informed late on 18 June, and then I was formally directly notified on 19 June by the board in a letter, which I just tabled in the Assembly.

MS LEE: Minister, did you or any members of your staff have any discussions about Ms Cover’s resignation with the chair or any other members of the CIT board ahead of Ms Cover announcing her resignation and, if so, when did those discussions happen?

MR STEEL: No, not in relation to the resignation. They were informed of the resignation late on 18 June.

MR MILLIGAN: Minister, did you or any members of your staff have any discussions with any of your other ministerial colleagues about Ms Cover’s resignation prior to her resigning? If so, with whom and when?

MR STEEL: As noted in the letter to Ms Lee that I just tabled, my office notified the Chief Minister’s office of the resignation on 19 June.

Canberra Institute of Technology—ACT Integrity Commission

MS LEE: My question is to the Attorney-General. Attorney-General, I refer to the statement by the Integrity Commissioner on 19 June 2024 which refers to court proceedings for an injunction into the release of the Integrity Commission’s special report into the CIT investigation. Noting the suppression order currently in place, can you please confirm when you first became aware that such legal action had been initiated?

MR RATTENBURY: I would have to check the exact timing of that, but I became aware of it when I spoke to the chair of the Integrity Commission a day or so before the proceedings formally commenced. He had received an indication that those proceedings were going to commence, and he spoke to me, as the Attorney-General, in order to consider whether the Integrity Commission or the government would lead the legal response.

MS LEE: Attorney-General, was an application made by any party for legal fees in relation to this court action? If so, when, and what was the outcome?

MR RATTENBURY: No; there has been no application.

MR CAIN: Attorney-General, have you sought advice on whether the *Law Officers Legal Services Directions 2023* requires amendments to ensure it is not being used to facilitate interference in current Integrity Commission investigations?

MR RATTENBURY: There is inference in Mr Cain's question that I do not necessarily accept, but the point I—

Mr Cain: Have you sought advice?

MADAM SPEAKER: Mr Cain, please!

MR RATTENBURY: I think he is asking: will the government reconsider the nature of the direction? In light of recent matters, yes, we will. I have had some very preliminary conversations with the Solicitor-General about it, but, obviously, it requires more careful consideration.

Canberra Institute of Technology—chief executive officer

MS LEE: My question is to the Attorney-General. Attorney-General, was the ACT government assisting Ms Cover with the payment of her legal fees in relation to the Integrity Commission investigation prior to her resignation?

MR RATTENBURY: I do appreciate the fact that Ms Lee signalled some of these areas of interest prior to question time this week in order to ensure the best answers. I have sought advice on this matter and what I can say is that, while the Integrity Commission has made public statements regarding its investigation into CIT consultancy contracts, public hearings have not been conducted and the identity of witnesses is confidential. Upon the Integrity Commission publishing a report into its investigation, depending upon the findings, the questions that Ms Lee is asking can be addressed, but I am not at this stage able to identify a witness before that investigation.

Ms Lee: Point of order.

MADAM SPEAKER: Point of order, Ms Lee.

Ms Lee: Madam Speaker, the question was not about the conduct of the investigation. It was very, very pointed. I specifically asked: is the ACT government assisting Ms Cover with the payment of legal fees in relation to the Integrity Commission investigation.

MADAM SPEAKER: Without directing you how to answer, are you able to provide the information, Mr Rattenbury?

MR RATTENBURY: As I said Madam Speaker, there is an Integrity Commission investigation. They have made a public statement about that. There have been no public hearings and the identify of witnesses is confidential. That goes directly to Ms Lee's question. I am not able to discuss the identity of witnesses.

Ms Lee: Point of order, Madam Speaker. The question was not asking the Attorney-General to identify any witnesses; it was specifically asking whether the ACT government is providing assistance with legal fees.

MADAM SPEAKER: I am going to let it stand. It is my interpretation, and I am quite happy to take advice and reflect on this, that a reference to a witness is indeed including anyone who may be involved within the hearing. Therefore, you believe you have answered that question, Mr Rattenbury.

MR RATTENBURY: Yes, Madam Speaker, that is the point I am endeavouring to make. Ms Lee has asked me about whether a specific individual is involved and whether the government is providing assistance. If I were to answer that question, I would be involved in identifying an individual potentially involved as a witness.

MS LEE: Attorney-General, has the ACT government approved assistance with legal fees for any party associated with the Integrity Commission investigation into the CIT matter?

MR RATTENBURY: I imagine so, Madam Speaker. I will seek formal advice on that specific question.

MS LAWDER: Pending the answer to that question, who made the decision about whether to pay those fees or not?

MR RATTENBURY: As discussed in this place recently, that is a decision of the Solicitor-General.

Government—land release program

MR PETTERSSON: My question is to the Minister for Planning. Minister, can you please provide an update on the Indicative Land Release Program?

MR STEEL: I thank Mr Pettersson for his question. I am very pleased to provide an update on the ACT's Indicative Land Release Program for 2024-25 through to 2028-29. The ACT government has a practical plan to provide land release over the next five years to support our growing community. The proposed land release through the ILRP continues to support the development of a compact and efficient city, seeking to provide more housing and a more diverse range of housing choices where people want to live. It provides economic development opportunities across the territory to support our target of 300,000 jobs.

I am pleased to announce that more than 866,000 metres squared of land is scheduled for release over the next five years to support our growing population and anticipated new homes, which are desperately needed at the moment. The program sets out an ambitious schedule of land release for more homes. In addition to the housing component of the program, other land release includes mixed use, commercial, industrial and community uses, with close to 97,000 metres squared of this land to be released in 2024-25.

MR PETTERSSON: Minister, how will the ILRP provide more houses for Canberrans?

MR STEEL: This land release program releases land to support over 21,000 new homes for the Canberra market. The government is committed to providing more houses. As Minister for Planning, I have released my statement of planning priorities. This is a priority for our government. New housing in and around shopping centres also provides an opportunity to renew our ageing community hubs. That is a priority under the statement. The program contains a range of releases in greenfield areas and in existing suburban areas, which will help us to meet our 70-30 infill target, which has been set under the ACT Planning Strategy for some time.

There will be homes within new suburbs, such as Macnamara in Ginninderry, Jacka in Gungahlin, and Denman Prospect, Whitlam and the future Molonglo town centre in the Molonglo Valley, as part of the program. This year's program also empowers community housing providers to deliver more social and affordable homes, with 608 community, public and affordable homes that have been committed to in the first year alone.

DR PATERSON: Minister, what measures are in place to ensure that the dwellings will be of high quality?

MR STEEL: I thank Dr Paterson for her question and her interest in making sure that we have great building quality here in the ACT. As members of the Legislative Assembly are well aware, the ACT government has, of course, moved to an outcomes-based planning system. This new system has a much greater focus on design, to ensure that developments that get planning approval consider design value and design quality, as well as the design impact on surrounding neighbourhoods.

Any developments that are submitted to the territory planning authority from November 2023 are subject to the new outcomes-based planning system. The new National Capital Design Review Panel arrangements will also continue to support the assessment of significant developments in the territory. The NCDRP offers a structured process of design review, including site inspections, independent review of a proposal, and issuing independent written advice to proponents and government. Of course, developments that are put forward to the territory planning authority are also required to respond to design guides, which are a new feature of the planning system.

I am confident that, through this land release program, the developments that are brought forward by the construction industry will have to meet that new design guidance and the outcomes-based framework that we have put in place.

Canberra Institute of Technology—procurement

MR MILLIGAN: My question is to the Minister for Skills and Training. Minister, the Notifiable Invoices Register shows payments to the Nous Group for economic modelling, market demand and growth strategies for the CIT. The total payment was \$148,500. Minister, why was it considered necessary to once again bring in consultants to do the work that the acting CEO and board should have been doing?

MR STEEL: I thank the member for his question. I am happy to come back on notice with some further detail about that particular contract. There is some specialised work where specialised expertise is required to be brought in to support the decision-making of the board and the broader institute, where it does not have that expertise in house or where it is not easy to bring that expertise in house. They are doing some significant work to develop a new strategy for CIT, which has been consulted on for some time with staff, with industry and with government.

As part of that, they are looking at future opportunities—this has already been publicly funded through previous budgets and budget reviews—for the renewal of some of the existing campuses, such as Bruce and the broader precinct work that is happening there and also CIT Fyshwick, especially now that it is becoming the home of the new centre of excellence for electric vehicles; the first in Australia. They are looking at opportunities to create a new future energy skills hub at CIT Fyshwick, which would incorporate that centre of excellence.

There is some planning work associated with that that will no doubt require some external support in order to undertake the due diligence that is required. That is not necessarily something that would be part of CIT's existing capacity within its current staffing arrangements. So, from time to time, they will need to contract in that work. That is a decision that they make, as an independent territory authority. We funded them to do some work in relation to the planning around that precinct, which acknowledged that they needed that extra capability to be brought in.

MR MILLIGAN: Minister, what is the expected outcome of the consultation that the board themselves could not deliver?

MR STEEL: I thank the member for his question. I am happy to go to the CIT and get them to provide an answer on notice in relation to that.

MR COCKS: Minister, how much more is expected to be expended on this contract?

MR STEEL: Again, I will take that on notice.

Housing—affordability

MS CLAY: My question is to the Minister for Housing and Suburban Development. Under the Housing Australia Future Fund and the National Housing Accord, all state and territory governments have committed to improving housing outcomes for Australians. The ACT committed to delivering 175 affordable homes between 2024-25 and 2028-29, with 35 delivered each year. The first round of applications for funding through the Housing Australia Future Fund, the HAFF, have closed and are being assessed. Did Housing ACT submit applications for funding of public housing under the HAFF?

MS BERRY: No; not under the first round. Ms Clay may be aware, but I will let her know, that the Housing Australia Future Fund Facility and the National Housing Accord Facility opened for round 1 on 15 January 2024 and closed in March 2024. The reason Housing ACT did not enter into round 1 opportunities with the Housing

Australia Future Fund was to allow community housing providers in the ACT the best possible chance to access that fund and build more community housing in the ACT. Ms Clay will know, however, that the 175 houses funded by the ACT are part of the Affordable Housing Project Fund, which was for \$60 million and has now had another \$20 million added to it. We have announced projects in Turner, Phillip, Ginninderry and Curtin, and I look forward to future announcements in the coming weeks.

MS CLAY: Why didn't Housing ACT also submit funding applications for public housing, as community housing providers submitted funding applications for community housing?

MS BERRY: I refer the member to my first answer. Housing ACT is working towards delivering on the requirements under the accord and we will be delivering on those requirements under the accord, as well as doing some of the heavy lifting in our own space with regard to our housing funds here in the ACT. There are the projects that I just announced, with more to come.

MISS NUTTALL: Minister, what progress have you made on the delivery of the first 35 units scheduled for delivery in 2024-25?

MS BERRY: The Housing Australia Future Fund is for purchasing land to build homes, so no homes have been built yet. As members will understand, there is a process to go through before infrastructure is completed and people can move into homes. I provide regular updates to the Assembly on where Housing is up to with regard to requirements under our own Growing and Renewing program. We are providing an additional 400 public housing properties in the ACT and renewing a further 1,000 homes in the ACT. I will continue to provide those updates for the advice of members.

Canberra Theatre Centre—redevelopment

MS LEE: My question is to the Treasurer. Treasurer, funding for our new Canberra Theatre first appeared in the budget in 2017-18, and by the 2023-24 budget the project still had no concrete plan. Your announcement on 15 June this year still does not commit to any construction funding for this project. Treasurer, given your track record with the stadium, the convention centre and the other 150, at least, broken budget promises you have made, will you come clean and admit that this project will never be built in the time that you are in government?

MR BARR: I reject the premise of the question. The budget outlined a two-stage procurement process, which commences next month.

MS LEE: Why have there been such significant delays by your government, which have led to no construction funding in the last six budgets, since you originally proposed the idea?

MR BARR: Large-scale infrastructure projects need to go through a development phase before you can approach the market to seek to construct them. We are about to enter into a two-phase procurement process for the construction of the theatre.

MS LAWDER: Treasurer, when did the government approve the business case for the Canberra Theatre complex expansion, and will you publicly release that document and the government's response?

MR BARR: Those matters are cabinet-in-confidence and would not be released ahead of the market procurement, which commences next month.

Housing—affordability

DR PATERSON: My question is to the Minister for Housing and Suburban Development. Minister, the 2024-25 budget includes an extra \$20 million for the Affordable Housing Project Fund. Can you tell me why this fund is so important?

MS BERRY: I thank Dr Paterson for the question. The injection of the additional \$20 million, as I said in answer to previous questions, is on top of the \$60 million that the ACT government invested in the Affordable Housing Project Fund last year. This will allow us to continue to support local community housing providers to launch new build-to-rent projects across Canberra.

With high average incomes and a rapidly growing population, pressure has been increasing on housing supply in the ACT, especially for those households on lower incomes. Having affordable rent, which is classified as less than 25 per cent of the market rate, makes a massive difference to people and families, like single parents and workers in lower paid but essential professions, such as cleaning, community services and healthcare support.

DR PATERSON: Minister, what affordable rental projects have been supported through this fund so far?

MS BERRY: So far, the fund has supported projects that will deliver more than 280 affordable rental homes in the coming years. This includes 45 affordable rentals in Turner, as part of a joint venture between PCYC, CHC and the Snow Foundation. We are also supporting 54 affordable rentals in Curtin, as part of a Marymead CatholicCare development. Seventy affordable rentals in Phillip are being delivered in partnership with CHC and the Canberra Southern Cross Club, thanks to this ACT government funding.

Of course, one project that I am particularly proud of is the ACT government's \$4.5 million contribution to 22 build-to-rent-to-buy homes in Strathnairn, as part of Ginninderry's women's housing initiative pilot program, which is also a partnership between Housing Australia and CHC.

MS ORR: Minister, what else is the government doing to help Canberrans into housing that they can afford?

MS BERRY: The ACT government's \$80 million Affordable Housing Project Fund supports those households who do not quite need public housing but are still finding it difficult to get into homes of their own. When it comes to public housing, which is

already home to more than 20,000 Canberrans, we are still increasing supply. The Growing and Renewing Public Housing program has already built 550 new and replacement public housing homes; we have purchased 160 dwellings from the market to add to the public housing portfolio; and we have purchased 116 land sites to build even more homes. The 2024-25 budget includes the first tranche of the social housing accelerator funding, so Housing ACT can buy more land and build even more new public housing homes.

Health—community health centres

MS LEE: My question is to the Minister for Health. Minister, two weeks ago you announced some funding for design and construction for a new health centre in north Gungahlin. Last election, Mr Barr said:

ACT Labor has committed to three centres becoming operational in the next term of Government.

The proposed locations of those centres were to be in south Tuggeranong, west Belconnen, north Gungahlin or Molonglo. Minister, can you confirm for Canberrans that you are set to fail to deliver on this election commitment, given that you have only announced funding for the design of the north Gungahlin centre just this month?

MS STEPHEN-SMITH: I thank Ms Lee for the question. It is an opportunity to talk about our commitment to community-based health centres—a commitment that the Canberra Liberals have never sought to match. I will correct Ms Lee, who stated that funding was provided for the design of the north Gungahlin centre. The budget will in fact provide funding for design and construction in both north Gungahlin and the inner south—that was part of our announcement—as well as for design in west Belconnen.

Ms Lee interjecting—

MS STEPHEN-SMITH: As Ms Lee is aware, we also have existing funding for design and construction of the south Tuggeranong health centre, in Conder. We have already opened a health centre in Molonglo.

It is true that some of the identification of sites has been delayed. Ms Lee, if she had looked at all of the things that we said in the 2020 election about some of these health centres, would have seen that we had previously thought that we would probably be able to identify a site in the inner south that we would be able to refurbish. That has not been possible, following feasibility studies and site investigation. So we had to identify a new site for that. The site selection has also been delayed in north Gungahlin. However, we are getting on with the job of design and construction of these new health centres, which the Canberra Liberals have never said that they would do and which would be at risk if the Canberra Liberals were elected in October.

MS LEE: Minister, can you confirm for Canberrans: is it your failure to deliver on your election commitments or your mismanagement of the health system which has caused the ACT to remain below the national average on key health benchmarks?

MS STEPHEN-SMITH: Given that Ms Lee has failed to identify any key health benchmarks that she is talking about, it is impossible for me to answer that question. What I would say is that I completely reject the premise of Ms Lee's question. I reiterate that we are committed to building community health centres in south Tuggeranong, the inner south, north Gungahlin and west Belconnen, as well as the centre that is open in Molonglo. The Canberra Liberals have never committed to matching these commitments.

Members interjecting—

MADAM SPEAKER: Members!

MS CASTLEY: Minister, why is the Labor government lying to Canberrans about their health services, whether it is when new centres will become operational or the cost of service at these centres?

Mr Pettersson: Point of order, Madam Speaker.

MADAM SPEAKER: There is a very fine distinction. Certainly, "lying to the Assembly" is absolutely out of order. The Clerk seems to split the difference of lying to the community is in order. I ask people to be very mindful of the language. We are into single digits now of sitting days left. I reminded everybody this morning of *Erskine May*, which asks everybody to be civil and respectful. We just ask that. Thank you.

Ms Berry: Madam Speaker, on that point of order and your response about the Clerk's recommendation, the Speaker is the one who sets the precedents in this place and can change the practice.

MADAM SPEAKER: Yes. I—

Members interjecting—

Ms Berry: I just wonder whether this is an opportunity—

Members interjecting—

MADAM SPEAKER: Members!

Ms Lee: I think that is dissent, isn't it? She's got to put that in writing!

MADAM SPEAKER: Members!

Ms Berry: Not at all; I am just asking for advice on whether or not that implies that there is some dishonesty.

Mr Cain: Do you think the Speaker is wrong?

MADAM SPEAKER: Members, if you think I am, speak up, but I would encourage you to be quiet, Mr Cain. Members, we will let it stand, but I will be mindful, Ms Berry,

and I do appreciate your comments. Just think of *Erskine May* in the next nine sitting days that we have!

Ms Berry: Thank you, Madam Speaker.

MADAM SPEAKER: Ms Stephen-Smith.

MS STEPHEN-SMITH: Thank you, Madam Speaker. In the remaining 15 seconds: I completely reject the premise of Ms Castley's question and the assertions that she has made therein. We have kept the Canberra community informed of the work that we have been doing throughout this term of government to deliver health centres that the Canberra Liberals have never committed to.

Child care—Australian National University early education facilities

MISS NUTTALL: My question is to the Minister for Education and Youth Affairs. Minister, many Canberran families are concerned about the announcement of the pending closure of the University Preschool and Child Care Centre. Was your office given any additional notice from the ANU that this closure was planned?

MS BERRY: I thank Miss Nuttall for the question. I was taken by surprise with this announcement, like everybody was, and was deeply concerned to hear that the ANU had made a decision, and then made an announcement following that decision, without consultation with the four services at the ANU. Prior to working in this space, I worked with the early childhood education and care sector and was responsible for the workers in those services. I felt that it was unnecessarily abrupt and wrote to the Australian National University to express my concern about their decision.

Also, I will meet with parent groups from the UPCCC and will visit the Heritage Early Childhood Centre, which is one of the centres that has been impacted by this decision. I know that parents are particularly concerned, having such a strong relationship with the services. I look forward to continuing to work with parents and services and will provide any assistance or advice that I can to the ANU about how we can ensure that there are quality community-run services remaining at the ANU going forward.

MISS NUTTALL: Minister, what responsibility does the ACT government have to ensure that early childhood education and care providers and their communities are consulted when it comes to potential closures?

MS BERRY: Unfortunately, really not any; there is not much that the ACT government can do. Those are decisions for the owners of those services. However, as I have said, I will meet with the parents. I understand that the ANU has agreed to meet with the services and will provide them with the opportunity to be the first to tender for the continuing services in the first round and for the two new services that they intend to build to provide early childhood education and care in the ACT, at the ANU. I know those decisions, conversations and negotiations will continue. However, as I said, if I and the ACT government can provide any support to the ANU or those services in their decision-making, we certainly will. As I said, I have encouraged the ANU to continue to engage high-quality services that are community based and community-run, as is the case with the current services at the ANU.

Municipal services—funding

MS ORR: My question is to the minister acting as the Minister for City Services. Minister, what investment is the government making in city services to meet the needs of our growing city?

MR STEEL: I thank Ms Orr for her question. This is a big budget for City Services' delivery on commitments and strengthening the services that Canberrans rely on every day. I want to acknowledge the real drive and commitment of Minister Cheyne as Minister for City Services. I am really excited, as well, to say that construction will commence this financial year on MRF—a new recycling facility for Canberra—thanks to a \$26 million investment in the budget following the catastrophic fire that destroyed our previous facility. This new and larger facility will have state-of-the-art fire suppression along with improved plant, including improved sorting, baling and glass-washing equipment.

Headlining our roads investment is funding to kick-start work on the Athllon Drive duplication in Tuggeranong. This project will provide a faster and safer commute for all road users. It will provide improved active travel connections; it will provide improved access to public transport; and it will, of course, support private motor vehicles as well. It is expected to begin in the coming months on the southern section, with the early works on the northern section to follow.

We are also funding planning work on the future east-west arterial connection from John Gorton Drive to the Tuggeranong Parkway, which is known as the Molonglo Parkway connector. Also, there is funding in the budget to support some work around planning for road improvements in Gungahlin.

In terms of active travel, we are continuing our record investment in active travel, with \$3 million allocated for a major renewal of the Emu Bank foreshore, including a complete reconstruction of the lake retaining wall. There is \$1.4 million to construct missing path links and connections across the city; \$500,000 for new lighting; a \$2.5 million investment to deliver new toilets at Evatt shops, Ruth Park playground in Coombs, Yerrabi Park in Amaroo and an upgraded toilet in Mawson shops; and \$2 million will drive renewal of our city's playgrounds and skate parks.

MS ORR: Minister, with the new recycling facility funded, what does this mean for FOGO?

MR STEEL: I thank Ms Orr for her supplementary question. I have heard, through Minister Cheyne, how popular the FOGO pilot has been in her community in Belconnen with the participating households and how more households in Canberra are really keen to get on board with food organic recycling. With our housing needs continuing to evolve, the FOGO pilot will be expanded so that more information can be learned about how households in different housing types, particularly multi-unit developments, can engage with this service.

We are also expanding the pilot by 20 per cent, with an additional 1,150 units in multi-unit developments being added to the pilot. The procurement process on large-scale facilities is progressing, with insights from the pilot expansion to inform the future

facility, and an ACT-wide FOGO roll-out. Minister Cheyne looks forward to announcing the locations and timing of the FOGO expansion in the coming weeks as we continue to promote the circular economy in Canberra.

MR PETTERSSON: Minister, what is in the budget to support the crews who service these assets?

MR STEEL: I thank Mr Pettersson for his question and for his long-standing advocacy in support of providing better services, particularly through in-source work and through public servants.

Our hardworking City Services crews work every day to keep our city functional and beautiful, and we are investing in them to support them to do what they do best in response to a changing climate. To support walking and cycling, the budget invests \$5.81 million to establish a new path replacement crew. This in-source crew will enable City Services to respond to cracked, broken and lifted paths much more rapidly and will also have the ability to construct small-scale, age-friendly improvements—for example, new ramps.

Also, \$1.16 million will expand the City Services in-house line-marking crew by creating four additional full-time positions to renew faded road and path line-marking right across our city. The budget commits \$5.824 million towards a new base line of city maintenance, reinforcing resources in our mowing, in-house traffic management and tree management teams. We have learned that the only certainty about our weather now is uncertainty, and investing in an improved base line of capability across our crews is the most critical way for us to better respond to these challenges, and to better respond to the community—and that is what we are doing in this budget.

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

Supplementary answer to question without notice Canberra Institute of Technology—ACT Integrity Commission

MR RATTENBURY: During question time Ms Lee asked me about the territory providing legal assistance. I can confirm that the territory has provided assistance in relation to legal representation for public officials regarding the Integrity Commission Investigation named Operation Luna. I was also asked when I became aware of the Supreme Court action. It was 17 June.

Answers to questions on notice Question Nos 1842, 1869 and 1873

DR PATERSON: I am requesting an explanation concerning unanswered questions 1842, 1869 and 1873 from the Minister for Gaming.

MR RATTENBURY: I was seeking some additional information on those questions. I will chase up where that is up to and provide the answers to Dr Paterson as quickly as I can.

Question Nos 1868, 1897 and 1898

MR CAIN: I have three questions on notice that were due on 17 June: one from the Minister for Health, 1868; one from the Treasurer, 1897; and one from the Minister for Housing and Suburban Development, 1898. I would certainly be keen to know why those have not been answered.

MS STEPHEN-SMITH: I can advise Mr Cain that I signed the response to that question today.

MR BARR: The question relates to the Homebuyer Concession Scheme and will be updated to reflect recent budget announcements.

MS BERRY: I believe that question is on its way to Mr Cain's office. If it has not arrived yet, I will make sure that I chase it down.

Papers

Madam Speaker presented the following papers:

Auditor-General Act—Auditor-General's Report No 5/2024—Management and oversight of ACT Policing services, dated 21 June 2024.

Committee Reports—Schedule of Government Responses—Tenth Assembly, as at 21 June 2024.

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

Health Legislation Amendment Bill 2024—Copy of letter to the Speaker from the Chair, Standing Committee on Health and Community Wellbeing, dated 18 June 2024.

Public Sector Management Amendment Bill 2024—Copy of letter to the Speaker from the Chair, Standing Committee on Economy and Gender and Economic Equality, dated 17 June 2024.

Standing order 191—Amendments to the Voluntary Assisted Dying Bill 2023, dated 14 and 17 June 2024.

Mr Gentleman, pursuant to standing order 211, presented the following papers:

Major infrastructure program—Investment—Transparency—Assembly resolution of 19 March 2024—Government response, dated June 2024.

Planning, Transport and City Services—Standing Committee—Report 17—Inquiry into Property Developers Bill 2023—Government response, dated June 2024.

Re-envisioning older persons mental health and wellbeing—Update, dated June 2024.

Update on the ACT Small Business Strategy 2023-26 and Business in the ACT—Support—Assembly resolution of 20 March 2024—Government response, dated June 2024.

Subordinate legislation (including explanatory statements unless otherwise stated)

Legislation Act, pursuant to section 64—

Animal Welfare Act—Animal Welfare (Fees) Determination 2024 (No 1)—Disallowable Instrument DI2024-128 (LR, 13 June 2024).

Architects Act—Architects (Fees) Determination 2024—Disallowable Instrument DI2024-110 (LR, 11 June 2024).

Building Act—Building (Fees) Determination 2024 (No 2)—Disallowable Instrument DI2024-111 (LR, 11 June 2024).

Canberra Institute of Technology Act and Financial Management Act—

Canberra Institute of Technology (CIT Board Member) Appointment 2024 (No 1)—Disallowable Instrument DI2024-119 (LR, 11 June 2024).

Canberra Institute of Technology (CIT Board Member) Appointment 2024 (No 2)—Disallowable Instrument DI2024-120 (LR, 11 June 2024).

Canberra Institute of Technology (CIT Board Member) Appointment 2024 (No 3)—Disallowable Instrument DI2024-121 (LR, 11 June 2024).

City Renewal Authority and Suburban Land Agency Act—

City Renewal Authority and Suburban Land Agency (Authority Board Chair) Appointment 2024—Disallowable Instrument DI2024-95 (LR, 30 May 2024).

City Renewal Authority and Suburban Land Agency (Authority Board Deputy Chair) Appointment 2024—Disallowable Instrument DI2024-97 (LR, 30 May 2024).

City Renewal Authority and Suburban Land Agency (Authority Board Member) Appointment 2024 (No 2)—Disallowable Instrument DI2024-98 (LR, 30 May 2024).

City Renewal Authority and Suburban Land Agency (Authority Board Member) Appointment 2024 (No 3)—Disallowable Instrument DI2024-99 (LR, 30 May 2024).

Clinical Waste Act—Clinical Waste (Fees) Determination 2024 (No 1)—Disallowable Instrument DI2024-129 (LR, 13 June 2024).

Community Title Act—Community Title (Fees) Determination 2024—Disallowable Instrument DI2024-104 (LR, 6 June 2024).

Construction Occupations (Licensing) Act—Construction Occupations (Licensing) (Fees) Determination 2024 (No 2)—Disallowable Instrument DI2024-112 (LR, 11 June 2024).

Domestic Animals Act—Domestic Animals (Fees) Determination 2024 (No 1)—Disallowable Instrument DI2024-130 (LR, 13 June 2024).

Electoral Act—Electoral (Fees) Determination 2024—Disallowable Instrument DI2024-134 (LR, 17 June 2024).

Electricity Safety Act—Electricity Safety (Fees) Determination 2024—Disallowable Instrument DI2024-113 (LR, 11 June 2024).

Environment Protection Act—Environment Protection (Fees) Determination 2023—Disallowable Instrument DI2024-114 (LR, 11 June 2024).

Fisheries Act—Fisheries (Fees) Determination 2024—Disallowable Instrument DI2024-123 (LR, 13 June 2024).

Gas Safety Act—Gas Safety (Fees) Determination 2024—Disallowable Instrument DI2024-115 (LR, 11 June 2024).

Heritage Act—Heritage (Fees) Determination 2024—Disallowable Instrument DI2024-116 (LR, 11 June 2024).

Medicines, Poisons and Therapeutic Goods Regulation—Medicines, Poisons and Therapeutic Goods (Vaccinations by Pharmacists) Direction 2024 (No 1)—Disallowable Instrument DI2024-109 (LR, 11 June 2024).

Nature Conservation Act—

Nature Conservation (Fees) Determination 2024—Disallowable Instrument DI2024-117 (LR, 11 June 2024).

Nature Conservation (Scientific Committee) Appointment 2024—Disallowable Instrument DI2024-100 (LR, 6 June 2024).

Planning Act—Planning (Fees) Determination 2024—Disallowable Instrument DI2024-107 (LR, 6 June 2024).

Public Place Names Act—Public Place Names (Denman Prospect) Determination 2024 (No 2)—Disallowable Instrument DI2024-122 (LR, 13 June 2024).

Public Unleased Land Act—Public Unleased Land (Fees) Determination 2024 (No 1)—Disallowable Instrument DI2024-131 (LR, 13 June 2024).

Stock Act—

Stock (Fees) Determination 2024—Disallowable Instrument DI2024-101 (LR, 11 June 2024).

Stock (Levy) Determination 2024—Disallowable Instrument DI2024-102 (LR, 11 June 2024).

Stock (Minimum Stock Levy) Determination 2024—Disallowable Instrument DI2024-103 (LR, 11 June 2024).

Surveyors Act—Surveyors (Fees) Determination 2024—Disallowable Instrument DI2024-108 (LR, 6 June 2024).

Unit Titles Act—Unit Titles (Fees) Determination 2024—Disallowable Instrument DI2024-106 (LR, 6 June 2024).

Urban Forest Act—Urban Forest (Fees) Determination 2024 (No 1)—Disallowable Instrument DI2024-132 (LR, 13 June 2024).

Utilities (Technical Regulation) Act—

Utilities (Technical Regulation) (Non-drinking Water Supply Code) Approval 2024—Disallowable Instrument DI2024-126 (LR, 13 June 2024).

Utilities (Technical Regulation) (Operating Certificate Fees) Determination 2024—Disallowable Instrument DI2024-127 (LR, 13 June 2024).

Utilities (Technical Regulation) (Water and Sewerage Code) Approval 2024—Disallowable Instrument DI2024-125 (LR, 13 June 2024).

Water and Sewerage Act—Water and Sewerage (Fees) Determination 2024—Disallowable Instrument DI2024-118 (LR, 11 June 2024).

Water Resources Act—Water Resources (Fees) Determination 2024 (No 2)—Disallowable Instrument DI2024-124 (LR, 13 June 2024).

Working with Vulnerable People (Background Checking) Act—Working with Vulnerable People Background Checking (Fees) Determination 2024—Disallowable Instrument DI2024-133 (LR, 17 June 2024).

Crimes (Coercive Control) Amendment Bill 2024

Ms Castley, pursuant to notice, presented the bill and its explanatory statement.
Title read by Clerk.

MS CASTLEY (Yerrabi) (2.46): I move:

That this bill be agreed to in principle.

Today I present to the Assembly a bill to amend the Crimes Act 1900 to legislate a standalone criminal offence for coercive control. Before I begin, I would like to take a moment to sincerely thank everyone who was involved in the development of this bill: frontline services, ACT Policing, community advocates and, most importantly, the victim-survivors who have shared, with great courage, their lived experience of the tragedy that is coercive control. I would also like to take this opportunity to thank my colleague Mr Cain and his office for their in-depth research and invaluable legal expertise. I thank the PCO. There have been many back and forth emails with us, so thank you to that team. I also thank my office, who have worked tirelessly on this bill.

Coercive control is an emotional issue for everyone, particularly for those of us who have lived through and survived domestic and family violence. I will begin by outlining some of the harrowing facts around coercive control. One woman has been violently murdered every four days this year, and 99 per cent of intimate partner homicides are preceded by coercive control. New South Wales, Queensland, Tasmania, Western Australia and South Australia have all either criminalised coercive control or committed to doing so. Five out of eight jurisdictions nationwide are currently heading down a path of criminalising coercive control.

Queensland criminalised coercive control this year, with bipartisan support. The Queensland legislation followed the horrific murder of Hannah Clarke and her three children, a case which has raised widespread awareness of coercive control for some people for the first time. I want to acknowledge the tireless work of Hannah's parents, Sue and Lloyd, in the prevention of domestic and family violence. I thank them for advocating for the criminalisation of coercive control. I believe they are dialling in to watch today. Sue Clarke echoed the calls of countless victim-survivors and their loved ones when she said that the fight is not over until coercive control is criminalised throughout Australia.

While this Labor government prides itself on being a nation leader in certain policy areas, when it comes to coercive control the ACT is falling behind. A New South Wales parliamentary inquiry into coercive control found that inconsistent laws between jurisdictions pose an extra barrier to justice for victim-survivors of domestic violence. The legal framework we use to prevent and address domestic violence should be consistent with that governing 70 per cent of the country. We too must go down the sensible path of criminalising coercive control. It is a form of domestic violence and, if we are to prevent domestic violence and intimate partner homicide, it needs to be treated as such.

This bill specifically legislates a standalone criminal offence for coercive control, defining the offence as a course of abusive conduct. It lists forms of abusive conduct which constitute coercive control when present in a pattern over time. The bill's

definition of coercive control draws from the ACT's Family Violence Act, from the coercive control offences in New South Wales and Queensland, and from the ACT government's definition of coercive control.

Forms of abusive conduct, actual or threatened, that will constitute a coercive control offence under this bill include physical violence or abuse; coercion to engage in sexual activity; reproductive coercion, such as forcing pregnancy or denying birth control; economic abuse, a pervasive form of coercive control which can involve denying financial independence or using dependence as a tool to manipulate; and also verbal abuse, shaming, degrading or humiliating in order to coerce or control.

Coercive control includes harming or threatening to harm a child, another person, an animal or a pet if the perpetrator's demands are not complied with; threatening self-harm or suicide to torment and manipulate; damaging property; unauthorised surveillance or monitoring; and stalking or harassing. It also includes isolating from friends or family or culture and restricting or depriving liberty or any other form of family violence.

What a horrifying list of behaviours. Imagine living through any of these. It is truly awful that people are living with this type of behaviour today. These forms of abuse are often not physical. As we speak, they cannot be effectively dealt with by family violence orders or the police. But when they form a pattern of coercive control they tear apart families and all too often result in physical incidents of domestic violence, assault or murder.

In developing this bill, I have heard from stakeholders across the community about what a coercive control offence should look like and how it should be implemented. The Australian Federal Police Association was amongst the first groups that I met with, given the critical role that ACT Policing plays in addressing domestic violence. The AFPA has backed our calls for criminalisation, citing the growing rates of domestic and family violence in the ACT. They stated that stronger legislation is needed to combat coercive control and that the form of abuse is under-represented and under-reported in the ACT as there is no specific offence defined for this type of crime.

YWCA Canberra support the criminalisation of coercive control, asking, "If not now, when?" They have highlighted that this proposed offence mirrors legislation elsewhere in Australia and acknowledges the tapestry of behaviours linked to coercive control. YWCA CEO Francis Crimmins stated that domestic violence incidents continue to increase in the ACT and coercive control is abundantly present as a factor in these cases. I would like to thank the YWCA for their feedback that a review provision should be written into this legislation, which we have now included.

Coercive control is not a new issue. In 2021 the former general manager of DVCS said that, ultimately, there needs to be a legal response to coercive control. In the same year, the then principal solicitor of the Women's Legal Centre ACT said that a new offence on top of family violence orders would need to be introduced to capture the insidious nature of coercive control.

We also know that victim-survivors of domestic violence overwhelmingly support coercive control criminalisation. The community's message is clear that, when it comes

to domestic and family violence, we need to focus on prevention. We need to educate the community on coercive control and that it has no place in a respectful relationship. We need to provide meaningful support to and investment in our frontline services and train them to notice patterns of coercive control. We must equip law enforcement with the ability to intervene in abusive relationships before tragedy occurs. We need to ensure that the legal system can effectively address patterns of domestic abuse and provide justice to victim-survivors. We need to criminalise coercive control.

Four years ago, Minister Berry told us that she was looking into criminalising coercive control. When 99 per cent of intimate partner homicides are preceded by coercive control, we cannot wait another four years. We simply cannot afford to wait. The Canberra Liberals cannot criminalise coercive control alone. I want to invite all of my colleagues in this place to get involved, come to the table, and have a constructive discussion about how we can get this done. We have already agreed that education around coercive control is the first step. My bill has a deferred commencement date of 12 months. My motion that was passed unanimously last month committed the government to implementing a coercive control education and training campaign for the community and frontline services.

I note feedback from DVCS CEO Sue Webeck that an education campaign could be launched within six months and see results within nine months. The government committed to an education campaign in May. This bill is likely to be debated in the late August or early September sittings this year. So, after a deferred commencement date of 12 months, the government will have had almost 16 months to implement an education campaign. This will provide ample time to educate the community and train frontline services, the police and legal professionals in identifying coercive control and appropriately prosecuting it with the criminal offence.

I welcomed the government's announcement of funding for this campaign, despite Minister Berry first considering action on coercive control four years ago and her promise to go slow. I desperately hope that this education campaign is treated with the priority and swiftness that it deserves, because the community want better outcomes in the prevention of domestic and family violence. That is what the coercive control offence will deliver.

Criminalising coercive control is a difficult and complex task. I said that the last time I spoke. We can do hard things here. It will enable justice for victim-survivors. It will save lives. I look forward to the debate on my bill in the coming sitting weeks. In the meantime, I look forward to working constructively with other parties in this place to get coercive control criminalised.

This year our country has been shocked by crime after crime committed against women in our community. We have to be bold. We have to take a stand. We have to criminalise this horrible behaviour, which is present in almost all domestic violence cases. We need to send a strong message that coercive control will not be tolerated in the ACT, through education and legislation. I commend my bill to the Assembly.

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

Building and construction—National Construction Code

MS ORR (Yerrabi) (2.59): I move:

That this Assembly:

- (1) notes that:
 - (a) the National Construction Code (NCC) is updated every three years, based on industry and public feedback and policy directions from governments between publishing cycles;
 - (b) in preparation for the next edition of the NCC, the Australian Building Codes Board (ABCB) is seeking feedback from the public and industry on the NCC Public Comment Draft;
 - (c) the Public Comment Draft is an opportunity to provide feedback on the proposed changes for the next edition of the NCC, and is currently open from 1 May until 1 July 2024;
 - (d) the NCC is Australia's primary set of technical design and construction provisions for buildings, and the ABCB on behalf of the Australian Government and each state and territory government, produces and maintains the NCC; and
 - (e) the NCC will also be presented to ministers responsible for building standards at a federal and state/territory level for their consideration;
- (2) further notes:
 - (a) a focus and priority in the 2025 Public Comment Draft is to provide adequate and equitable female toilet facilities by:
 - (i) increasing the number of female toilets (closet pans) in single auditorium theatres and cinemas (Class 9b buildings), from the current male to female average of 1:1.25 to 1:1.8; and
 - (ii) requiring dispensers for sanitary products in female toilet facilities in commercial buildings; and
 - (b) research from the NCC shows that females access a toilet facility 1.3 times more often and spend 1.6 times longer using a toilet facility, compared to males;
- (3) calls on all Members of the Legislative Assembly to affirm their support for addressing period poverty and supporting the improvements proposed in the NCC to help address the gender inequality around accessing toilet facilities; and
- (4) calls on the Minister for Sustainable Building and Construction to reflect the view of the Assembly in her representations at the ministers' forum.

I rise today to address a critical issue that affects half our population: the adequacy of female toilet facilities in public and commercial buildings. This matter, often overlooked, plays a significant role in promoting gender equality and ensuring the dignity and comfort of women and girls. The availability of and quality of these facilities directly impacts women's daily lives, their ability to fully participate in public activities and their overall wellbeing.

The National Construction Code, commonly known as the NCC, is Australia's primary set of technical design and construction provisions for buildings. The Australian Building Codes Board, on behalf of the Australian government and each state and territory government, produces and maintains this code. The National Construction Code ensures that our buildings are safe, sustainable and meet the needs of all users.

The NCC is updated every three years, incorporating industry and public feedback, as well as policy directions from various government levels. In preparation for the next edition of the NCC, the Australian Building Codes Board is currently seeking feedback on the NCC public comment draft. This draft provides a valuable opportunity for the public and industry to comment on the proposed changes, with the comment period open from 1 May until 1 July 2024.

A key focus of the 2025 public comment draft is the provision of adequate and equitable female toilet facilities. The proposed changes include increasing the number of female toilets for single-auditorium theatres and cinemas, or class 9b buildings. The current male to female toilet ratio is an average of 1:1.25 and the proposed change aims to improve this ratio to 1 : 1.8, reflecting the higher frequency and longer duration of female toilet usage. Research conducted by the NCC found that the NCC compliant single auditorium theatres and cinemas have queuing times for females of up to 14 minutes at peak periods.

The second proposed change is sanitary product dispensers. The proposal includes the requirement for dispensers of sanitary products in female toilet facilities within commercial buildings. This measure is essential for addressing period poverty and ensuring that all women have access to necessary hygiene products when they need them.

These changes are not just about increasing the number of toilets or providing sanitary products; they are about recognising and addressing the specific needs of women and people who menstruate, ensuring their comfort and dignity in public and commercial spaces. By improving toilet facilities, we are taking a significant step towards equality. I, for one, am very supportive of these proposed changes and would like to see them incorporated here in the ACT.

The impact of these changes will be profound, reducing queuing times and providing necessary hygiene products. That will make spaces more accessible and comfortable. This is particularly important in venues such as single auditorium theatres and cinemas, where queues for female toilets are common. These queues not only cause discomfort but also impact the ability to enjoy and participate fully in public life.

It is worth noting that the proposed changes are grounded in extensive research and consultation. The ABCB has gathered data highlighting the disparity in toilet usage between men and women and has engaged with stakeholders across the industry to ensure that the proposed solutions are both practical and effective. This is an evidence-based approach and underscores the importance of these changes and the need for their implementation.

Moreover, these improvements align with broader goals of promoting inclusivity and equality. By ensuring that our built environment caters to the needs of all individuals,

we are fostering a more equitable society. This initiative also sets a precedent for other areas where gender-specific needs must be addressed, reinforcing our commitment to gender equality in all aspects of public life.

As all members in this Assembly will know, I am very passionate about making improvements in this policy area. I have spent a great deal of time this term helping to address the shame and stigma around menstruation and menopause. The motion I am introducing today is a continuation of my work and advocacy in this area. I believe this work will tie in nicely with work that the ACT government is currently progressing and implementing, most notably the implementation of my period products and facilities bill, which the ACT government is now implementing.

We are now providing free period products at designated and accessible places across Canberra. We were the first state or territory to introduce and pass that legislation. While I note that other states, such as Victoria, are following our footsteps and policy, if not law, we can again be the first to throw our weight behind addressing adequate toilet facilities through this measure in the Construction Code. Through this work that I have done, it has become very clear that addressing period poverty is not just about supplying tampons, pads and other period products; it is also about providing facilities that people can access to hygienically manage their period. Toilets become a very important part of that.

My motion today calls on all members of the Legislative Assembly to affirm their support for these proposed improvements in the National Construction Code. Addressing period poverty and ensuring equitable access to toilet facilities is a matter affecting half of the population and should be recognised as a fundamental aspect of public health. Furthermore, I urge the Minister for Sustainable Building and Construction to reflect the views of the Assembly in her representations at the ministers' forum. It is crucial that our collective voice supports these necessary changes, advocating for a future where our built environment adequately meets the needs of the people who live in it. I commend my motion to the Assembly. Thank you.

MR PARTON (Brindabella) (3.05): The Canberra Liberals will be supporting this motion. We thank Ms Orr for bringing it to the chamber. This is an important issue, and it is yet another reflection, I think, of how decisions that are made in this chamber have a genuine effect on the lives of regular Canberrans day to day. The National Construction Code sets a framework for the sorts of buildings that Australians want. As that code continues to change through time, it is so important that individuals and governments, and individual members of government, are able to guide its development.

I have learnt some things about gendered toilet habits from this motion that I did not know. I thank Ms Orr for educating me on this front, because I genuinely did not know that females access toilet facilities 1.3 times more often than males and, additionally, that they spend 1.6 times longer behind those closed doors than do menfolk. Who would have thought? In fact, it is probably not all that remarkable when you think about it.

It goes without saying that the Canberra Liberals support addressing period poverty, and we support the improvements proposed by the National Construction Code. I would think, respectfully, that it goes without saying that the minister responsible,

Ms Vassarotti, would reflect that view in her representations at the ministers' forum. I would have backed her to do that even if this motion had not appeared. I would be gobsmacked if she did not. Nevertheless, it is important that we are talking about it.

I must mention that this caused a bit of a "Scomo and Jen" moment. Over dinner last night, at home, I was debriefing on the hard slog of the Assembly and I mentioned this motion to my wife. She said to me, "I will be most disappointed if you don't support this motion." She said, "Have you seen the line-up for the women's toilets at the theatre?" Enough said. There is full support from the Canberra Liberals for this motion. It is pleasing to see that we are all on the same page on this important matter.

MS VASSAROTTI (Kurrajong—Minister for the Environment, Parks and Land Management, Minister for Heritage, Minister for Homelessness and Housing Services and Minister for Sustainable Building and Construction) (3.07): I rise to speak in support of Ms Orr's motion regarding equitable access to toilet facilities. Anyone who has been to a sporting event, film, concert or theatre performance knows that we have an issue. Thankfully, the Taylor Swift concert was so riveting that few of us were prepared to take a comfort break! Jokes aside, this is an important issue of equity and demonstrates how biased our decision-making can be if we do not think about these things thoughtfully.

This is an issue that building ministers across Australia have been aware of, and it is one that I have spoken about at previous meetings as we tasked the Australian Building Codes Board, the ABCB, to prepare a consultation draft of the next version of the National Construction Code, the NCC. As noted, in response to this direction the ABCB has included this issue in the public consultation draft. The board has identified a new average ratio that would produce more equitable queuing times.

While workers found that existing washbasin numbers were still adequate, there are some changes that can be made to facilitate sanitary products being provided in toilet facilities of commercial buildings through requiring sanitary dispensers and product disposal units to help address the problem. This is the simplest and most effective solution within the scope of the NCC. These proposals were developed through discussions with the commonwealth Office for Women and members of peak technical committees, such as the Building Codes Committee and the Plumbing Code Committee. These changes are now out for public consultation as part of the raft of changes proposed for the 2025 National Construction Code. I can assure Ms Orr that I am already delivering on her calls to reflect the ACT government's strong support for these measures in the next version of the code. When drafting was being developed, I spoke in strong support of this work.

We are expecting advice to be provided from the ABCB to building ministers in November this year, following close of public consultation, which is currently underway. Advice provided to building ministers just last week has confirmed the consultation is going well, with good engagement by industry across Australia. This consultation will conclude on 1 July 2024.

The National Construction Code is a key mechanism for us to work with other jurisdictions to harmonise our rules around construction. This is vital to ensure that we

have a high level of building quality and ensure that we are protecting consumers and responding to their needs, as well as providing certainty to industry.

I am really proud of the leadership role that we have played in this forum to fight for better outcomes for the community, not just here in the ACT but for communities across Australia. We have played a leadership role in seeing the NCC of 2022 substantially lifting the bar in relation to energy efficiency and, for the first time, introducing minimum accessibility standards. I advocated strongly for the need to introduce these additions, both with my colleagues and in public. I am really proud that we were the first jurisdiction to fully implement the new version of the code, and we continue to play a leading role in relation to the next version of the NCC.

In addition to strongly supporting work on the issue that we are discussing today, we have also supported additional complementary consultation on suggested changes to enable the provision of all-gender sanitary facilities alongside male, female and accessible facilities. This aims to modernise and standardise the language, incorporate all-gender bathrooms into the NCC, and embrace diversity by reflecting it in our built environment so that we can make a positive contribution to the wellbeing of individuals within our community.

Last week at the building ministers meeting, I was delighted to gain the support of my colleagues to introduce a common methodology for measuring embodied carbon for commercial buildings in the next version of the NCC. Getting consistent methodology will be an important foundation for the work that we are doing here to position us to be a world leader around sustainable building. Having a common basis to measure carbon will support our local efforts, enable us to demonstrate leadership and support the work that needs to occur to decarbonise our building practices across the country. As you can see, the NCC is an important mechanism to support sustainability, accessibility and equity.

Once again, I thank Ms Orr for bringing this motion to the Assembly for consideration and I am very happy to support the motion. I guarantee that I will enthusiastically continue to champion this work at future building ministers meetings that I am able to attend. Thank you for bringing this to the attention of the Assembly.

MS LAWDER (Brindabella) (3.13): I rise today as shadow minister for women, but, also, I would like to think of myself as a passionate advocate for the rights and dignity of all women in our community. Today, we have the opportunity to support a motion that addresses a fundamental issue: gender equity in public facilities. For too long, women have faced the indignity of inadequate toilet facilities.

In some responses to the motion today, we have already talked about the familiar sight of long queues outside women's toilets in theatres, cinemas, sporting venues and other places. This is not a minor inconvenience; it is a symbol of gender inequality in our society. Women use these facilities more frequently and spend longer in them, not by choice but by necessity. Women spend, on average, three minutes per visit in the toilet. Men spend, on average, two minutes in the toilet. There are a number of reasons for this. It could be a biological reason—for example, menstruation. Think about the process: getting into the cubicle, perhaps hanging your bag on the hook behind the door,

getting sanitary products out of your bag, unwrapping them, using them, getting rid of the used sanitary products, getting dressed again and getting out. Men do not go through that, generally speaking.

There could be health conditions that lead to women spending a longer amount of time in the toilet cubicle. Women have a shorter urethra than men, which may mean they go to the toilet more often, or they could have health conditions like cystitis. Somewhat shamefully, many cubicles do not have a sanitary waste disposal unit, so women who need to use a sanitary waste disposal unit are limited in the number of cubicles that they can use in some venues.

The type of clothing that women wear can also mean they spend longer in the toilet cubicle. They may have more layers. There is, of course, the torture instrument that was probably created by men: pantyhose. Many women of my mother's age would not leave the house and go somewhere like the theatre without their pantyhose on, and it takes much longer to get them off and back on again after you have been to the toilet.

Women are more likely to have small children with them than men when they go to the toilet, which may mean they also have to help the child go to the toilet, but it also takes longer to wrangle a child while you are in a toilet cubicle. Finally, and very disturbingly, studies have shown that women are more likely to wash and dry their hands after they have been to the toilet than men.

All these things can contribute to the length of time that women spend in the toilet compared to men. I would like everyone to remember that women are more likely to wash their hands the next time a man offers to shake their hand. Please keep that in mind.

It is time our infrastructure reflected these realities. It is not a matter of women just deciding to take longer in the toilet. There are a number of perfectly valid and unavoidable reasons why women may take a bit longer in the toilet. If men took a bit longer and washed and dried their hands, I do not think anyone would be disturbed about that.

The proposed changes to the National Construction Code aim to correct this imbalance by increasing the number of female toilets in single-auditorium theatres and cinemas from the current male-to-female ratio of 1 : 1.25 to 1 : 1.8 and providing dispensers for sanitary products in commercial buildings. These measures are not merely adjustments at face value; they are essential steps towards ensuring that women can participate fully and comfortably in public life, and, for example, get back to their seat in a theatre before the next part begins.

Imagine the relief and dignity for a young girl caught off-guard by her period when she finds a sanitary product dispenser in her school or local commercial building, and picture the comfort afforded to a mother attending a theatre, knowing she will not have to miss the beginning of the second act because of a long queue. These are realities that many of us have seen, and this motion is seeking to improve them. In addition, by addressing period poverty we are taking a stand against a silent struggle that many women face. No woman should have to choose between basic hygiene products and other essentials. Providing these products in public facilities is a compassionate and necessary step towards equity.

Supporting this motion is about more than just updating building codes; it is about affirming our commitment to gender equality and the dignity of all women. It is about creating a society where women's needs are recognised and met with respect and understanding. As shadow minister for women, I am pleased to support this motion today, and I believe all members of the Assembly will do so today. We can all send a powerful message today: we are united in our commitment to create a more equitable and inclusive society.

MISS NUTTALL (Brindabella) (3.17): I rise to speak very briefly in support of this motion, as the ACT Greens' spokesperson for women and LGBTQI+ affairs. I echo Minister Vassarotti's comments. It is great to see that the Australian Building and Construction Code, under the instruction of our governments, is acting to address major gender inequities in the provision of bathrooms for women in some major public facilities. Of course, there is more work to be done to ensure that everyone in Australia has equal access to safe and sufficient public bathrooms, and this very much also goes for gender-diverse folk who may not feel comfortable using women's or men's bathrooms. I am therefore very pleased to see that the board is also consulting on the inclusion of all-gender bathroom facilities in the National Construction Code.

From what I have heard, the current code does not make it easy to set up all-gender bathrooms, and often accessible bathrooms are forced to double-up as all-gender bathrooms. While there are, of course, gender-diverse folk with a disability, these are two distinct cohorts with very different needs. As dry as the National Construction Code perhaps seems, this is an excellent example of how these kinds of codes impact the rights and wellbeing of everyone, including women and gender-diverse folk. It is so important that all governments work to ensure that the needs and rights of every Australian are properly considered in every piece of legislation and regulation that materially impacts their lives.

I thank Minister Vassarotti for the great work she has been doing in this space. I thank Ms Orr for her sustained advocacy and for bringing forward such an important issue.

MS ORR (Yerrabi) (3.20), in reply: In closing, I would like to thank members for their support today. I wish to pick up on a comment by my colleague, Mr Parton. I am not going to pick on him, because it is actually really great that we have had one of the male members engaging in the motion I have moved. We always hear from the females, but it is good to have some of the men getting on board. I am going to paraphrase because I am not going to get it quite right. Mr Parton said something along the lines of: "Why wouldn't we do this? It seems like a bit of a no-brainer." That is a pretty fair question. I take that as maybe a bit of a sign that, within this place, we will come to a better understanding.

But I would remind Mr Parton and anyone who has asked that question that it was not long ago that there was not even a requirement to have female toilets if you were not expecting females to be in a building. For instance, when the first female was elected to the federal parliament, Parliament House did not have a toilet for her. Under the Construction Code, it never had to be built until there was a female in the building. That is one very visible example, but there are many examples where we might scratch our heads and say, "It's a bit of a no-brainer" and they really need us to focus and make changes. As I mentioned in my own comments, if we are going to be serious about

addressing period poverty, which has been a passion of mine throughout this term, we need to get the facilities, not just the products.

This is a really important step forward. I am glad the minister feels emboldened and empowered to go forward and argue for this. I would say it is a great first step. While I note this is about commercial buildings, there is a lot more opportunity for us to really look at how we provide these facilities, particularly within workplaces, and we will continue to advocate for that. But I am glad that we can highlight this issue and drive this change where possible to continue the good fight.

Question resolved in the affirmative.

Gambling—poker machines

MR PARTON (Brindabella) (3.22): I move:

That this Assembly:

(1) notes that:

- (a) the recently announced ACT Labor gaming policy would see ATMs and EFT withdrawals banned at all licenced clubs despite a move to cashless gaming;
- (b) Government policy overseen by the Greens Minister would see the establishment of an expensive Central Monitoring System apparently funded by clubs;
- (c) both governing parties look set to attempt to outdo each other on machine reductions with the most recent Labor plan aiming for a reduction to 1,000 machines by 2045; and
- (d) the overwhelming reaction from clubs is that either one of these policy proposals will lead to the entire collapse of the community club sector in the ACT;

(2) further notes:

- (a) the Labor-Greens Government has made numerous previous commitments regarding club diversification yet failed to achieve any of them;
- (b) the community clubs sector in the ACT supports hundreds of community organisations that simply would not exist without their support;
- (c) there are 43 licensed clubs in the ACT employing over 1,700 staff and supporting huge local supply chains in food and beverage;
- (d) our clubs manage and maintain a swag of sporting infrastructure including 400 hectares of greenspace for community use, and support nearly 400 sporting groups;
- (e) official data from the ACT Gambling and Racing Commission shows that over the last 10 years, our clubs have provided more than \$150 million in community contributions;
- (f) our clubs have contributed over \$300 million in gaming taxes in that same period;

- (g) during the Covid period, Canberrans flocked to Queanbeyan clubs in unprecedented numbers during the six week period when ACT clubs were closed, but they had re-opened in NSW;
 - (h) Canberra's community clubs help build social cohesion to tackle loneliness and social isolation; and
 - (i) the community clubs sector has been unfairly demonised by the Labor-Greens Government;
- (3) calls on the ACT Government to explain:
- (a) how they intend to maintain all of the sporting infrastructure which is currently maintained by community clubs;
 - (b) how they intend to support the hundreds of community organisations that exist from club support;
 - (c) how they intend to replace the hundreds of millions in foregone gaming tax revenue;
 - (d) how they intend to support the 1,700 direct staff and other supporting workers in related industries who are likely to lose their jobs;
 - (e) whether a "club of the future" in the Molonglo Valley will simply be a government-run bar and restaurant; and
 - (f) report back to the Assembly by the final sitting day of August; and
- (4) further calls on ACT Labor to divest itself of all poker machines operated by the Canberra Labor Clubs and to hand them back, without any taxpayer funded compensation.

Canberra has the single best community gaming model in the whole of Australia. Over a period of 40-odd years we have been able to improve a framework which sees not-for-profit community clubs manage and run poker machines, with a focus on harm minimisation and, additionally, a focus on genuine community benefit. Those benefits are felt every single day by most Canberrans. It is clear, after the events of the last week or so, that both the government parties are keen on destroying that model and effectively trashing the entire club sector. This motion seeks to call that out.

The recently announced Labor clubs policy is a disgrace. Dr Paterson wishes to play political games at such a high potential cost. The Paterson policy announcements, which ultimately led to this motion, in my view, are reckless and selfish. They are selfish in that if the policies were fulfilled, the entire club sector would fold, but Dr Paterson does not care. She is on a mission. She is here to take skin off her governing partners—particularly Mr Rattenbury, in this instance. It is an attack on the entire Greens brand and it aims to out-progressive the Greens in this space.

Additionally, Dr Paterson has made it abundantly clear during her time in this place that she has a personal mission to remove poker machines, by hook or by crook and whatever the consequences are. Dr Paterson has gone through a sham process of consulting with the clubs, through ClubsACT and individual clubs. I say "a sham process" because I am sure she would argue differently.

When her plans were laid out last week, it was a pretty big surprise to all those in the sector. They were blindsided by this. I know that one club group has already moved to

put the wheels in motion to sell some assets, as a consequence of last week's Labor announcement, because they reckon the world's about to change. Craig Shannon from ClubsACT specifically said in the Riotact last week that there had been no consultation on this plan. He was, at the time, panicking, mainly about the amendments from Dr Paterson, which were to be debated tomorrow.

He said many things in the media, but I think my favourite quote was this:

It is potentially going to become easier to use meth in this town than to use a poker machine.

It potentially casts Mr Rattenbury in the role of saviour of clubs in the ACT. That is exactly what Dr Paterson has attempted to do. Dr Paterson wants Canberrans to believe that she is the only pure one in this space. She wants to force Mr Rattenbury to effectively provide a lifeline to our clubs. What a mess.

It is one of the reasons that this motion of mine specifically refers to the Canberra Labor clubs. Dr Paterson is here as a member of ACT Labor. They operate a number of clubs in this city, under the banner of her political party. Those clubs have, over a long period of time, donated many thousands of dollars to her political party. How Dr Paterson can come into this place or indeed wade into any public conversation with a straight face and talk about harm minimisation from poker machines, while clubs under her party's banner continue to operate nearly 500 machines, is beyond me. I am sure it is beyond Mr Rattenbury.

If our community clubs are important to you—and this is a message not to Dr Paterson but to everyone—you should be well aware that if the government does not change in October it is highly likely that our wonderful club sector will fade away. There are over 40 licensed clubs in the ACT, employing over 1,700 staff and supporting a massive local supply chain in food and beverage. Our clubs maintain over 400 hectares of green space for sporting use. Who is going to do that? Has the government got the money to do that?

They manage six golf courses. They manage 20 bowling greens, three cricket fields, five football fields, a yacht club, a basketball stadium, a BMX track, countless gymnasiums and a multimillion-dollar health and wellness building. When you close the clubs—I want to know, and Canberrans want to know—who is going to run those facilities? Where is the money going to come from? Who is going to do that? I want to know where the \$150 million that has flowed to community groups in the last decade will come from. I want to know what impact the forgone revenue of \$300 million in gaming tax in that same period will have on the budget.

The longer COVID shutdown of our clubs in the ACT demonstrated clearly that, when there are no poker machines operating in our city, the thousands of Canberrans who wish to play the pokies simply flock across the border to Queanbeyan. They just go to Queanbeyan. During those six weeks of COVID shutdown in the ACT, for the first time in the history of this data, a Queanbeyan club made it into the top 10 of poker machine turnover on the ClubsNSW table for that month. That had never happened before in the history of the data, and it was not just one Queanbeyan club; it was three of them. I went

to the big clubs in Queanbeyan during that time. The car parks were full of cars with blue numberplates.

If you leave the progressive parties in place, there is no surer thing than that we will be establishing Queanbeyan as the Las Vegas of New South Wales. There is certainly not going to be any effect on gambling harm. All we are going to do is trash this sector. I can tell you that over in Queanbeyan they are over the moon about. You have to go back into history and look at what happened in the lead-up to the clubs being established here in Canberra in the 1970s. I cannot remember. Mick probably can—sorry, Mick! We all know that the buses were full of people going to Queanbeyan. Then, after a while, people in Canberra said: “We are a bit jack of this. How about we just set up some clubs here?”

I know that Mr Rattenbury is trying to look like the middle man here. He is trying to portray himself as looking for a sensible outcome. But does anybody believe that he will continue to be the protector of the clubs on the other side of October? Everyone in this place, including Dr Paterson, believes that Mr Rattenbury is going to find himself under enormous pressure from his “wowser” Greens party members, hundreds of them. Ms Vassarotti knows them by name! He will find himself under enormous pressure from his party members. Although he seems quite sensible and reasonable today, he will not be able to swim against that nanny state tide from his party membership.

Whichever of the progressive parties is in charge of the gaming space after October, it is curtains for the clubs as we know them. Both governing parties talk loudly about their efforts to help our clubs diversify. They are fast-tracking it. There is a fast track to get it happening, and they are simply not doing it. Clubs are being held up in the planning process for years and years on projects and, in the process, they are losing money hand over fist. It is sending some of them to the brink. If we are currently seeing the government fast-tracking diversification, I would hate to see what a John Setka style slowdown looks like. Honestly, if the club sector were the AFL, the Victorian division of the CFMEU would be most pleased about the impediments that have been put in place, stopping them from building absolutely anything.

I must go back to one of the first parts of my motion: the bizarre position from Dr Paterson that she is going to rip out all of the ATMs from clubs, ban all the EFT withdrawals at those venues and then make all the gaming cashless. What is that about? If you are making the gambling cashless, even though you are not sure exactly how you are going to do that, why on earth are you going to rip out the ATMs and ban EFT withdrawals? It is ludicrous.

What is this suggestion from Dr Paterson about the ACT government helping to establish a community club in Molonglo without poker machines? What is that? Is that just a government-run bar and restaurant? What is that? We have the single best gaming model in the country, and we have the best community clubs model in the country. And once they are gone, they are gone.

DR PATERSON (Murrumbidgee) (3.33): I reject most of what Mr Parton said just then, but I do thank him for bringing the motion to the Assembly today because it provides me with an opportunity to talk about ACT Labor’s comprehensive plan to

transition the club sector from a dependence on gaming machine revenue and to address the significant levels of gambling harm that occur in our community.

Once again, the Canberra Liberals come into the chamber in complete denial of the harm that is caused in our community as a result of EGMs. Any starting point for this discussion has to come with the recognition and acknowledgement of the harm that is caused by poker machines. The 2019 ACT gambling survey found that 31 per cent of people who use EGMs experience gambling harm. One person out of every three at any point in time—in a venue right now—is experiencing harm. That is approximately 20,000 Canberrans—significantly more than the 0.3 per cent who experience harm from methamphetamine.

The data also tells us that those most likely to experience harm are male. They are predominantly aged under 45, they are born in Australia and they do not have a university degree. Additionally, those who experience harm have an annual income of less than \$80,000 a year. Apparently, Mr Parton does not meet these people, does not hear their stories of child neglect, of family violence, of intergenerational debt, of suicide—the insidious by-products of the harm from poker machines. These are stories that play out in our ACT community every single day. These are the stories that Mr Parton and the Canberra Liberals either do not hear or choose not to hear.

ACT Labor will legislate to see the club sector transition out of poker machines over the next 20 years. There are other industry sectors—for example, fossil fuel industries—that are under significant public and political pressure to transition the industry because of the harms that occur. This is exactly the point that we are at with poker machines in the ACT. The money produced by those machines is equivalent to a dirty fuel. The clubs, as long as they are relying on that revenue, are dirty producers.

Clubs have been a central social facilitator and contributor to our community. They have fostered the gathering and social lives and sporting lives of Canberrans for over 50 years. Clubs contribute significantly to jobs in our city. Clubs have provided a sense of community and family for many in the close-knit sector in the ACT. However, there is just one fact that we all cannot escape: it is all largely built from funds that have, over many decades, come at great cost to the health and welfare of our community. A transition out of poker machines will come at a cost—a cost to government and a cost to clubs. However, the 20,000 people in the ACT who experience harm from poker machines every year might actually receive some reprieve, and the generations of Canberrans to come may never understand the pull of a poker machine.

I will be proudly moving amendments in the detail stage of the gaming machine surrender bill, on behalf of ACT Labor, to see significant reductions in EGM numbers over the next 20 years. That is a reduction of 500 machines in each term of the Assembly. ACT Labor is committed to working with the club sector to see a sustainable, thriving sector for the long term. We are committed to transformation in this sector. We are committed to working with the club sector, recognising the challenges that are being presented to date, which I have heard. I have been in significant consultation with the clubs for the last three years. I have been meeting very regularly with the clubs to discuss this. I have heard from them the challenges they have faced in diversification. We will seek to address that next term.

We have a raft of practical reforms that will plan for, support, and see accelerated the transition of the club sector over the next 20 years. ACT Labor's plan includes a consolidation review, where all the current funds, schemes, subsidies and concessions will be assessed and consolidated to further support divestment. We will see opportunities for divestment through the potential declaration of priority projects to help clubs play a role in easing pressures on housing and aged care. We will focus on an innovation fund for clubs, to encourage new ideas for divestment and to review identified planning challenges to make it easier for clubs to diversify. We will work with the small clubs to ensure their success into the future—a different future.

We also will conduct a review into the community contributions scheme, which speaks to much of the concern raised by Mr Parton's motion. We know that when revenue from machines decreases, so will community contributions. Accounting for this is part of the transition. Labor recognises the number of jobs created by the club sector. We will work with the sector to support a sustainable workforce of local jobs and see that workers receive any necessary training for upskilling required for their evolving industry.

However, while the sector does transition out of reliance on machines, this transition is proposed to take two decades. Therefore, a raft of significant harm minimisation measures is needed to address the harm in the meantime. ATMs and EFTPOS withdrawals at club venues will be banned under ACT Labor's plan. These withdrawals have been identified as the most frequent red flag harm behaviour on the ACT gambling incident register.

ACT Labor will also introduce a rigorous, mandatory account-based cashless gaming scheme. Cashless gaming allows for the implementation of a whole suite of harm minimisation measures. We are proposing a mandatory pre-commitment scheme, seeing daily, monthly and yearly limits set by individuals. Under our plan, players will receive real-time player activity statements.

ACT Labor proposes mandatory breaks in play. The evidence is clear that people who use EGMs for more than an hour continuously are at significant increased risk of gambling harm. Delayed top-up and delayed access to winnings are all measures ACT Labor proposes to address in venues. Self-exclusion will also be revolutionised under our plan. Self-exclusion will no longer work on the basis of facial recognition; rather, an individual will be banned from setting up a digital wallet. This will mean that they will still be permitted to enter a venue; they just will not be able to gamble.

Again, I thank Mr Parton for the opportunity to talk about ACT Labor's plan to address gambling harm. ACT Labor is the only party to have a clear and comprehensive plan for Canberrans to vote on in October.

The Greens are pushing ahead at all costs to see the implementation of an accountancy tool, at a cost of at least \$70 million. I maintain my serious questions on the logic of this significant investment in machines that does not include cashless gaming or pre-commitment, in and of itself, if the policy intention is to see the club sector transition out of machines. A CMS does not reduce gambling harm and it does not impact on money laundering, but it will provide a third-party gambling industry provider with all of the ACT's EGM data, at huge cost. It has been more than two months since the

market sounding for the CMS ended. When will the minister be transparent with the clubs and the community regarding the cost to clubs and the ACT government of the implementation of a CMS?

Again, as with so many policy areas in this place, you have to just about beg for the Canberra Liberals to ever be up-front with a policy, to ever come up with an original thought. There is nothing on the table, Mr Parton. You came here to talk about ACT Labor's policy.

Mr Parton: Pretty much, yes.

DR PATERSON: Yes; love it! ACT Labor is committed to working with the club sector to transform the club sector, for a long-term but different, innovative and exciting future.

MR RATTENBURY (Kurrajong—Attorney-General, Minister for Consumer Affairs, Minister for Gaming and Minister for Water, Energy and Emissions Reduction) (3.41): I thank Mr Parton for bringing forward his motion. I move the following amendment circulated in my name:

Omit all words after "That this Assembly", substitute:

"(1) notes that:

- (a) clubs are a valued part of the Canberra community that contribute in a variety of ways;
- (b) harm from gambling, including from electronic gaming machines in ACT clubs, is a serious problem for individuals and communities, and needs to be addressed, and this requires changes to clubs' financial models;
- (c) the Government should enact improved gambling harm reduction measures, while working with clubs to assist their diversification and sustainability; and
- (d) ACT political parties have, and are expected to, develop and announce a range of policies relating to gambling harm and clubs in the lead up to the 2024 election; and

(2) calls on all political parties to support evidence-based and best practice gambling harm reduction policies that also consider the ongoing sustainability of ACT clubs."

This amendment seeks to find principles we can agree on as we go forward in this rather difficult and complex environment. What we have heard from today's discussion is a series of interchangeable terms being used, that people are possibly misunderstanding each other's proposals—that would be my generous description of it—and that there is a lot of scope to actually land a good outcome in this space. The amendment acknowledges that we absolutely need to reduce gambling harm. I have been on the record talking about that for a long time. I have been striving to achieve it, and there is still a possibility to get this done.

The amendment acknowledges that gambling harm from pokies, or electronic gaming machines, is a critical part of this. It also acknowledges that clubs are an important part

of the community and that they provide a variety of benefits, as Mr Parton's motion spells out in some detail. We need to balance these two things. We need to reduce or eliminate gambling harm, and the clubs need to transform their financial models in order to achieve this. But we also want to assist clubs to remain sustainable. This transition is not necessarily going to be pain-free for clubs, because the reality is that, with pokies, clubs are providing a harmful and addictive product to the community. They also have to provide protections on those products to ensure people are not harmed. Just as there are regulations and restrictions on other harmful products, if pokies are going to stay in the community, they are going to have some restrictions and harm-reduction measures on them.

I know Mr Parton is a great supporter of clubs. I think the challenge for him and his party is what they will propose to help people suffering gambling harm and how they will help prevent this harm. Gambling causes significant harm to the ACT community. The harm occurs to people who suffer losses from gambling. The harm can include financial, health and relationship problems. But the harm also extends to people's families and the wider community. For every person whose behaviour is classified on the Problem Gambling Severity Index as "problem gambling", six other people are negatively affected. There is also an unfortunate correlation between the more vulnerable parts of the community, the lower socio-economic areas, and gambling harm. It is often the people who are already doing it tough who have those difficulties compounded by gambling harm.

People and their families, friends and communities are suffering from gambling harm and are sometimes, as we have seen in recent times, tragically taking their own lives. Some people think that gambling harm is an inevitable part of gambling—that it is the risk they take if they indulge. That is a very Liberal and individualistic view of the world. It overlooks the insidious, manipulative and deliberately addictive nature of gaming machines. There are rooms of people who are researching, testing and putting their heads together to find the most effective way to keep people playing gaming machines; the most effective way to take people's money; the newest devious psychological tactics designed to trap and confuse gamblers.

The might of the gambling industry is what the everyday person is up against. Any adult can gamble at any time—when they are not feeling their best, when they are struggling with stresses and pressures in life, when they have experienced loss or trauma, or when they are depressed, sick or in a poor mental state. All the time, the machines and so-called games are unfettered and designed to manipulate them and take what they can.

We have thousands of these addictive machines across the ACT that can trap and ruin people. More than \$180 million dollars a year of net revenue is handed over by Canberrans to gaming-machine owners in our city, including, as Mr Parton noted, through the many hundreds of Labor Club machines. They have very limited restrictions on what people can bet and how long they can play, and not one thing on how much they can lose. The only help comes after the fact. At the least, we need guardrails to protect people from devastating loss. We need to protect Canberrans from loss and harm. That is what a caring and responsible government does.

My amendment also acknowledges that there is going to be a range of gambling policy discussions in the context of the election. Because of the unusual politics that some

have chosen to inject into this discussion, I have also made it clear that I have a significant harm-reduction proposal before government at the moment, for which I continue to seek endorsement. The “calls on” component of my amendment asks for all parties to support evidence based and best practice gambling-harm reduction policies that also consider the ongoing sustainability of ACT clubs. As a simple statement, that is something we can all agree to. The debate lies in how we get there.

I think it would be appropriate to comment on the Labor Party policy released recently, as Mr Parton’s motion makes considerable discussion of it and both previous speakers have spoken about it in some detail. There is a lot to discuss about it—firstly, whether it is, in fact, an effective harm-reduction policy; and, secondly, as Mr Parton detailed, whether it damages clubs without even achieving the harm-reduction aim. I will not go into this in great detail, but I will note the strange circumstances in which that policy arose and how it has been received by key stakeholders. It was useful to hear a bit more detail about that. The past week has felt like we are in a weird parallel universe, where we had a major national policy announced to introduce nuclear power, with a one-page press release, and a major ACT gaming policy announcement, with little more than a page-long press release. The parallels were not lost on me.

Clubs have obviously savaged the plan that was released, concerned about how it would impact their viability, but a large part of their critique is that they were blindsided and not consulted—that the Labor policy was put out in a hasty, non-consultative fashion. The key part of Labor gambling policy is to reduce the number of electronic gaming machines to 1,000 by 2045. One of the important things to understand about reducing the number of pokies is that, on its own, it is not going to protect people from harm. Reducing the number of pokies, even by large amounts, does not necessarily lead to a reduction in expenditure or harm. You can look at a variety of examples around the world demonstrating this or you can just think about the situation logically: if people are spending unwisely on pokies, and perhaps they have an addiction, they are still going to spend their money when, under this plan, there are 3,000, 2,000 or 1,000 pokies around the city in the coming decades. Those machines, if they are still out there, need guardrails on them to protect people from harm. Those are measures such as limits on how much people can bet and lose.

One of the key facts to understand about this policy is that it comes as an alternative to the well-developed, costed and expert-endorsed proposal that government could also adopt quite soon. That proposal is for mandatory precommitment, loss limits and a universal player card, all underpinned by a central monitoring system. You need the central monitoring system to make the protections effective and prevent people venue-hopping, and so that clubs themselves are not responsible for implementing a series of ad hoc measures. That proposal is universally lauded by credible harm-reduction advocates as an effective way to protect people from gambling harm from poker machines. It is what the Canberra Gambling Reform Alliance is calling for; it is what the national Alliance for Gambling Reform is calling for; it is what the ANU Centre for Gambling Research endorses as the way to reduce harm; and it is what the Justice and Community Safety Directorate researched and developed as an effective proposal.

Instead, without any consultation or costing, or indeed community support, the Labor Party popped out a policy that does not have a CMS, does not link together machines,

does not have universal loss limits and, instead, relies on reducing machine numbers, which is something we know will not deliver harm reduction. I think it is fair to say that the proposal has not been well-received. It was not received well by the club sector. One might anticipate that, but, more surprisingly and I think more importantly, it was also not received well by gambling harm-reduction advocates and experts. The national Alliance for Gambling Reform points out there will still be thousands of machines up to 2045 and still 1,000 in 2045, so this decades-long reduction in the number of machines does not achieve the harm reduction that it suggests it might. The national alliance goes on to say that the biggest knock against the ALP blueprint is the absence of a centralised monitoring system to link together venues and allow binding and default loss limits.

The founder of the Hope Project and co-chair of the Canberra Gambling Reform Alliance wrote in the *Canberra Times* about Dr Paterson's approach to gambling-harm reform. She criticised the plan to reduce the number of poker machines to zero over decades. That was the position, but now the claim is to just reduce them to 1,000, so I am not sure what the outcome is. It is a kind of prohibitionist model but not quite a prohibitionist model, and that is something that will hopefully become clearer over the coming months. The criticism was because the high level of gambling harm in the territory would continue for decades, even as the number of machines is reduced. Ms Seselja criticised that this approach came at the expense of a central monitoring system, which she says is needed to ensure people do not venue-hop to avoid reaching limits of gambling losses. In fact, she said that Canberra's gambling industry must be rubbing its hands together with glee over the approach. It is as though, in order to avoid the effective proposal looming before them, the Labor Party desperately dived out of the way, off the sensible path and into a bramble patch.

That is why I have moved my amendment today. I think there is going to be an ongoing debate. There is certainly room for some good discussion on this. I think there is a pathway through. That is why my amendment notes that we obviously need harm reduction. It is something that we have been striving for for some time. We also want to find a path for our community clubs to remain viable. We all understand the social impact they have in this city and the various roles that they provide, and Mr Parton has gone to some length to point that out. My amendment calls on all political parties to support evidence based and best practice gambling-harm reduction policies but to also consider the ongoing sustainability of ACT clubs. That is the challenge for the Assembly: to come up with a plan that delivers that, and to work together to get it done. I commend my amendment to the Assembly.

MR CAIN (Ginninderra) (3.53): I rise to speak in support of Mr Parton's motion, and I thank him for bringing it to the Assembly's attention. I want to clarify for the record that I will be speaking in my capacity as an MLA, a member for Ginninderra, rather than as a committee chair. The community club sector in the ACT is hugely important to the city of Canberra and the lives of Canberrans. Canberra has been long regarded as a club town, which is a point of difference from the pub-preferring cities of Melbourne and Sydney.

As Mr Parton's motion highlights, the community club sector employs over 1,700 staff, manages over 400 hectares of community green space and

supports nearly 400 community sporting clubs. Hear, hear to them! In my electorate of Ginninderra we love our community clubs, from the Burns Golf Club, to Raiders Belconnen out in Holt, to the Belconnen Soccer Club to the north, in McKellar. There is also the Belconnen Bowling Club in Hawker and the Southern Cross Club in Jamison to the south.

There also happen to be two large Labor clubs owned by ACT Labor: the Ginninderra Labor Club and the Belconnen Labor Club. Ginninderra residents love their clubs because they provide amazing hospitality, service and support for community organisations and a safe place to catch up with friends and family. These clubs build a level of social cohesion that is really important to communities, especially when times get tough.

The ACT Labor-Greens government have made numerous commitments regarding their plans for the community club sector in the ACT. These commitments, more often than not, seem to demonise this important sector of the local economy. ACT community clubs have contributed over \$300 million in gaming taxes over the last 10 years and over \$150 million in community grants and contributions. These community clubs, especially the ones in my electorate of Ginninderra, are vital to the economic and social wellbeing of our community. Industry stakeholders are hugely concerned about the impact that this government's commitments could have on the sector—including, potentially, the collapse of the club sector in the ACT.

The gross irony is that few benefit more from community clubs than ACT Labor and the ACT Greens themselves, be it through the Canberra Labor Club group or the CFMEU-owned Tradies club group. Labor and the Greens cannot have their cake and eat it too. They are promising substantial reform that could risk the viability of smaller community clubs, all while the pokie-filled giants of Belconnen Labor Club and Tradies Dickson fill their preferred parties' pockets. It is the height of hypocrisy that those opposite are acting holier than thou on these issues when they attend sub-branch meetings next door to party-owned poker machine rooms. This hypocritical government needs to be forthright with Canberrans and the community club sector by appropriately expanding its agenda, just as Mr Parton has called for.

Canberra is a club town through and through, and the benefits of this status should not be underappreciated. It is very disappointing to see the amendment moved by the Leader of the Greens in this Assembly, when the motion itself calls on the government to explain to the community how it intends to assist clubs through their proposed transition, how it intends to maintain the sporting infrastructure, how it intends to maintain the hundreds of community organisations that clubs support, how it intends to replace the hundreds of millions of dollars in forgone gaming tax revenue—and what about the 1,700 staff employed in our club sector?

I call for the members of this Assembly to support Mr Parton's motion, reject Mr Rattenbury's very watered down, weak amendment to this motion and give a sign of support to our very important ACT community club sector that does so much for our community. I commend Mr Parton's motion to the Assembly.

MR PARTON (Brindabella) (3.58): With Mr Rattenbury's amendment, we thought about it, because he can be a reasonable fellow, and we like him. We thought about it,

but we will not be supporting the amendment. We like Dr Paterson, too, to be honest, but we just think they are wrong.

I appreciate that Mr Rattenbury is keen to take the heat out of this debate, but I would argue that if there is a time for heat in this debate, that time is now. Those in the clubs sector know that their backs are firmly to the wall. They know they have nothing to lose, and I would say to Mr Rattenbury that they are still a little suspicious that his tune might change after October.

I do not understand why Mr Rattenbury wanted to remove the part of this motion which called out Dr Paterson over her link to the Canberra Labor Club. I would say to Mr Rattenbury that she has tried to run straight through you with a savage hip and shoulder. She has attempted to have you taken from the playing arena on a stretcher, unconscious. I have given you the opportunity to land a blow on her and you have just looked the other way.

Do you reckon she is going to keep on hunting you? I think she will; I reckon she will. If Dr Paterson is as pure as she portrays in this space—if she is the Mother Teresa of gaming machines—she would be resigning as a member of ACT Labor and completing her term as an independent.

Mr Rattenbury has not been able to fulfil much of his agenda in the gaming space, mainly because he discovered, soon after taking up the role, that what we said about the practical impediments was actually true, and the stuff that he wanted to achieve was a little more difficult than he thought. He is trying, but it is hard.

We are not really any closer to having a central monitoring system. The minister stated in at least one interview that his expectation is that the industry will be fully funding this monstrosity. The price tag on this and the ongoing costs will likely lead to the closure of a large section of the sector. And please understand that when the clubs close, that means the loss of jobs, it means the loss of community facilities and it means that the recipients of community contributions simply will not get those contributions.

When clubs close, it has a massive ripple effect in the community. It means that some families will not be able to afford to have their kids play organised sport. It means that so many community groups have nowhere to meet. But people will still go and play the pokies in Queanbeyan. What you are doing here will change the fabric of Canberra forever, so I am not going to sign up to this amendment, which simply calls for us to sit on the fence and trust that the Greens and Labor will do the right thing here.

With respect to Dr Paterson's remarks, she referred to the prevalence study. I know I have spoken publicly about this in the past, but I was called up randomly and I participated in that gambling prevalence study. I sat through a 15- to 20-minute survey from an ANU person. After doing the survey, I had an even longer chat with the researcher, who indicated to me that, based on the survey, I was indeed suffering from gambling harm. I was one of the—what was the percentage number?—33 per cent of people suffering from gambling harm when, in reality, I am just not. I did not just scrape into the harm category; I was a flashing red light: "I'm going under."

We walked through exactly why I was “suffering from gambling harm”, and much of it was based on the fact that, when the survey calculates gambling losses, it does not include progressive and cumulative winnings in those calculations. If I gamble with \$200 over a three-hour period—on whatever I may choose, whether it be on the TAB on my phone account, at the races or at the club—if that money fluctuates between \$50 and \$500 during that time and goes up and down, I win some and I lose some, swings and roundabouts, at the end, I finish with \$175.

In my view, I would suggest that I have lost \$25, but not according to this study. According to this study, I could well have lost \$600, \$700, \$800 or \$900, because cumulative losses are not balanced by cumulative wins. As a consequence of that and a number of other aspects of my gambling behaviour, I was very clearly classified as suffering from gambling harm, and I am not. I just wonder how many others there are.

I am not suggesting for a single moment that there are not individuals—quite a number of them in this city and every other city—who are suffering from gambling harm. There is no question that that is the case. It is one of the reasons why the clubs in this town take that matter so seriously. I think they do a better job than the clubs in Queanbeyan, and I do not wish to send those people to Las Vegas on Crawford Street. I do not want to send them over there.

I want this town to remain a town of clubs, and I want the clubs to continue to do the amazing things that they do in this town. Sure, I want them to continue to modify how they deal with gambling harm, but what has been put on the table by Dr Paterson will, without any shadow of a doubt, end the clubs industry in the ACT, and we on this side of the chamber are not interested in that.

Question put:

That **Mr Rattenbury**'s amendment be agreed to.

The Assembly voted—

Ayes 13

Noes 6

Yvette Berry

Marisa Paterson

Peter Cain

Joy Burch

Michael Pettersson

Ed Cocks

Jo Clay

Shane Rattenbury

Elizabeth Kikkert

Emma Davidson

Chris Steel

Nicole Lawder

Mick Gentleman

Rachel Stephen-Smith

James Milligan

Laura Nuttall

Rebecca Vassarotti

Mark Parton

Suzanne Orr

Question resolved in the affirmative.

Amendment agreed to.

Original question, as amended, resolved in the affirmative.

Papers

Motion to take note of papers

Motion (by **Madam Speaker**) agreed to:

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

Heritage Amendment Bill 2024

Debate resumed from 11 April, on motion by **Ms Vassarotti**:

That this bill be agreed to in principle.

MS LAWDER (Brindabella) (4.11): I rise today to speak on the Heritage Amendment Bill 2024. As the shadow minister for heritage, it is my responsibility to look at these types of bills and ensure a balanced perspective so that they serve the best interests of our community, particularly with respect to preserving and promoting our rich heritage.

The Heritage Amendment Bill 2024 proposes several policy, technical and editorial amendments to the Heritage Act 2004. It is not a significant bill. The amendments aim to improve the operations of the ACT Heritage Council and strengthen its membership, particularly by enhancing the representation of the Aboriginal community in heritage decision-making.

The Heritage Act 2004 has been instrumental in identifying, assessing, conserving and promoting places and objects of natural and cultural heritage significance in the ACT. However, over the years, concerns have been raised about the efficiency and transparency of the heritage registration process. This bill aims to address these concerns, ensuring that the process is more streamlined and transparent. However, of course, it is not only about legislative changes. Just back in April, we saw a headline in the *Canberra Times*. The headline was: “Heritage Council chair warns of looming ‘tragedy’”. That article stated:

“The great problem is that if we don’t get more resources, the problems that afflicted the previous council could come back again and we could be back in a muddle again in terms of how the heritage system operates,” Mr Marshall told the *Canberra Times*.

Further, the article stated:

“But legacy issues, including a back log of advice requests, still affected the heritage system,” Mr Marshall said.

“The council still had ... 700 outstanding advice requests, and more requests came in at the rate old requests were handled, meaning the total number outstanding did not drop,” he said.

“We’re at this pivotal moment. Government can decide to either leave us where we are in terms of resourcing, or hopefully they’ll make a more positive decision and provide additional resources to council, to the heritage branch ...

So, while these amendments are important, they are not the only solution. I also note that the scrutiny committee reviewed the bill and raised some concerns, particularly regarding the rejection or dismissal of nomination applications and the expansion of the Heritage Council membership.

I would like to foreshadow that I will propose an amendment to the bill to modify section 28(3)—which I will talk about in the detail stage—to ensure it only applies to nomination applications received after the commencement of the bill. I believe the government also has an amendment to the same clauses of the Heritage Amendment Bill 2024, and I look forward to hearing more about that.

In conclusion, while the Heritage Amendment Bill 2024 presents a positive step towards enhancing the efficiency, transparency and inclusivity of our heritage registration process, we must address the concerns raised by the scrutiny committee and adopt the necessary amendments to ensure the bill's fairness and effectiveness.

I would like to thank Minister Vassarotti's office and directorate staff for the briefing they provided at the end of May. We will be generally supportive of this proposed amendment bill.

MS ORR (Yerrabi) (4.14): Just briefly, on behalf of ACT Labor, I would like to make a few comments about the Heritage Amendment Bill 2024. As we have already heard, the bill makes a number of amendments to the Heritage Act 2004 to improve the conservation and protection of the ACT's heritage system. It strengthens the council's operations by making sure that members have the necessary experience and skill in this important subject matter, and it is also doubling Aboriginal representation on the council, which is an important measure to provide better and more effective consultation with all first custodians of this land.

As we know, heritage considerations require breadth and varying lenses to be applied across a range of disciplines and expertise. Therefore, having the minister able to appoint people who are suitable from wide range of disciplines will strengthen the quality of the advice being made. There are also important changes to the registration of nominations so that we get a more timely and efficient assessment. Our community expects proper consideration of these important matters, but they also expect reasonable turnaround times, which is why I support these measures.

Heritage is important to our community. These revisions and amendments will continue to improve the system. I know the minister has been doing a lot of work in this area over this term, and I think we will continue to see positive improvement in how we value, assess and preserve our heritage in this city.

MS VASSAROTTI (Kurrajong—Minister for the Environment, Parks and Land Management, Minister for Heritage, Minister for Homelessness and Housing Services and Minister for Sustainable Building and Construction) (4.16), in reply: I am pleased to have presented the Heritage Amendment Bill 2024 for debate in the Assembly, following its presentation earlier in 2024. Today, I will also be presenting a government amendment to clause 9 of the bill.

The bill represents a milestone in the government's commitment to the reform of heritage arrangements in the ACT. The bill also delivers several areas of reform identified in the government's recent heritage jurisdictional review. I want to assure members, however, that this is far from the end of the work that needs to be done.

This bill makes amendments to the Heritage Act 2004, administered by the Environment, Planning and Sustainable Development Directorate. I would like to outline the key clauses in this bill and explain how they will improve the functioning of the ACT Heritage Council and the heritage branch.

The bill makes several amendments to the act to strengthen the council's operations by ensuring that it has members with the experience and skills needed to support a well-functioning and representative council. The council's membership comprises three public representatives, one each from: the community; the Aboriginal community; and the property ownership, management and development sector; as well as six experts in heritage-related disciplines.

Clause 4 of the bill amends the act to require the minister to appoint additional representatives to the Heritage Council, and clause 5 then specifies that the minister must appoint two Aboriginal representatives to the council. These clauses effectively double Aboriginal representation on the council. This additional representation will support the consideration of Aboriginal culture and history in council decision-making and provide more effective consultation with all elements of the ACT Aboriginal community. The appointment of two Aboriginal representatives will provide the council with access to wider skills, experience and gender diversity, providing increased options to consider places and objects with cultural or gender sensitivities.

Strengthening the role of First Nations people in their role as custodians of their cultural heritage is one of the governance priorities in the statement of expectations that I provided to the then newly formed council in August 2023, and a key recommendation of the government's heritage review.

I will now discuss the proposed amendments to the act to expand disciplines of members of the Heritage Council. Under the act, the minister may appoint six experts in heritage-related disciplines, including archaeology, architecture, history, Aboriginal culture and history, town planning, urban design, and nature conservation. Clause 6 of the bill expands the list of disciplines that may be considered by the minister in appointing expert members to include any other discipline, skills or experience that the minister considered beneficial or necessary for the council's functioning. These disciplines can be in addition to heritage expertise held by a member; however, only one expert can be appointed where the new discipline is the sole discipline which they represent.

The council and heritage functions will benefit from having internal expertise that may be valuable or relevant to council operation and deliberation, such as governance, business or legal expertise. The amendment recognises that a broader range of disciplines may be required to meet the council's needs over time. The amendments to the council's membership complement the existing disciplines and provide flexibility

to ensure that the council membership has the most appropriate disciplines, skills and experience to undertake work.

The bill also has several proposed amendments to the registration of nominations to the Heritage Register that will significantly improve the operation of the act. These improvements can be expected to provide a more timely and efficient registration assessment and to contribute to the enrichment of the register content.

The Heritage Register serves to conserve and protect the ACT's rich natural and cultural heritage by registering our significant heritage places and objects. Before a place or object is put on the register, it must be nominated and, if the Heritage Council endorses the nomination, it is provisionally registered. The community then has the opportunity to provide comments on the provisional registration before the decision on full registration is made.

There are 285 register entries for places on the register and 15 entries for objects. Out of these places, 68 entries are for Aboriginal places, and each entry can capture multiple elements, such as stone artefacts, quarrying sites, cultural trees or grinding grooves. There are also around 3,000 Aboriginal heritage places formally recognised and protected in the ACT, thanks to heritage listing.

Since the new council was established in March 2023, there have been two registrations for built heritage, three decisions not to provisionally register a place, and there are currently four provisionally registered places under assessment. The recent provisional registration of the early Kingston shops is a good example of the value of registration. These shops were our first shopping precinct, developed in the 1920s to serve the early Canberra community as the new capital took shape.

I would like to talk about incomplete nominations. The ACT government is committed to increasing the number and scope of places and objects protected in the register. The government encourages a broad range of nominations from the community, heritage groups, private home owners, Aboriginal groups, businesses and interested persons, and appreciates the time and effort taken in developing applications. In response, nominations deserve timely and fulsome consideration and feedback.

Several clauses in the bill amend the act to strengthen and clarify the council's management and registration of nominations and help to better address around 80 nominations that are awaiting decisions. The benefit of this provision will ultimately be in reducing delays and backlogs.

Clause 8 of the bill enables the council to reject a nomination that does not provide the required information set out in the act. The council has discretion in the application of this clause, being cognisant that the required information may not always be available—for example, in relation to Aboriginal sites. The council will put processes in place to advise the nominator of the reason for rejection of their nomination and provide further guidance in resubmitting the nomination. I will deal with this issue a little bit later, as we talk to Ms Lawder's amendment. But this is not retrospective and it does not deal with nominations that were made prior to the act being made.

In terms of expanded grounds for dismissal, clause 9 of the bill expands and clarifies the grounds for dismissal of nomination applications. Clarifying the requirements for submission and expanding the grounds for dismissal of applications aims to provide increased guidance in order to give greater clarity for nominators. Clause 9 retains existing grounds for dismissal and adds new grounds that require council to consider the likelihood of registration, correctness, sufficiency and the currency of the information provided in the application and any changes to the circumstances or details provided in the nomination application. The council must dismiss an application if any of these grounds apply.

The government amendment that I will introduce today relates to clause 9. It qualifies subsection 29(3)(c) by requiring the council to assess the significance and the impact of incorrect, insufficient or outdated information, and only dismiss the nomination where incorrect, insufficient or outdated information impacts on the heritage significance of the nomination and means that the application is unlikely to result in registration of a place or object. For example, if the nomination claimed that a place was built in 1956 but it was actually built in 1958, the council will consider whether this incorrect information is likely to affect the heritage significance. If not, the nomination could be accepted, and the date corrected in the registration.

The government amendment will provide greater discretion for the council to decide whether to dismiss or accept the nomination considered in supporting the claims of heritage significance. It will ensure that nominations of value are not dismissed unnecessarily, and it has been developed in response to the issue raised by the chair of the council.

Clause 9 also requires the council, as far as practicable, to advise of a decision to accept or dismiss a nomination application within 15 working days. This provides the nominator with a clear expectation of when a decision will be made. This section applies the same time limit used for other decisions of the act. Nominations can be resubmitted to the Heritage Council.

Where a nomination is dismissed, the outcome of merit assessment will provide the nominator or interested party with the reasons for dismissal, so that they can determine whether they wish to resubmit and provides guidance on essential information required. The benefit of these amendments is to make it easier for nominators to understand the decision-making process once an application has been received and the reasons for either rejecting or accepting a nomination.

A key feature of the bill is to address the nominations made to the Heritage Register pre 2003. Clause 10 of the bill enables the reassessment of nominated places or objects on the register that are awaiting provisional registration where circumstances or details of the application have changed. This clause will enable the resolution of approximately 40 nominations that were made under the repeal of the Land (Planning and Environment) Act 1991 that were transitioned automatically to the register as nominated places in 2004 without any merit assessment.

Due to their age and insufficient or outdated information, many of the original nominations lack sufficient information, such as location, name of nominator or

changes to nomination details over the years. It is difficult and resource intensive to progress these nominations to provisional registration. Under the current act they remain in limbo. The bill corrects this legislative anomaly, allowing these historical nominations to be appropriately addressed and resolved.

I note that the process of dealing with this issue has been a matter of interest in the community, with the community rightly concerned that there is not a blanket decision to dismiss nomination due to the age of these nominations. I can assure community members that this bill is not proposing a blanket or arbitrary dismissal of these pre-2003 nominations; rather, it allows the Heritage Council to review a nomination and apply a merit assessment process afforded to nominations under the current act to these nominations. In many cases, it will enable the nomination to proceed to consideration for registration.

Nominations can be resubmitted to the Heritage Council. Where a nomination is dismissed, the outcome of the merit assessment will provide the nominator or interested party with the reasons for dismissal so that they can determine if they wish to resubmit and provides guidance on essential information that is required. This will reduce unnecessary effort for nominators and avoid further delays.

This amendment will improve the operations of the council in considering registration nominations to the register. It will assist in addressing the historic backlog of registration nominations and enhance the register—both outcomes proposed by the government's recent heritage review.

I thank in particular the council for their advice in assisting us to get the balance right in relation to this process, to enhance rather than impede the council's ability to make timely decisions around heritage registration of important heritage assets.

In summary, these amendments are an important step in the reform of the ACT heritage arrangements, but they are not the end. They will improve the conservation and protection of the ACT's heritage for all Canberrans. They will facilitate the assessment and decision-making of registration nominations in a way that is timely, administratively efficient, provides clarity for applicants and gives due consideration to the outcomes sought under the act.

Other amendments to council membership provide the minister with increased flexibility and adaptability to ensure that the council has the most appropriate mix of disciplines, skills and experience to deliver its important work.

Importantly, the amendments to increase the Aboriginal community representation will strengthen consideration of Aboriginal culture and history in council decision-making and provide more effective consultation with all of the elements of the ACT's Aboriginal community. These changes are an important step and will complement the ongoing work around the establishment of a First Nations-led cultural heritage decision-making body, which requires ongoing co-design work with local traditional custodians.

I commend the bill to the Assembly.

Question resolved in the affirmative.

Bill agreed to in principle.

Detail stage

Clauses 1 to 7, by leave, taken together and agreed to.

Clause 8.

MS LAWDER (Brindabella) (4.32), by leave: I move amendment No 1 circulated in my name [*see schedule 3 at page 1676*] and table a supplementary explanatory statement to my amendment.

I stand before you today to talk about an amendment to the Heritage Amendment Bill 2024. The amendment relates to clause 8, proposed new section 28(4), page 3, line 24, which would insert:

- (4) To remove any doubt, subsection (3) does not apply in relation to a nomination application given to the council before the commencement of the *Heritage Amendment Act 2024*, section 3.

With any legislative framework, such as this amendment bill, there is always room for improvement and refinement to address emerging challenges and ensure that the legislation remains fit for purpose, meets community expectations and is the best possible bill. That is why I propose the insertion of a new section 28(4), which would allow the Heritage Council to reject nomination applications that do not comply with the formal requirements of existing section 28(2).

I understand that the government will not be supporting this amendment today, and that the minister will move a further amendment. In some ways, the government addresses some of the same sorts of concerns, but we were wishing to make sure that nominations could not be dismissed just because they were old, for example, and that they should still be considered carefully.

We want to make sure that we protect the integrity of our heritage nomination process and that all potential heritage sites and objects, regardless of when they were nominated, receive the consideration they deserve, and that we understand the need to balance procedural efficiency with the commitment to preserve our diverse heritage.

I will not go on at length about the nomination, because I understand that this amendment will not be passed today, but I do wish to speak briefly about the process, which I did find a little disappointing. I must be softening a bit in my old age, and with the length of my time here, because I decided that I would definitely take a collaborative approach. I approached the minister's office last week with our proposed amendment and said, "Here is what we think we might like to change."

I had a couple of meetings with the minister's office, and they said they would get back to me on Monday. On Monday morning, I was surprised to find in my inbox the

government's own amendment, which I felt could have been foreshadowed to me during the meetings I had with them during the previous week. They could have said they were proposing an amendment. It is a bit like trying to do the right thing but finding it certainly is not reciprocated in any way. I did not receive a reply to my query until Monday afternoon. Of course, the amendment was supposed to have been submitted by lunchtime on Monday, so there was not a lot of joy in that response for me.

I thought I was being collaborative in my approach regarding this amendment. The minister's office perhaps was not. I felt I was being open and honest in our approach regarding this amendment, and perhaps the minister's office was not. I did find that disappointing, after I had made a determined effort to try to be open and welcoming and seek feedback on the amendment, to make sure that we all have the best possible amendment bill passed today.

Notwithstanding that, we will be pleased to support the government amendment today, which I think will make the bill better. But I would like to say that a more collaborative approach might have been appreciated in this process. We understand that the amendment that the minister will be moving will allow the council to have greater discretion to assess whether to accept or dismiss nominations.

I will not speak again, in the interests of time, on the minister's amendment. I did find the process disappointing, but we will be supporting the amendment because it does make the amendment bill better in the long run.

MS VASSAROTTI (Kurrajong—Minister for the Environment, Parks and Land Management, Minister for Heritage, Minister for Homelessness and Housing Services and Minister for Sustainable Building and Construction) (4.37): I want to speak briefly to Ms Lawder's proposed amendment and go through a little bit of information in terms of providing an explanation. While we absolutely support the intent of Ms Lawder in ensuring that there is not dismissal uniformly with respect to applications, unfortunately, the amendment as it has been put forward does not actually reach that intent.

I want to address the potential issues with process that Ms Lawder raised. Certainly, in our office we work to promote a very collaborative approach in terms of the work that we do across the Assembly. In terms of the government amendment, it actually deals with another issue, and there was a parallel process that was going on, particularly in terms of responding to some concerns raised by the chair of the council.

When I understood that Ms Lawder felt that there had not been a collaborative approach, I tried to provide some additional information on that, and I am happy to continue to have that conversation with her. We do aim to work really collaboratively. If the proposed amendment was something that achieved the intended outcome, we would have been really happy to support it. I note that the other amendment actually deals with another section of the act.

As noted, section 28(3) does give the council discretion to reject applications that do not comply with requirements to make nomination applications for provisional registration in section 28(2). I understand that the purpose of the opposition amendment is to ensure that older nominations, especially those made under previous legislation,

are not dismissed without being given a fair assessment of their potential heritage value, and we absolutely support that intention.

However, the purpose, as stated in the explanatory statement, seems to confuse the rejection of an initial application under section 28 and administrative consideration with the dismissal of a nomination under section 29, following a merit assessment. It assumes that section 28(3) applies to older applications or those made under previous legislation. However, the new section 28(3) cannot be applied retrospectively to older or pre-existing applications made under the act, or previous legislation—for example, the repealed Land (Planning and Environment) Act 1991. For an act to apply retrospectively, a clear indication needs to be stated.

On that basis, while we support the intention, we believe that the bill already delivers on that intention, so we will not be supporting the amendment.

Amendment negatived.

Clause 8 agreed to.

Clause 9.

MS VASSAROTTI (Kurrajong—Minister for the Environment, Parks and Land Management, Minister for Heritage, Minister for Homelessness and Housing Services and Minister for Sustainable Building and Construction) (4.41), by leave: I move amendment No 1 circulated in my name [*see schedule 4 at page 1676*] and table a supplementary explanatory statement to the amendment.

I will provide a little bit of detail. The government amendment relates to section 29(3)(c). This subsection states that the ACT Heritage Council must dismiss a nomination application for registration on the ACT Heritage Register if the council reasonably believes the application contains incorrect, insufficient or outdated information.

The government amendment specifies that the council must only dismiss a nomination in cases where the incorrect, insufficient or outdated information means that the application is unlikely to result in registration of a place or object.

This amendment will provide greater discretion for the council to decide whether or not to dismiss or accept a nomination considered for supporting claims of heritage significance. It will ensure that nominations of value are not dismissed because they contain incorrect, insufficient and outdated information that does not impact the likelihood of registration.

As noted, this has come out through consultation with the chair of the council. I commend the amendment to the Assembly.

Amendment agreed to.

Clause 9, as amended, agreed to.

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

Title agreed to.

Bill, as amended, agreed to.

At 4.45 pm, the sitting was suspended until the ringing of the bells.

The bells having been rung, Mr Deputy Speaker resumed the chair at 5 pm.

Appropriation Bill 2024-2025

Mr Barr, pursuant to notice, presented the bill and the following supplementary papers:

Explanatory statement to the Bill, incorporating a compatibility statement, pursuant to section 37 of the *Human Rights Act 2004*.

Budget 2024-2025—Financial Management Act, pursuant to section 10—

Budget Outlook.

Budget Statements—

A—ACT Electoral Commission | ACT Executive | ACT Integrity Commission | Auditor General | Office of the Legislative Assembly.

B—Chief Minister, Treasury and Economic Development Directorate, together with associated agencies.

C—ACT Health Directorate | Canberra Health Services | ACT Local Hospital Network.

D—Justice and Community Safety Directorate | Legal Aid Commission (ACT) | Public Trustee and Guardian for the ACT.

E—Environment, Planning and Sustainable Development Directorate | City Renewal Authority | Suburban Land Agency.

F—Education Directorate.

G—Community Services Directorate | Housing ACT.

H—Transport Canberra and City Services Directorate | Transport Canberra Operations | Cemeteries and Crematoria Authority.

I—Major Projects Canberra.

Indicative Land Release Program—2024-25 to 2028-29.

Financial Management Act, pursuant to subsection 62(1)—Statements of Intent—2024-2025—

ACT Long Service Leave Authority.

Building and Construction Industry Training Fund Authority.

Title read by Clerk.

MR BARR (Kurrajong—Chief Minister, Treasurer, Minister for Climate Action, Minister for Tourism and Minister for Trade, Investment and Economic Development) (5.00): I move:

That this bill be agreed to in principle.

Mr Deputy Speaker, the 2024-25 Territory Budget focuses on the community priorities of health, housing and cost of living.

The budget is a practical plan to deliver:

- more public health services;
- improved housing choice, access and affordability;
- targeted cost of living relief; and
- build the infrastructure our city needs.

The ACT has experienced significant economic and social challenges caused by the COVID-19 pandemic, climate change and geopolitical tensions.

These external factors have dictated the economic environment, and we have responded as a government to protect public health, to protect local businesses and jobs and to support the most vulnerable in our community.

Our economic strategy is working. The ACT economy has performed well. Business growth has been the strongest in the nation. The government has continued to support jobs, provide employment security, implement taxation reforms to reduce inefficient taxes and provide high-quality and targeted services.

Economic overview and strategy

I am pleased to report that our economy is on track for a thirty-fourth year of consecutive growth, the rate of growth will be slower this year and we know parts of our community are experiencing cost of living pressures. Some local businesses are reporting reduced turnover.

This is why in this budget we are delivering \$143 million of concessions to provide targeted cost of living support to those who need it most.

It is also why we will be encouraging Canberrans who can, to spend some of their July 1 federal tax cuts locally, in Canberra businesses.

Economic Growth and Employment

Over the decade to 2022-23, the ACT has led the country in economic growth, with real gross state product growing at 3.5 per cent per annum, compared to 2.4 per cent nationally.

The most recent data shows the ACT experienced very strong gross state product growth of 4.3 per cent in 2022-23—the highest among all states and territories.

In fact, since the June quarter of 2015, the ACT is the only jurisdiction in the country where annual state final demand has shown continuous growth on a per capita basis.

Since 2013 the number of businesses operating in our territory has grown from 25,000 to 35,000—an increase of 40 per cent.

In summary, the ACT is where you want to be when the nation's economy is booming and also when it is struggling.

Nonetheless, like every jurisdiction, we face economic challenges, particularly in the short-term, with a softening of the national economic outlook as business and consumer confidence is impacted by persistent inflation and the Reserve Bank of Australia's monetary policy settings.

However, our strong labour market, strong public demand, wages growth and population growth will continue to underpin our territory's economic activity, albeit at a slower pace for the next few years.

While household consumption growth is lower, households remain supported by employment growth that exceeds population growth as well as an increase in real incomes.

We are optimistic that future household consumption increases will be spent locally in Canberra businesses.

Wage Price and Consumer Price Index

Inflation in Canberra grew by 3.3 per cent through the year to the March quarter 2024, well below its peak of 7.1 per cent in December 2022.

Nonetheless, the rising costs of living continue to impact many households, families and individuals in our community which is why in this budget we have delivered a carefully calibrated package of cost-of-living support.

I am pleased to advise the Assembly that real wage growth is expected to continue over the coming years as inflation moderates. This will further support household consumption.

This is the benefit of investing to support our labour market, driving up real wages, and supporting improved living standards.

Fiscal Strategy

Despite rising costs of service delivery and infrastructure, as well as downgrades to some revenue estimates, the territory's financial position remains strong.

Our plan allows us to chart a sensible and sustainable pathway for a balanced budget, one that will not expose Canberrans to the hardships of cuts to public investment and consumption for purely ideological reasons.

The budget's headline net operating balance position is forecast to improve each year and will return to balance over the forward estimates, while the operating cash balance also continues to improve.

The government's fiscal strategy is calm and it is measured.

We will continue to seek balance in public finances as the community and the economy recovers from the impacts of COVID-19 and persistent inflation.

We will seek to stabilise, then reduce debt, over the medium term through a combination of operating cash surpluses, land sales, and fully funding our superannuation liability.

We will do this while investing in the services and infrastructure that improves our city's wellbeing and supports economic growth and jobs.

As we continue to deliver our nation-leading tax reform program, the ACT will also remain a relatively low-taxing jurisdiction with our own-source tax revenue as a share of gross state product—the equal third lowest of all Australian states and territories—at 5.1 per cent.

Investing in the wellbeing of Canberrans

Our wellbeing framework, now in its fifth year, assists the government in making investment decisions that contribute most strongly to the quality of life for people across Canberra.

More Health Services

The government knows that effective health services have a significant impact on wellbeing outcomes across the territory.

That is why we are continuing to invest in our public health system to ensure Canberrans can access the right care, at the right place and at the right time.

The budget builds on the substantial investment in our health system, with \$920 million of new healthcare initiatives funded over the next four years.

This includes the next phase of minimum nurse and midwife-to-patient ratios, the expansion of paediatric care, ongoing support for digital health services, permanently funding the second PACER team, doubling the size of the Acute Medical Unit and increasing emergency and elective surgeries.

The government is increasing resources across our health system so that our doctors, nurses, midwives and allied health care workers can deliver the high quality free public health care Canberrans need.

Soon we will open the Critical Services Building at Canberra Hospital which will support the delivery of our growing health services.

The government is also delivering community-based health centres across the territory, to alleviate the pressures on hospital emergency departments and to provide local communities more direct access to health services.

The first of these new health centres opened in Molonglo in 2022. Construction is expected to commence in the second half of this year on a new health centre in Tuggeranong, and in this budget we are investing in the construction of two new health centres, one in North Gungahlin and one in the Inner South and commencing the design work for the West Belconnen centre.

These health centres, along with our nurse led walk-in centres and hospitals, ensure all Canberrans can access free public healthcare close to home.

Increasing Housing Access, Choice and Affordability

Housing affordability is a national issue requiring a collaborative policy response. This government will continue to work with the commonwealth to deliver our commitments under the National Housing Accord.

Considerable investment has already been made to increase housing supply, access to housing and housing choice in Canberra. However, there is more to be done and increased housing construction and improved affordability continue to be a priority.

The budget includes more than \$285 million in funding for housing initiatives, including;

- \$118 million to boost social housing assistance and homelessness services;
- \$80 million to strengthen housing choice and quality;
- \$67 million to support private renters and help more people buy their own home by reducing stamp duty; and
- an extra \$20 million investment in the Affordable Housing Project Fund that is already supporting 280 new and well-located affordable rental homes across six projects.

These investments, combined with our program of land release and the right regulatory settings through our planning system, will help ensure we have the right mix of housing options to suit a range of household incomes and meet the housing needs of our growing city.

The government is continuing to support new housing by making more land available including for community and affordable housing.

This budget also continues to support the Growing and Renewing Public Housing program, with an ambitious but achievable total capital works program for Housing ACT, of over half a billion dollars over the next four years.

We have maintained housing supply growth at a higher rate than population growth over the past decade and at a significantly faster rate than the national average.

This increase in supply, combined with initiatives included in this budget supporting stamp duty relief for owner occupiers—particularly first home buyers—will continue to target both housing affordability and rental affordability.

Targeted cost of living relief

Canberra has lower levels of income inequality than other Australian cities. However, there are Canberrans who do not share equally in our high living standards.

Low income and low-wealth households are particularly vulnerable to higher prices for non-discretionary items such as food, fuel and energy.

The budget includes a range of measures to assist with cost of living challenges.

To help with energy costs, we have complemented the \$300 per household provided by the commonwealth government in two key ways. Firstly by returning \$61.3 million of surplus revenue from the Large-scale Feed-in Tariff scheme to households.

This has reduced overall growth in regulated electricity prices by around five percentage points—meaning Canberrans will see another real reduction in their energy bills this financial year.

Secondly, by providing an electricity, gas and water rebate of \$800 to almost 44,000 eligible households in 2024-25; a little over one in five Canberran households in 2024-25.

Households can save even more on their energy bills by engaging with their retailer on different plans and they can choose between competing retailers to get a lower price for their energy. I acknowledge the work that has been undertaken in this term, in regulatory reform, to make it an easier process for consumers to find cheaper energy.

Additionally, in this budget the government is providing a one-off payment of \$250 to apprentices and trainees, who tend to earn just above the threshold to qualify for various commonwealth financial assistance but clearly are still lower income earners relative to others in Canberra, and often these apprentices and trainees have a lower level of assets or savings to draw upon.

In this budget we are also providing funding support for emergency material, financial aid programs and food relief services and we are increasing assistance through the Taxi Subsidy Scheme.

The government has also increased the Future of Education Equity Fund in 2024 for families with financial hardship to ensure all young children in Canberra can equally access and engage in their education.

Stronger Foundations—lifelong learning

The budget also includes increased investment in the education portfolio, laying a strong foundation for lifelong opportunities and ensuring all children are supported to thrive in their early years by breaking down barriers to accessing early childhood education and care.

The government knows that investing in education provides life-long benefits, and that is why the budget includes new initiatives worth over \$100 million to support education and skills.

The government is delivering on the key commitment under the Set up for Success strategy—the provision of free, quality early childhood education and care.

The second phase of this commitment is being delivered in 2024 through the provision of 300 hours per year of free, quality early childhood education for all three-year-olds.

In this budget we are also providing funding to deliver consistent teaching practices, common assessments, resources and support for parents and professional learning for teachers, school leaders and learning assistants across all ACT public schools.

We are also reducing workflow pressures for teachers and addressing recommendations from the Teacher Shortage Taskforce.

Community Safety and Inclusion

Throughout the ACT and Australia, incidents of domestic violence continue to increase. National Cabinet met in May of this year to discuss the national crisis of gender-based violence.

It is the government's view that critical frontline services must be well-equipped to respond, and the budget includes new initiatives worth \$12 million to address domestic, family and sexual violence including coercive control.

This new funding, in addition to existing commitments, brings the total government investment in addressing domestic, family, and sexual violence to \$95 million over the next four years.

In the coming financial year the government will spend more than \$650 million on community support and social inclusion, including funding to implement the First Action Plan of the ACT Disability Strategy to drive positive change and capacity building across the ACT.

The government remains committed to growing the Aboriginal and Torres Strait Islander Community Controlled sector to deliver services and programs, guided by the community's knowledge, history, lived experience and connection to country.

Climate Action

Through this budget the government is investing in an all-electric, zero emissions future for Canberra with the release of a new Integrated Energy Plan. A plan that contains a range of government commitments to support Canberrans through the transition to cheaper and cleaner energy.

Swapping from gas to electric appliances over time and investing in energy efficiency will deliver significant savings to Canberrans.

I am delighted that nearly 20,000 households have already taken up loans under our Sustainable Household Scheme and to date they have saved an estimated \$43 million on their energy bills.

The government is committed to ensuring all Canberrans benefit from the transition to a low emissions future. That is why in this budget we have committed to electrify all feasible community and public housing by the end of 2030.

Infrastructure

The government has an ambitious infrastructure program: delivering \$8 billion of infrastructure investment over the five years to 2028-29.

Our capital investment priorities continue to be health, education, public transport, public housing, climate action and urban renewal.

In this term of government we have progressively updated the territory's long-term Infrastructure Plan—adopting a staged approach to planning and delivering our city's infrastructure needs to achieve optimal timing and funding of investment. This is particularly important in the context of national industry and market capacity constraints and price volatility.

We are planning for a significant uplift in health care infrastructure including a new northside hospital to replace aged facilities at the North Canberra Hospital site in Bruce and the further rollout of health centres across our city.

More than \$2 billion of our infrastructure investment program will be invested in public transport, roads and active travel.

Integrated transport and land use planning ensures easy access to services and facilities for our community as well as economic opportunities.

By prioritising investment in public transport and active travel, and expanding the use of zero-emissions vehicles, transport policy will contribute materially to meeting the government's objective of achieving net zero greenhouse emissions by 2045.

Investing in entertainment, the arts and sports continues to be an important element of the government's wellbeing strategy.

Targeted new investments in this budget will continue to improve Canberra's liveability and status as a destination of choice for work, study and recreation.

This includes partnering with the commonwealth government and other stakeholders to progress development of landmark city-shaping projects such as Light Rail Stage 2A, a new Canberra Convention and Entertainment Centre Precinct, the redevelopment of EPIC and the Bruce Sports, Health and Education Precinct.

Conclusion

The government remains optimistic about the economic outlook ahead and the fiscal policy settings that we have put in place in this budget Settings that:

- deliver high quality public health and education outcomes;
- provide cost-of-living support;
- deliver more housing; and
- continue to deliver infrastructure for our city's future.

This budget reflects our priorities and aspirations for our growing community—that Canberra is the best place in the country to live, to work, to invest, to study and to call home.

Mr Deputy Speaker, before I conclude, as this is the last of five budgets in this term of the Assembly, I would like to take the opportunity to thank the hardworking staff in ACT Treasury. They are consummate professionals, wonderful to work with, and on behalf of the government, I thank them for their advice, their support, and their diligence in the preparation of this budget, and indeed, in all that they do. I commend the budget and the appropriation bills to the Assembly.

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

Appropriation (Office of the Legislative Assembly) Bill 2024-2025

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

Title read by Clerk.

MR BARR (Kurrajong—Chief Minister, Treasurer, Minister for Climate Action, Minister for Tourism and Minister for Trade, Investment and Economic Development) (5.24): I move:

That this bill be agreed to in principle.

Mr Deputy Speaker, I am pleased to be able to table the Appropriation (Office of the Legislative Assembly) Bill 2024-2025. I am sure members are aware this bill is the mechanism for the appropriation of moneys for the officers of the Legislative Assembly. It is important we do not skip over that. The bill provides for total appropriations of \$4.220 million for the Auditor-General, \$13.494 million for the Electoral Commissioner, \$8.051 million for the Integrity Commissioner and for the benefit of non-executive members in this place, \$23.213 million for the Office of the Legislative Assembly. I commend these appropriations to the Assembly. I present:

Budget 2024-2025—Financial Management Act, pursuant to sections 20AA and 20AC—Appropriation (Office of the Legislative Assembly) Bill 2024-2025—Departures from Recommended Appropriations—Statement of Reasons, undated.

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

Statements by members

Community groups—Fofō'anga Fai Kava

MRS KIKKERT (Ginninderra) (5.26): I want to give a big shout-out to the incredible Fofō'anga Fai Kava men's group that meets regularly. This Tongan group is more than just a gathering; it is a community pillar. They come together to sing beautiful Tongan songs, preserving and celebrating their rich cultural heritage. But the impact goes far beyond music and drinking kava. These men are dedicated to supporting and guiding our youth, providing mentorship and offering a safe space for young people to grow and thrive. Their commitment to nurturing the next generation is fantastic.

To the Fofō'anga Fai Kava men's group, thank you for your dedication, your vibrant songs and your invaluable support to our community. You embody the spirit of unity and tradition, as I saw last weekend, and I am very grateful for the positive difference you are currently making in our youth and also our community. Mālō 'aupito ofo atu and keep up your amazing work.

Architecture—Australian Institute of Architects ACT Chapter Awards

MR STEEL (Murrumbidgee—Minister for Planning, Minister for Skills and Training, Minister for Transport and Special Minister of State) (5.27): On Saturday night, I had the privilege of attending the Institute of Architects Act Chapter Awards with Minister Vassarotti. It was a real honour to hand out the Sir Roy Grounds Award for Enduring Architecture this year. The winner of that was the Torrens Neighbourhood Centre, which was designed by Dirk Bolt. As we seek to re-enliven our shopping hubs, this shopping centre stands out as one that has been really successful over recent years, and in the past as well. As it is in the Canberra suburb I grew up in, it is particularly close to my heart.

The mid-century modernist design is both unique in Canberra for its curves and high-pitched roof and, originally, perfectly fitted the brief for an aspirational vision of the local centre in Canberra, in what we might now call a 15-minute city model which provides access to a whole range of services for the community within walking distance of home. It is home to rock climbers and stair climbers, and it has been the canvas for famous political graffiti over the years. Most recently, the shops have featured a new Italian cafe and deli, with Canberra's best fresh pasta. This shopping centre has seen countless restaurants, retailers, architecture firms and other businesses over the years. It has been home to an adaptive re-use project, incorporating an early childhood service, Torrens Early Learning, with respect to the original architecture.

Radford College—cricket centre

MR CAIN (Ginninderra) (5.29): I rise to speak about the recent opening of the new state-of-the-art cricket facility in my electorate of Ginninderra. The Boorer Family Cricket Centre opened last Friday at Radford College in Bruce to much fanfare, and I was honoured to attend, along with Radford College interim principal Andy Gordon; Radford College chair, Vicki Williams; Cricket ACT chair, Greg Boorer; and Australian cricket and football superstar, Ellyse Perry. This world-class facility was the result of an incredibly generous \$4 million donation by Mr Boorer and his family and a decade of planning and hard work by the Radford College and Cricket ACT communities. Mr Boorer is also founder and CEO of a wonderful local ACT business, Canberra Data Centres, and I acknowledge his continuing contribution to the ACT as a whole.

The new centre puts Canberra on the map and up there with Lord's itself in terms of quality indoor cricket facilities! As reported in the *Canberra Times* on the day, the Boorer Family Cricket Centre is of such a high standard that the Indian cricket team could use it as a base when they visit Canberra later this year for the Prime Minister's XI match. It is a win for local cricketers, a win for students and a win for Ginninderra. Congratulations to all involved.

Discussion concluded.

Absence of Speaker

The Clerk, pursuant to standing order 6, informed the Assembly that the Speaker would be absent in the morning of Wednesday 26 June 2024 and that in that period the Deputy Speaker, Mr Parton as Acting Speaker, would perform the duties of the Speaker.

Adjournment

Motion (by **Mr Gentleman**) proposed:

That the Assembly do now adjourn.

Hawker—Hawker Community Repair Cafe

MRS KIKKERT (Ginninderra) (5.31): It is a pleasure to speak about a truly remarkable community initiative that has been making a significant impact in my

electorate of Ginninderra: the Hawker Community Repair Cafe. This is not just about fixing broken items. It is about bringing people together and fostering a spirit of unity and sustainability, as I saw the other day. All of this is possible thanks to the tireless efforts of Jon, President of the Hawker Men's Shed, his team of repair cafe volunteer repairers and all the visitors.

I have heard from visitors how much the Hawker Community Repair Cafe is a beacon of hope and resourcefulness in our community. Many of them would easily have just thrown out an old broken item, but instead they bring it to the repair cafe, have it fixed, and then they can buy some goodies from the market stalls or the sausage sizzle.

The repair experts volunteer their time and skills to bring new life to broken items with willingness and much cheerfulness. This not only saves people money but also reduces waste, making a positive impact on our environment. It allows us to go somewhere and have a good time, as a live band and market stalls operate, with fun, unique goodies, when they have their fete.

Through attending a couple of these repair cafe festivities, I know that it is more than just repairs. It is a gathering place where neighbours become friends, and skills are shared between people and across generations as knowledge is passed on. I have also heard stories being exchanged. Each session is filled with laughter, learning and the satisfaction of a job well done. It reminded me of the power of community and the incredible things we can achieve when we are working together.

I would like to acknowledge the hard work and dedication of Jon and all the volunteers who make this event possible. Thank you. Let us continue to support and participate in this wonderful initiative, for a stronger and more connected community.

Woden—sports and recreation facilities

MS DAVIDSON (Murrumbidgee—Minister for Community Services, Seniors and Veterans, Minister for Corrections and Justice Health, Minister for Mental Health and Minister for Population Health) (5.33): I am once again asking for a moment of your time to talk about the need for community sports facilities in Woden. Our public swimming pool in Phillip is older than I am. It has been well loved, but we know that at some point it will need to be replaced with modern construction, designed to meet the needs of our community for decades into the future.

Woden also used to have access to indoor multi-use sports courts at the Southern Cross Club courts and the CIT gym, but both of those facilities have since reached end of life and been demolished. That means that clubs for badminton, gymnastics, fencing, roller-skating, basketball and many other sports and recreation activities have had to find other places to go.

There have been many reports done over the years into community sports facility needs in Woden. One of those reports said:

Woden is seen as lacking activation and gathering space with a need for a multi-use facility incorporating indoor sport.

The Greens would still like to see future facilities planned, with detailed prioritisation of needs. We would like to see government engage with an appropriately supported community sports peak that can help us understand community needs well into the future, not just a repeat of what was planned for Woden in the 1970s and 1980s. A smart man once said, “In my experience, there is no such thing as luck.” If we want great community sports facilities in Woden, we cannot rely on luck. We have to plan for it.

Multicultural communities—World Refugee Week

MR CAIN (Ginninderra) (5.35): As members would be aware, we had World Refugee Day on 20 June. There were a series of events leading up to and on the day, and just afterwards, that I was privileged to attend. I would like to speak about four of those.

In the week before World Refugee Week I attended a screening of a very sobering film called *Facing the dragon*, which highlighted the journey of Dr Nilofar Ibrahim, an Afghan parliamentarian in the pre-Taliban parliament, to reform and improve the rights of women and children in that nation. Also included in this documentary biopic was the story of Shakila. I do not have her last name. She was a journalist promoting truth-telling and the rights of women in Afghanistan.

It was sobering to see snippets of their lives, with a young family in each case, under a pre-Taliban government in Afghanistan. They were threatened with serious harm to them and their children to such a degree that they felt they needed to leave their home, for the sake of their family. As many would know, Dr Nilofar Ibrahim has settled in Canberra with her husband and children. The journalist Shakila has settled in Germany with her children.

I was also delighted to attend the Migrant and Refugee Settlement Services event at Albert Hall on 19 June. It was a fantastic celebration and demonstration of a Canberra that embraces diversity and provides the support needed to our recently arrived refugee and displaced persons community. A number of performances took place that evening, including a fashion parade, Colombian music, Chinese and Vietnamese vocal performances, an Iranian instrumental performance and a Peruvian dance group. I was honoured to give a short speech. I acknowledge the attendance of Mr Braddock, as well, from this Assembly. I thank Mrs Sonia Di Mezza, the MARSS interim CEO, for the event and for her ongoing advocacy and profound community benefit to the ACT through the work of MARSS.

On World Refugee Day itself I attended the World Refugee Day and Creative Encounter launch at the University of Canberra. This was organised by the Faculty of Arts and Design, Student Equity and Participation, and Companion House. An afternoon tea marked World Refugee Day by asking the question, “What does home mean to you?”

The Creative Encounter mural project, launched with students and constructed by Khadim Ali, was particularly impressive. It was delightful to hear the stories of students in our school system from Ukraine, Afghanistan and other places. They had to leave, with their families, because of risks to their own safety. They have found a home in Canberra and have very important stories to tell. I give particular thanks to Mijica Lus for her hospitality and encouragement in helping to organise this important event.

I attended the Eid al-Adha celebration held by the Afghan Peace Foundation and MARSS at Albert Hall last Friday. That was a wonderful gathering of displaced persons and refugees from our Afghan community, to encourage them to participate in cultural presentations. Unfortunately, I could not stay for the whole evening of that one, but it was a delight to again join the Afghan Peace Foundation and support their very mobile work.

Finally, and not insignificantly, I should mention the SiTara Story Gala on Saturday, 22 June at the Abbey in Nicholls. It was a wonderful evening of fundraising, philanthropy and celebration to support the empowerment of our culturally and linguistically diverse families in Canberra, and underprivileged children and families in Bangladesh.

I want to thank all of those involved in supporting our refugee community in Canberra during and prior to World Refugee Week. I thank them all for organising such important events and for including me in those important events.

Child care—Australian National University early education facilities

MS STEPHEN-SMITH (Kurrajong—Minister for Aboriginal and Torres Strait Islander Affairs, Minister for Children, Youth and Family Services, Minister for Disability and Minister for Health) (5.39): I want to speak briefly in relation to the conversation that has been happening in my community about the early childhood education and care centres at the ANU campus. As members would be aware, there are four early childhood education and care centres at the ANU campus that have been a bit blindsided by an announcement from the ANU recently. The centres are: the University Preschool and Child Care Centre, which was founded by ANU staff in 1969; the Heritage Early Childhood Centre, which was established as a parent-run childcare service before becoming staffed by professional educators in 1989; the Acton Early Childhood Centre, which has been operating for more than 35 years; and Cubby House on Campus, which opened in 2016 after transitioning from a family daycare arrangement to centre based care.

The licences for all four centres are currently due to expire on 31 January 2025. On 12 June, the ANU advised the directors of these centres that the university would not be renewing their licences, citing a difficulty in maintaining the heritage buildings that the centres are based in. The ANU told the centres and current families that the decision was “due to the age of these buildings and the ongoing work required to remediate hail damage and ensure the buildings meet our high standards”.

I think we can all agree that we want to see high standards in the infrastructure to support early childhood education and care, but we also want to ensure that we continue to see high standards in the provision of care. We know that parent-run centres often provide outstanding care at a more affordable price while paying their staff above-average wages, and that seems to be exactly the case with these four centres.

It quickly became clear that these community-run early childhood education and care centres could close as a result of this decision, with staff potentially losing their jobs if the providers were unable to find another premises for 2024. The ANU said that two purpose-built centres would be built on the campus and will open from early 2025 and

that they would have enough places to meet current demand. The university initially said that there would be an open and fair procurement process starting in July 2024 and that the four providers would be invited to be part of that process. After lobbying from parents, including an online petition which quickly grew to more than 2,000 signatures, the ANU has now said it will work with the four existing providers exclusively first to seek proposals on how they would operate the two new centres, and I am pleased that that conversation is underway.

I was pleased to see the university's chief operating officer had written to the centre directors to arrange a meeting for today, 25 June, to begin discussions, with a view to completing those discussions by 19 July. I understand that he also wrote to centre families to advise of this change in approach. As Mr Price has apparently said, "The value many ANU families place on the four community centres has become crystal clear."

I note that my fellow Kurrajong candidate, Martin Greenwood, was one of the parents who spoke about the benefit that his own child had received from the wonderful care and learning at Heritage ECC.

The university says it will go ahead with an open procurement process if it is not able to come to an agreement with the existing centre operators. It has sought to assure families with children at one of the centres that they will be prioritised for places in the new centres and that these will meet existing demand. However, the future of the staff at the four centres remains in question if they cannot come to agreement. The United Workers Union has written to the chief operating officer calling for the community providers to not be replaced with a commercial operator and for the ANU to ensure that any future service provider offers employment to the existing employees on their current wages and conditions. Of course, the four centres, as I mentioned, currently pay staff above the award rate and they also work together with regard to professional development. It is very unfortunate that, as Lyndal Ryan from the United Workers Union has said, "The educators feel disrespected by the way in which this decision has been communicated to them by the ANU."

As someone who started their early childhood education at the Neighbourhood Children's Centre at the ANU, later to become the O'Connor Cooperative School, I feel an affinity with these parents, students and staff at the ANU. I will continue to monitor this situation very closely and will communicate directly with the ANU if need be.

Question resolved in the affirmative.

The Assembly adjourned at 5.45 pm.

Schedules of amendments

Schedule 1

Housing and Consumer Affairs Legislation Amendment Bill 2024

Amendments moved by the Attorney-General

1

Clause 2 (1)

Page 2, line 6—

omit

section 5 and part 8

substitute

section 5 and parts 2, 8 and 8A

2

Clause 2 (3), except notes

Page 2, line 11—

omit clause 2 (3), except notes, substitute

(3) Part 2 commences, or is taken to have commenced, on 1 July 2024.

(4) Parts 8 and 8A commence on a day fixed by the Minister by written notice.

3

Proposed new clause 71A

Page 44, line 21—

insert

71A New section 64AE

in part 5, before section 64A, insert

64AE Meaning of rental rate increase—pt 5

In this part:

rental rate increase, for premises, means either of the following:

- (a) an increase in the rental rate for the premises under a residential tenancy agreement (including an existing consecutive tenancy agreement);
- (b) an increase in the rental rate for the premises that will take effect under a proposed consecutive tenancy agreement.

4

Clause 72

Page 44, line 22—

omit clause 72, substitute

72 Section 64A

substitute

64A Pre-amendment fixed term agreements—increase in rent

- (1) This section applies only in relation to a fixed term agreement entered into before the commencement of the *Housing and Consumer Affairs Legislation Amendment Act 2024*, section 75.

- (2) The rental rate under the agreement must not be increased during the fixed term unless the amount of the increase, or a method for working it out, is set out in the agreement.

5

Clause 73, proposed new section 64AAA (1)

Page 45, line 4—

omit

may increase the rental rate under a residential tenancy agreement only if

substitute

must not increase the rental rate under a residential tenancy agreement unless

6

Clause 73, proposed new section 64AAA (2)

Page 45, line 10—

omit

may increase the rental rate only if

substitute

must not increase the rental rate unless

7

Clause 75

Page 46, line 4—

omit clause 75, substitute

75 Section 64B (1)

omit everything before paragraph (b), substitute

- (1) A rental rate increase for premises must not be more than the amount prescribed by regulation unless—
- (a) for a fixed term agreement to which section 64A applies—the agreement allows the lessor to increase the rental rate by the higher amount; or

8

Proposed new clauses 75A and 75B

Page 46, line 7—

insert

**75A Guideline for orders
Section 68 (2)**

substitute

- (2) The ACAT must allow a rental rate increase if—
- (a) for a fixed term agreement to which section 64A applies—the increase is allowed under the agreement and is not excessive; or
- (b) in any other case—the increase is not excessive.

75B Sections 71 (5) and 71AAA (5)

omit

increase in the rental rate

substitute

rental rate increase

9

Proposed new clause 83A

Page 48, line 23—

*insert***83A Schedule 1, clause 34***substitute*

- 34 (1) The amount of rent under a residential tenancy agreement must not vary from period to period, except as provided by the Residential Tenancies Act.
- (2) Also, the amount of rent under a proposed or existing consecutive tenancy agreement must not vary from the amount of rent under a terminating or terminated residential tenancy agreement, except as provided by the Residential Tenancies Act (the meaning of consecutive tenancy agreement is set out in the Residential Tenancies Act).

10

Clause 84

Page 48, line 26—

omit

may not

substitute

must not

11

Clause 84

Page 49, line 1—

omit

may not

substitute

must not

12

Proposed new clauses 86A to 86C

Page 49, line 17—

*insert***86A Schedule 1, clause 37***substitute*

- 37 The restrictions on the amount and frequency of rental rate increases apply provided the identity of at least 1 of the tenants who occupy the premises remains the same as at the time of the last increase (the meaning of rental rate increase is set out in the Residential Tenancies Act).

86B Schedule 1, clause 38*substitute*

- 38 (1) The lessor must give the tenant 8 weeks written notice of an intended:
- (a) increase in the rent under a residential tenancy agreement (including an existing consecutive tenancy agreement); or
- (b) increase in the rent that will take effect under a proposed consecutive tenancy agreement.

- (2) The notice to the tenant must include the date when the increase is proposed to take effect, the amount of the proposed increase, whether the amount of the increase is more than the prescribed amount, and that ACAT's prior approval must be obtained for an increase that is more than the prescribed amount if the tenant does not agree to the increase.

86C Schedule 1, new clause 41 (2)

insert

- (2) However, for an increase in the rent that will take effect under a proposed consecutive tenancy agreement, the tenant may terminate the existing tenancy under clause 88 (for a periodic tenancy) or clause 89 (for a fixed term tenancy).

13

Clause 93

Proposed new dictionary definition of *consecutive tenancy agreement*, paragraph (b)

Page 53, line 25—

omit

a new residential tenancy agreement

substitute

the new agreement

14

Clause 97

Proposed new dictionary definition of *rental rate increase*

Page 55, line 12—

insert

rental rate increase, for premises, for part 5 (Rental rate increases)—see section 64AE.

15

Proposed new part 8A

Page 56, line 18—

insert

Part 8A Residential Tenancies Regulation 1998

**101A Rental increase threshold—Act, s 64B and s 68
Section 5A (1)**

substitute

- (1) The prescribed amount is worked out as follows:

$$1.1 \times \text{current rental rate} \times \frac{\text{current index number} - \text{initial index number}}{\text{initial index number}}$$

101B Section 5A (2), new definition of *current rental rate*

insert

current rental rate, for premises under a residential tenancy agreement, means—

- (a) for a proposed consecutive tenancy agreement—the most recent rental rate for the premises under a terminating or terminated residential tenancy agreement; or
- (b) in any other case—the most recent rental rate for the premises under the residential tenancy agreement.

101C Section 5A (2), definition of *initial index number**substitute****initial index number*** means the most recently published index number on—

- (a) for a proposed consecutive tenancy agreement—
 - (i) if the rental rate has not been increased under a terminating or terminated residential tenancy agreement—the day the original tenancy agreement started; or
 - (ii) if the rental rate has been increased under a terminating or terminated residential tenancy agreement—the day the lessor gave the tenant notice of the most recent increase; or
- (b) for an existing consecutive tenancy agreement—
 - (i) if the rental rate has not been increased under the existing agreement or a terminated residential tenancy agreement—the day the original tenancy agreement started; or
 - (ii) if the rental rate has been increased under the existing agreement or a terminated residential tenancy agreement—the day the lessor gave the tenant notice of the most recent increase; or
- (c) in any other case—
 - (i) if the rental rate has not been increased under the residential tenancy agreement—the day the agreement started; or
 - (ii) if the rental rate has been increased under the residential tenancy agreement—the day the lessor gave the tenant notice of the most recent increase.

101D Section 5A (2), new definition of *original tenancy agreement**insert*

original tenancy agreement, for premises under an existing consecutive tenancy agreement or for which there is a proposed consecutive tenancy agreement, means the residential tenancy agreement that started immediately after the lessor last had possession of the premises.

101E Dictionary, note 2*insert*

- consecutive tenancy agreement

Schedule 2**Parentage (Surrogacy) Amendment Bill 2023**Amendments moved by the Minister for Human Rights**1****Clause 2****Page 2, line 3—***omit clause 2, substitute***2****Commencement**

- (1) This Act (other than section 4) commences on the day after its notification today.

Note The naming and commencement provisions automatically commence on the notification day (see Legislation Act, s 75 (1)).

- (2) Section 4 commences on this Act's notification day.

2

Clause 8

Proposed new section 24

Page 5, line 1—

omit proposed new section 24, substitute

24 Meaning of reasonable expense

- (1) In this Act:

reasonable expense, in relation to a presumed parent under a surrogacy arrangement, means an expense paid or owing that is—

- (a) verified by a receipt or other document; and
- (b) reasonably necessary or reasonably incidental to any of the following:
 - (i) becoming or trying to become pregnant;
 - (ii) a pregnancy or a birth;
 - (iii) entering into and giving effect to a surrogacy arrangement.

- (2) Without limiting subsection (1) (b), a regulation may also prescribe an expense as reasonably necessary or reasonably incidental to a matter mentioned in subsection (1) (b).

3

Clause 8

Proposed new section 24A

Page 5, line 12—

insert

24A Provision of counselling

Any counselling a person receives under this division must be provided by a person prescribed by regulation.

4

Clause 8

Proposed new section 28 (1)

Page 6, line 14—

omit

from a counselling service

5

Clause 8

Proposed new section 28 (2)

Page 6, line 17—

omit

counselling service that is different to the counselling service for which

substitute

person who is different to the person from whom

6

Clause 8

Proposed new section 28 (5)

Page 6, line 27—

omit

counselling service that

substitute

person who, or an entity providing counselling services that,

7

Clause 8

Proposed new section 28B (2A)

Page 7, line 15—

insert

- (2A) The birth parent must receive counselling from a person who is different to the person from whom the intended parent or parents to the surrogacy arrangement receive their counselling under section 28 (1).

8

Clause 8

Proposed new section 28B (3)

Page 7, line 18—

omit

counselling service that

substitute

person who, or an entity providing counselling services that,

9

Clause 8

Proposed new section 28F (4)

Page 9, line 5—

insert

- (4) However, an application for a child mentioned in section 28E (1) may be made after the end of the time limit specified in subsection (3) (a) if the Supreme Court is satisfied on reasonable grounds that exceptional circumstances justify the court deciding the application.

10

Schedule 2

Proposed new section 4

Page 31, line 5—

omit proposed new section 4, substitute

4 Reasonable expense—Act, s 24 (2)

- (1) Expenses of the following kind are prescribed in relation to becoming or trying to become pregnant and a pregnancy or a birth (both antenatal and postnatal):
- (a) any reasonable medical expenses incurred by the birth parent;
 - (b) any reasonable travel or accommodation expenses incurred by a presumed parent;
 - (c) if the birth parent obtains insurance—the insurance premium paid or increase in an existing insurance premium paid;
 - (d) for becoming or trying to become pregnant—the expense in reimbursing the birth parent for a loss of earnings as a result of any unpaid leave taken;
 - (e) for a pregnancy or a birth—the expense in reimbursing the birth parent for a loss of earnings as a result of unpaid leave taken, but only for the following periods:

- (i) a period of not more than 2 months during which the birth happened or was expected to happen;
 - (ii) any other period during the pregnancy when the birth parent was unable to work on medical grounds related to pregnancy or birth;
 - (f) if the birth parent is the primary caregiver for another child, any reasonable out-of-pocket expenses associated with child care—
 - (i) incurred by the birth parent; and
 - (ii) including the expense in reimbursing the birth parent’s partner for a loss of earnings as a result of unpaid leave taken to care for the child while the birth parent is unable to care for the child;
 - (g) the expense in reimbursing the birth parent’s partner for a loss of earnings as a result of unpaid leave taken to care for the birth parent on medical grounds in accordance with a carer’s medical certificate provided by a doctor;
 - (h) any reasonable expenses, including reasonable medical expenses, incurred in respect of the child of the surrogacy arrangement.
- (2) Expenses of the following kind are prescribed in relation to entering into and giving effect to a surrogacy arrangement:
- (a) the reasonable expenses associated with a presumed parent receiving counselling in relation to the surrogacy arrangement;
 - (b) the reasonable expenses associated with a presumed parent obtaining legal advice in relation to the surrogacy arrangement;
 - (c) the reasonable expenses associated with an application for a parentage order, including reasonable travel and accommodation expenses.
- (3) In this section:
- medical expenses* do not include expenses that are recoverable by the presumed parent under—
- (a) Medicare, in accordance with the *Health Insurance Act 1973* (Cwlth); or
 - (b) any health insurance or other scheme.
- obtains insurance* means enter into a contract for health, life or disability insurance or increase the level of insurance on an existing contract for the insurance.

11

Schedule 2

Proposed new section 5

Page 32, line 28—

insert

5 Prescribed person—Act, s 24A

The following people are prescribed:

- (a) a doctor who is registered under the *Health Practitioner Regulation National Law (ACT)* to practise in the specialty of psychiatry;
- (b) a person registered under the *Health Practitioner Regulation National Law (ACT)* to practise in the psychology profession (other than as a student);
- (c) a person with a social work qualification that provides eligibility for membership of the Australian Association of Social Workers;

- (d) a person who is a member of the Australian and New Zealand Infertility Counsellors Association (other than as a provisional member or an affiliate member).
-

Schedule 3

Heritage Amendment Bill 2024

Amendment moved by Ms Lawder

1

Clause 8

Proposed new section 28 (4)

Page 3, line 24—

insert

- (4) To remove any doubt, subsection (3) does not apply in relation to a nomination application given to the council before the commencement of the *Heritage Amendment Act 2024*, section 3.
-

Schedule 4

Heritage Amendment Bill 2024

Amendment moved by the Minister for Heritage

1

Clause 9

Proposed new section 29 (3) (c)

Page 4, line 21—

omit proposed new section 29 (3) (c), substitute

- (c) the council—
- (i) knows, or believes on reasonable grounds, the application contains incorrect, insufficient or outdated information about the place or object the subject of the application; and
 - (ii) is satisfied on reasonable grounds that, because of the incorrect, insufficient or outdated information, accepting the application is unlikely to result in registration of the place or object; or
-