



DEBATES
OF THE
LEGISLATIVE ASSEMBLY
FOR THE
AUSTRALIAN CAPITAL TERRITORY

DAILY HANSARD

Edited proof transcript

18 March 2025

This is an **EDITED PROOF TRANSCRIPT** of proceedings that is subject to further checking. Members' suggested corrections for the official *Weekly Hansard* should be lodged in writing with the Hansard office no later than **Monday, 31 April 2025**.

Tuesday, 18 March 2025

Petition: Building and construction—regulation—petition 8-25.....	551
Motion to take note of petition.....	552
Economy—cost-of-living (Ministerial statement).....	559
Transport Canberra—bus frequency—update (Ministerial statement).....	563
ACT Carers Strategy 2018-2028—update (Ministerial statement).....	566
Public Accounts and Administration—Standing Committee.....	570
Legislative Assembly—procedure relating to orders for the production of documents.....	571
Legal Affairs—Standing Committee.....	578
Public Accounts and Administration—Standing Committee.....	579
Veterinary Practice Amendment Bill 2025.....	579
Building and Construction Legislation Amendment Bill 2025.....	580
Assisted Reproductive Technology Amendment Bill 2025.....	582
Questions without notice:	
Minister for Health—conduct.....	586
ACT Health—surgeons.....	586
Health—spending.....	588
Burrangiri Aged Care Respite Centre.....	589
Canberra Health Services—surgeons.....	590
Schools—teachers.....	591
Child care—early childhood education.....	592
Canberra Health Services—elective surgery.....	593
Canberra Health Services—elective surgery.....	594
Legal Aid ACT—conduct.....	595
University of Canberra—courses.....	596
Transport Canberra—MyWay+.....	597
City Police Station—maintenance.....	598
Light rail stage 2A—construction impact.....	598
Gender equality.....	599
Pest control—termites.....	601
Papers.....	602
Early childhood education—out-of-hours care.....	603
Building and construction—regulation.....	618
Papers (Motion to take note of papers).....	642
Statements by members:	
International Day to Combat Islamophobia.....	642
Chief Minister’s Gold Awards.....	643
Pedal Power—Fancy Women’s Bicycle Ride.....	643
Burrangiri Aged Care Respite Centre—Save Burrangiri Action Group.....	644
Adjournment:	
Health—lymphoedema.....	644
Canberra Day—community events.....	645
International Day to Combat Islamophobia.....	646
Domestic and family violence—gendered violence.....	647
Housing—affordability.....	648
Health—endometriosis treatment.....	649
Disability—Women With Disabilities ACT.....	651

Tuesday, 18 March 2025

MR SPEAKER (Mr Parton) (10.01): Members:

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

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

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

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

Petition

The following petition was lodged for presentation:

Building and construction—regulation—petition 8-25

By Mr Parton, from 545 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:

1. The ACT building industry is plagued by serious problems, which can be traced back to the Government's regulatory overhang.
2. Building Approvals lead times have increased exponentially, with Building Approvals on schemes now taking 30% of a project's total budget, which is not sustainable in the long term.
3. The ACT Government framework, and the planning system generally continually frustrates the construction industry, associated public servants, and the public and ultimately contributes enormously to the cost of construction at all levels in the ACT.
4. Current workloads for ACT Building Certifiers are unsustainable, and this creates extensive project delays and cascading effects on project timing and cost overruns.
5. There are unjustifiable delays in the processing of approvals by the Tree Protection Unit, and it is unsustainable that a standard seven-week turnaround time is needed for a project of minor impact to the tree cover.
6. The imposition of new pool fencing standards of late has caused widespread confusion among industry players. The standards are unclear, and there is little guidance available to help with compliance.

Your petitioners, therefore, request the Assembly to:

1. Have genuine consultation with the ACT building industry to help mitigate the regulatory burden, streamline approval procedures, and restore confidence in the system.
2. Commit to no more changes to the National Construction Code, as it's applied in the ACT for the next 5 years.
3. Allow licensed builders to certify pool fencing
4. Require referral entities for building and development approvals to provide timely advice on applications
5. Automatically approve building and development applications that are not decided within statutory timeframes.

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

Pursuant to standing order 99A, the petition, having at least 500 signatories, was referred to the Standing Committee on Economics, Industry and Recreation.

Motion to take note of petition

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

That the petition so lodged be noted.

MR PARTON (Brindabella) (10.03): As the shadow minister for construction last term and for planning in the previous term, I developed a much deeper understanding of the problems that are facing our construction industry when it comes to constructing things—and that is really what it is about.

Those involved in building Canberra find that, at almost every turn, the government, the planning authority and all of the associated entities are working against them and not for them. Particularly in the last three or four years, there have been countless roadblocks placed in the way of all those who are trying to build things in Canberra, and it has added immensely to the cost of construction at every level. It has added another layer to Canberra's ballooning housing unaffordability crisis, and it worsens the housing crisis in this jurisdiction at a time when we can least afford it.

This petition is not about politics, and I want to really pay credence to Xavier Duffy from ACT Decks, who had this gem of an idea and said, "I am done. I am out of patience. I want my voice to be heard and I want the voices of all those who are experiencing the same as me to be heard," and he has done it. You have done really well, Xave. We had a bunch of people rock up to protest today. These are busy people. They actually do things during the day—more than we do—and it was a big ask to get them here.

This was driven by a grassroots movement of hardworking Canberrans—some of whom are in the gallery now. Most of them have gone back to work, because that is what they have to do. It has been driven by carpenters, engineers and designers. It has been driven

by labourers and micro-business owners. But it has also been driven by some Canberrans who are not in the construction game but who understand that the roadblocks that are placed in the way of sensible building approval are delaying construction here and that those delays are adding to the cost of housing and are putting pressure on every single link in this chain. This whole shemozzle adds to growing housing unaffordability in the ACT.

These people are sick of hitting imaginary brick walls—and the brick walls, not in all instances but in a number of instances, do not need to be there. They are sick of reaching out for answers and more information and being ignored. I stand here absolutely supporting them and trying to help them to get meaningful change today. Their show of strength has been awesome. I know that my friend Mr Cain will be moving a motion in the chamber today seeking to get the Assembly to agree to a number of things that are in this petition, and I stand here optimistically in the belief that today is a day for change.

To those who are in the gallery: thank you so much for turning up, getting your hands dirty and continuing to make this city better. I will be doing whatever is in my power to get the powers that be to listen to your concerns and to act upon them.

MR STEEL (Murrumbidgee—Treasurer, Minister for Planning and Sustainable Development, Minister for Heritage and Minister for Transport) (10.06): It is important that we have a strong regulatory system to deliver the quality buildings that Canberrans deserve. But we do want to make sure that the industry has the support and tools that they need to get the job done.

As the Productivity Commission found in their research report last month, dwelling construction productivity nationally has been stagnant for 30 years around Australia. As we enable opportunities for the development of the construction industry through the ACT government's program of planning and housing reform—such as the missing middle reforms which will be coming forward around the middle of the year—we remain committed to working with the local sector and their ability to deliver them as well as a range of other projects.

As one government with state and local government functions, the ACT is uniquely placed to execute the national housing blueprint to enable more homes for construction in new and existing places. We are practical about the changes that are necessary to deliver more homes. The ACT government understands the challenges faced by the recent construction industry instability and recognises the critical role that builders and subcontractors play in delivering quality housing and infrastructure for the community.

Nationwide, the building construction sector has been experiencing significant challenges. We have seen that through high interest rates, supply chain disruptions and the impact of fixed-price contracts that have contributed to financial instability. But, since the start of the calendar year, we have also seen a modest increase in the number of development applications coming forward and lodged with the Territory Planning Authority, indicating that there is a pipeline of projects that could proceed once more favourable market conditions return.

The authority is also processing DAs and exempt declarations more quickly. I am really

pleased to report that in February the proportion of DAs determined in time was 80 per cent, with the medium processing time being 30 working days. So there is very good evidence now that the Territory Planning Authority is processing development applications in time and, in fact, over 90 per cent of exempt declarations have been completed in time. The 30 days compares to over 100 days in some other local government jurisdictions, including over the border in Queanbeyan-Palerang.

Last year, all relevant ministers in the ACT government met with construction industry representatives to discuss the issues being experienced in the sector as well as opportunities to address a range of local issues. We are continuing those conversations. We want to hear directly from you about what matters to you in your industries, and I really welcome the petition today which has identified some of those issues and how the ACT government can improve processes to support small and medium businesses.

I want to hear from industry about how it intends to boost productivity as well. Today I am announcing that the ACT government will be working on a new construction productivity agenda to work together on a range of agreed practical measures to support the aims of the National Housing Accord. The first meeting to develop the productivity agenda will form part of the existing Industry Chief Executive Reference Group, known as PACICERG. That first meeting will happen next month, where I will also be inviting representatives from Evoenergy and Icon Water.

Similar to the Red Tape Reduction Taskforce, this work will identify specific, targeted and agreed reforms to inform future regulatory change, with the aim of supporting the supply and affordability of housing, but it will also support other projects as well. The government will be clear about the things that we are not prepared to change, like property developer licensing—which is critical to ensure building quality—and things like LVC. But I have already heard that there are a range of practical regulatory reforms that we can identify and work on together with industry to help speed up the delivery of new projects.

Minister Cheyne, who will speak shortly, is separately leading a piece of work to review the Urban Forest Act. The government is progressing with structural changes that will see agencies involved in planning, in the building sector and in compliance merging into one directorate through machinery of government changes. Work is underway to look at those at the moment. We hope that that will deliver a more efficient system overall.

I look forward to working with industry as we continue to ensure that our planning, building and licensing systems and compliance activities, and the entities involved in them, are delivering efficient outcomes that support the productivity of the construction sector. The ACT government will respond formally to the petition, which we welcome today.

MS CLAY (Ginninderra) (10.11): I thank you, Mr Speaker, for sponsoring this petition and for bringing it before the Assembly in your capacity as a private member. The Greens have been spending an increasing amount of time chatting to industry reps and members of the community who are affected by construction delays and the need for housing and new homes and in terms of quality.

I am privileged to have been able to chair the committee that looked at a lot of these issues last term, and I chair that committee now. It was really valuable to be able to get people into a room and get direct reports about their experiences of how they are affected by homelessness and the lack of housing and also how they are affected by some of the quality concerns that Canberrans have had about some of our construction standards for a while.

Quite a lot of reform has gone into that piece. We have been looking at some of the outcomes of that reform, and I was pleased to bring a bit of work on earlier this year, which passed through the Assembly, to make sure that we are getting really good data on exactly what is going on with our DA approvals, what types of DAs are being approved and what types of housing we are getting from that. Is it apartments? Is it missing middle townhouses? Is it freestanding homes? Is it dual occupancies? We have put together some of that work with some of our industry colleagues to make sure that we were asking for some really useful information. It will be good to see that, and some of the missing middle reports and consultancies. They will be tabled and published so that everybody will have the same access to that information. I think that is a really good step forward.

I was also really pleased to work with Liberal spokesperson Mr Cocks and Liberal spokesperson Mr Cain on some work done previously this year and in today's motion. I am very hopeful that on both occasions we were able to come up with some useful work that the Greens, the Liberals and Labor all agree needs to move forward. I suspect that is where we are heading again today, with a bit of luck.

It is really important we have an efficient system, that the government has that system properly resourced and that we have enough people processing DAs and on hand to provide advice and assistance to people in the industry who need that. These are really essential and in everybody's interests. Good, rapid decisions based on good information are absolutely the best way for us to move forward.

It is also really important that we maintain quality standards and that we get the new homes that we need, but that they are built to a standard that people need, particularly given some of the safety issues that we addressed last term and some of the safety issues in terms of climate. We know that, in a changing climate, we need to make sure that homes are liveable and that people can afford to operate their homes on an ongoing basis.

I am looking forward to that work. We are very, very keen to work with every member in here and to get more information whenever we can from people who are working in this industry and from people who are affected by a lack of housing, lack of homes, or who are affected by some of the construction that has happened in the industry. More information is always good, and we are always happy to have transparent conversations and public documents.

MS CARRICK (Murrumbidgee) (10.15): I support development and improvements to the timeliness of the approval system. However, sometimes poor outcomes slip through our planning system, and there must be some checks and balances. It is not a free-for-all. People who have material detriments to their property must have the ability to appeal, and these timeframes must be built into the planning system. DAs should not

be bogged down in ACAT, another part of the process that needs to be timely.

Let's have a great planning system with timely approvals that allows construction to progress in a timely manner. But let's aim high and also protect Canberra's residents that are subject to the stresses of poor outcomes that sometimes slip through the planning system. Thank you.

MR EMERSON (Kurrajong) (10.16): I thank community members for signing this petition and bringing this important matter to the attention of the Assembly. Small business owners tend to know what is working and what is not. What I am hearing from our construction industry is that the approval system is not working. In too many ways, it is standing in the way of getting good work done. Thankfully, when people with boots on the ground point out obvious problems with government processes, they have usually got solutions on hand, too. So thank you to Mr Duffy for doing that with this petition.

To me, a seven-week wait to approve a minor tree protection process just does not make sense. I am supportive of cultivating a healthy, growing urban tree canopy. But, surely, getting that process done in a week would produce the same outcomes for our tree canopy and for the people beneath it.

The late approvals do not increase building quality; they just increase costs, and Canberrans foot the bill for that. The system we have now seems to be cobbled together for bureaucratic ease but not for facilitating outcomes for our community. It does not seem to be designed even to deliver the outcomes that align with the government's policy agenda. A friend who works on energy efficient housing told me: "Planning has totally sucked the satisfaction out of our work, which is heartbreaking when our sustainability goals are so well aligned with the government's."

The ACT government plans to build 30,000 new homes over the next six years. It is an ambitious target, but we need a realistic plan if we have any chance of achieving that target and addressing the ongoing housing crisis. That starts with approving quality construction work in a timely and efficient way so the builders in the gallery today can get on with building our city.

MR CAIN (Ginninderra) (10.17): I want to thank Mr Duffy and others who assembled this morning to basically highlight to this government that there are too many delays and there is too much fragmentation of where they have to go to get approvals for different parts of a project. In particular, this is a real challenge for the small and medium business owners in our city—a real challenge.

I want to acknowledge Mr Duffy and also Greg Weller, from the Housing Industry Association, who are in the gallery. Thank you for your presence here and for showing your support for the principles behind this petition. I also thank the workers who are here, other tradesmen and builders as well. I confirmed when I was out with the rally this morning that this was not a rent-a-crowd. These are people who have given up their own time at their own expense to send a message.

I do not think we have had so many speakers to a petition as we have heard this morning, and I am not even sure I am the last speaker. We will wait and see, Mr Speaker. We

have not had so much interest created in a petition before. I wonder why that is. Is it because we had about 50 people and about three or four news media outside the Assembly this morning? Maybe that is the reason. Is it because the petition got over 500 signatures, which means it must be looked at by the relevant standing committee? Is that the reason we have so much interest in this petition? Perhaps it is the fact that I am bringing to the Assembly this afternoon a motion that very much brings forward the proposals in this petition. It is encouraging to see that our colleagues in this place pay attention to important things.

When a home owner wants to do something to their property—they want to build a deck, they want to build a flat, they want to renovate the existing footprint—there is excitement. I have gone through this process at home with my wife. They go through this process of saying, “Wouldn’t it be great if we had this?” Then they find one of Canberra’s builders and say, “We would love you to do this for us. We have looked at everything you have in mind”—and, obviously, you look at the cost—and the builder signs up.

It is all good news up to that point. But then the issues start to appear, because the builder then has to talk with up to half a dozen different parts of the ACT government to get approval on different parts of the one job. Would it not be easier if that builder could go to one centralised government service that incorporated all of those stakeholders within government to give an answer on that building application? Wouldn’t that be useful? Wouldn’t that save time? Wouldn’t that create efficiencies for the builder? Wouldn’t that give the homeowner the thing they want sooner? And, as has been touched on, wouldn’t they get it cheaper?

So I want to thank Mr Duffy and all of those others who have put their hands up. It is pretty brave of them to come out in public criticising this government. I talk to some who have concerns in different areas of government, and they are a little bit reluctant to be too loud about it, because they are worried about the repercussions. So I want to applaud the bravery and the conviction behind this petition, and I want to thank Mr Duffy and his team and all of those architects and other builders—particularly the small and medium builders in our town. They deserve better support—not just the big developers; the small and medium business operators in our town, the builders, the architects, and those who do the flats and people’s homes, who give people what they want on their own property. I applaud the idea that that should happen faster and it should happen cheaper.

It is all in the government's hands to do something about this. Mr Steel has indicated that he welcomes the petition. Well, I hope he welcomes my motion this afternoon. Wouldn’t that be good news as well, Mr Speaker? We look forward to this debate this afternoon—and, of course, the people in the gallery are welcome to turn up. Thank you.

MR COCKS (Murrumbidgee) (10.23): I was not going to speak on this this morning, because I am going to be making some comments this afternoon, but I felt that I had to respond to a couple of the things that the Treasurer said. The way that Mr Steel presented the idea of productivity was as if it is all the industry’s fault—that the industry has not managed to get with the productivity agenda. But what is really happening here? What is really happening is that the industry—our builders, our construction sector—are leading on productivity. They are bringing the technology, the tools and the new

processes that actually enable the delivery of more homes and more construction quicker. It is the government that is getting in the way with its thousands of regulations that the construction sector needs to deal with. This government has admitted that there are thousands of regulations, and each one of those regulations—and the complexity and the interaction of those regulations—lands firmly on the shoulders of small businesses trying to get ahead and trying to do the right thing and deliver the homes and the buildings that we need in the ACT. When the construction sector is busy dealing with all of those regulations, how is it supposed to get ahead? How is it supposed to deliver the productivity gains that we need? How are they ever going to get ahead when the burden of regulation and the complexity keeps on increasing?

This is not a new issue. This is not a short-term instability, as Mr Steel tried to imply. It is a long-term trend of regulation on top of regulation on top of regulation, and it has to come to an end.

MS CHEYNE (Ginninderra—Manager of Government Business, Attorney-General, Minister for Human Rights, Minister for City and Government Services and Minister for the Night-Time Economy) (10.24): I thank Mr Duffy for the petition, and I thank you for sponsoring it, Mr Speaker, and for the opportunity to speak this morning.

To refute some of what Mr Cocks has just said, I think I can be clear that the government does recognise—and I have said it numerous occasions in this place, but perhaps not with such an audience—that there have been a number of objectives which the government has pursued in the last few years which have inadvertently added complexity or a level of inefficiency to other government priorities, such as development. I think that really is at the heart of the petition today, and I want to assure people in the gallery and people who attended the rally this morning that we take this very seriously.

For those who might not be aware—and I appreciate Mr Weller is, but perhaps some others are not—following a broader meeting with other ministers last year, I then hosted my own roundtable with construction industry representatives. It included representatives from tree protection, development coordination, roads, EPA and construction regulation—for which I had responsibility at the time and I still largely have responsibility for. These are the inputs, some of the enablers and also some of the other parts of the legislative system and the process system that affects development. It was an extremely productive meeting. In fact, I personally prepared—I wrote it myself—and sent out an action list that very evening, and that was further updated with progress in August.

One of the actions was to determine a channel for the process of agreed information to be provided to that group on a regular basis, including observations that the construction regulators were seeing but also to be able to provide feedback. Another action was a further meeting at the beginning of this year, and that meeting happens to be scheduled for next Tuesday. The two main items for the meeting are reviews of the Urban Forest Act and the Public Unleased Land Act. The Urban Forest Act was not due to be reviewed until the beginning of next year. But it was in fact through the construction industry round table that I realised that we needed to—and we made it an election commitment—bring forward that review. It is underway, and I look forward to the valuable feedback that will be provided next week.

In the meantime, where I have been able to make changes, I have. This includes sensible changes to the criteria for tree removals, an instrument that was notified and has been in effect since the beginning of this month. For example, there is now clear information in this instrument about examples of tree-damaging activities that may be approved for a public tree, including pruning or prohibited groundworks for pedestrian and vehicle access, traffic safety, stormwater management, service upgrades or maintenance—sensible reasons for a tree to be removed.

It is also why the Public Unleased Land Act is right at the top of my agenda for reform. It has languished since it was last updated. I have been reliably informed that that update at the time turns out to have been incomplete. So we have been operating for a long period of time with this system that is not fit for purpose, not for the government's objectives, not for development objectives, not for environmental objectives and not for other objectives like active travel or accessibility. It is probably one of the most boring acts there is, but it actually affects so many of us in all sorts of ways that some of us could barely imagine. To reform it, to update it, is so critical, and I will be speaking about that later this week. I will certainly make that speech available to those who may not be able to be in the gallery so it can be distributed.

I appreciate the opportunity to speak and clarify some of the actions that we are undertaking. I will review the petition in further detail to see if there is anything else that can be added to our agenda for the meeting next week.

Question resolved in the affirmative.

Economy—cost-of-living Ministerial statement

MS STEPHEN-SMITH (Kurrajong—Minister for Health, Minister for Mental Health, Minister for Finance and Minister for the Public Service) (10.29): Mr Speaker, Canberra is a great place to live, work, study and raise a family. On average, Canberra is one of the wealthiest, highest income earning communities in Australia, with less income inequality than other Australian cities. However, consecutive years of high inflation and interest rate rises have increased pressure on households on lower fixed incomes, including many who would not previously have been considered vulnerable. Low-income households are particularly vulnerable to higher prices for non-discretionary items such as housing, food, fuel and energy. That is why the ACT government offers a wide range of concessions and assistance measures to help those who need support.

I want to take the opportunity today to highlight some of the important measures in my portfolio as Minister for Finance. In the 2024-25 budget, the government expanded its commitment to help the most disadvantaged and vulnerable members of our community. We provided an additional \$50 to eligible households through the Electricity, Gas and Water Rebate, bringing the total rebate to \$800 in the current year. We also provided a one-off payment of \$250 to apprentices and trainees who tend to earn just above the threshold to qualify for commonwealth financial assistance but are still lower income earners and asset holders relative to others in Canberra. We extended the Rent Relief Fund to assist those experiencing rental stress or financial hardship. The

government also expanded stamp duty concessions for home buyers, including to help more people buy their first home. We increased the Future of Education Equity Fund to help ensure school kids from families experiencing financial hardship are not disadvantaged. We increased the value of vouchers available through the Utilities Hardship Fund. We provide additional funding for community organisations, including Roundabout Canberra, Scouts ACT, Fearless Women and Women's Health Matters to ensure the ongoing delivery of essential services to vulnerable Canberrans. We increased funding support for emergency material, financial aid and financial aid programs, and food relief services. The government also increased assistance through the Taxi Subsidy Scheme to help people with disability remain engaged and connected to the Canberra community.

In the lead-up to the 2024 election, ACT Labor also committed to support apprentices and trainees with a further one-off payment of \$250 in 2025-26; to provide first-year apprentices and trainees an additional \$250, bringing their total assistance payment to \$500; and to permanently increase the Electricity, Gas and Water rebate to \$800 for eligible households. I look forward to updating the Assembly on these initiatives in due course.

Every day, the ACT government provides a wide range of concessions to households and individuals to assist with living expenses such as general rates, conveyance duty, utility bills, driver licence fees, motor vehicle registration and public transport fares. Generally, the ACT government's cost-of-living assistance is targeted to low income households with a Services Australia concession card. Targeting ACT government cost-of-living assistance to concession card holders provides the most effective and efficient approach to ensure support is going to the households who need it most.

The government also provides a range of specific assistance programs. Today, I would like to draw particular attention to ACT government supports to help Canberrans reduce their energy bills and to our general rates deferral schemes. The Electricity, Gas and Water Rebate provides broad cost-of-living support for low income households. It is available to households with an eligible, means tested concession card. The rebate is administered by energy retailers in the form of a credit on the quarterly bill, providing direct and timely cost-of-living assistance to eligible households. Providing the rebate direct to bills also ensures that the payment is not considered to be assessable income, so eligible households receive the full benefit of the rebate. I encourage all ACT concession cardholders to check their eligibility for the rebate and to get in touch with their energy retailers if they believe they are eligible and not receiving the rebate. I also encourage any household experiencing financial hardship to speak with their energy retailer about rebates and other assistance measures.

In addition to assistance measures offered by the government and electricity retailers, we know that by shopping around, households can potentially save hundreds of dollars a year on their energy bills. In recent years, the government has made it easier for consumers to find the best electricity offer by requiring retailers to compare their price to an ACT reference price. This enables households to quickly and easily determine if there is a better offer available to them. Currently, there are market offers available that can save a typical household around \$600 a year compared to the reference price.

As Minister for Finance, I am pleased to be working on the next phase of the Sustainable

Household Scheme. The Sustainable Household Scheme enables eligible homeowners to borrow up to \$15,000 to help improve their home's energy efficiency. Over 21,600 energy-efficient products have been installed in ACT homes through the Sustainable Household Scheme. Since 2021, this has saved households more than \$67.6 million through reduced energy bills and savings in fuel costs from switching to electric vehicles. These savings will continue to grow over time. For households that have used a Sustainable Household Scheme loan to replace all of their gas appliances with energy-efficient electric ones, a further annual saving of \$300 can be achieved by closing their gas account. By removing the up-front costs of energy efficient upgrades, the scheme has helped households access cost-saving improvements to their home.

There are 254 accredited vendors installing products in ACT homes, creating jobs in the local economy and helping to grow the electrification industry in Canberra. Since the start of the scheme, the ACT has gone from being well-below the national average, with just 16.7 per cent of households having solar connections, to well above the national average, with 27.6 per cent of ACT residents having a solar connection. This represents an increase of 65.9 per cent. During that time, national growth was just 5.6 per cent. And more than half of those households that have invested in rooftop solar in the past three years have done so through the Sustainable Household Scheme.

An important part of our commitment to electrification for all Canberrans has been the vulnerable household energy support scheme. This scheme provides \$50 million in funds to support low income homeowners and public housing tenants to reduce their energy bills by helping them switch from gas to electric appliances and through ceiling insulation upgrades. It also supports community housing providers. As of the end of the 2023-24 financial year, 1,015 public housing properties had ceiling insulation installed to meet the new minimum standards for rental properties. A further 189 properties had gas appliances replaced with efficient electric appliances.

Finally, I would like to take this opportunity to draw attention to the general rates deferral options that are available to pensioners, homeowners over 65 and those experiencing significant financial hardship. These homeowners can defer payment of their general rates to a later date, including up until the time their property is transferred or sold. This allows eligible homeowners to choose not to pay their rates when they fall due and to instead defer some or all of the liability to a point in time where they have greater financial liquidity. A low, concessional, simple interest rate is charged on deferred amounts. This interest rate varies in line with market interest rates but is much lower than prevailing mortgage interest rates. Further information about rates deferrals, other concessions and assistance measures, including on general rates and stamp duty, is available on the ACT Revenue Office website.

Mr Speaker, as Minister for Finance, I also have responsibility for the Motor Accident Injuries scheme, which commenced in the ACT on 1 February 2020. The MAI scheme delivers comprehensive support to people injured in a motor vehicle accident in the ACT regardless of who was at fault, with some exceptions. The MAI scheme has provided support to more than 1,700 Canberrans following a motor accident. This support has been faster than under the previous scheme, through providing treatment and care earlier and income support if needed.

In addition to providing timely and effective support to Canberrans following a motor

vehicle accident, the scheme to date has also delivered a cost-of-living benefit to Canberrans through reduced MAI insurance premiums. These premiums are payable alongside annual motor vehicle registration. The average 12-month MAI premium for a passenger vehicle has decreased by \$45, or 9.9 per cent, between 1 February 2020 and 1 February 2025.

Mr Speaker, the 2025-26 budget is currently under development, but in framing our decisions, we will continue to focus on the needs of Canberrans through a broader lens, where in addition to direct household assistance measures, the government can also ease cost-of-living pressures on households by providing access to high-quality, cost-effective public services, including education and health care.

I present the following paper:

ACT Government cost of living assistance—Ministerial statement, 18 March 2025.

I move:

That the Assembly take note of the paper.

MS BARRY (Ginninderra) (10.38): I thank the minister for her statement. We on this side of the table usually do not respond to ministerial statements, but after hearing that very gross misrepresentation of what is actually happening on the ground, it would be very hypocritical of me not to say something.

Mr Speaker, the minister has mentioned all of the things that they are doing to alleviate the crisis for Canberrans. Let me tell you how that works in practice, and I will use a practical example. For privacy reasons, I will refer to “Ms A”. Ms A reached out to my office on Friday. Let me tell you how Ms A and I spent our weekend. Ms A reached out to me, and she said, “I am homeless, and I have been homeless for months.” Optimistically, because I have spent over three weeks at annual reports hearings hearing about all of the services that are available to vulnerable Canberrans, I said to Ms A, “We can surely do something for you.” So we spent all of Friday calling around services. Meanwhile, homelessness ends at 5.00 pm because most government services do not go past 5.00 pm! I said to Ms A, “All right, we will try on Monday because Monday will bring fresh opportunity. Surely there must be something we can do for you, Ms A.” We spent all of Monday calling services and kept getting, “Sorry; there is nothing we can do for you. There is absolutely nothing we can do for you.” I asked one of the services, “So what do you expect this young woman to do right now?” They said, “I am sorry; we are oversubscribed.” I was there. If I, an elected member of this Assembly, cannot get service for a vulnerable person, how can an ordinary Canberran?

The minister can pick up the phone and call, and they probably will do it because she is the minister, but that is not how it is supposed to be. We are failing Canberrans, and we cannot sit here every time talking about what we are doing. I am tired of hearing it! We cannot sit here every time giving a shopping list of what we are doing, reading from a script, because that is not what happens in practice.

This government has said they are very progressive. You are not progressive. You have

made a conscious choice, a deliberate choice, to leave Canberrans—very vulnerable Canberrans—out. Your budget is not going to make it any better. I implore you: think about the decisions you make and think about the real effect they have on Canberrans.

Question resolved in the affirmative.

Transport Canberra—bus frequency—update Ministerial statement

MR STEEL (Murrumbidgee—Treasurer, Minister for Planning and Sustainable Development, Minister for Heritage and Minister for Transport) (10.42): The ACT government has an ambitious agenda to deliver more bus services—more rapid routes, more frequent local services and more electric buses—whilst extending light rail to Woden. We know that service frequency with more “turn-up and go” services is the key to seeing more people using public transport. We know that frequent services and reduced waiting times make it easier and faster for Canberrans to take public transport, and this provides greater capacity across the network and better connections to carry more people, whether they live in the city or the suburbs.

At the end of last year, I outlined my priorities as Minister for Transport for this term of government. Today I want to update the Assembly on the ACT government’s implementation of our election commitments on bus frequency and respond to the Assembly’s resolution of 5 December 2024 on the topic.

Mr Speaker, I am pleased to announce to the Assembly that the ACT government is delivering early on our election commitments, with the first bus network uplift as part of our practical plan for public transport in our city. The new timetable aligns with the opening of the new Woden bus depot, which will provide more rapid, local and school services from Monday, 28 April 2025, the start of term 2.

The opening of Australia’s largest all-electric bus depot in Woden will deliver network efficiencies by reducing dead running time, which was needed to position buses from the existing Tuggeranong and Belconnen depots across the network to deliver services. Through delivery of this nation-leading infrastructure, approximately 2,000 kilometres of dead running per day has been able to be put back into the network, enabling us to provide an additional 96 services every weekday.

The new “term 2 2025” network delivers key parts of Labor’s plan for more frequent local and rapid services that we took to the election. We heard from the community that some buses are full on certain routes, like the route 66, R10 and R2 services, and we have responded by increasing frequency on these routes to meet demand. There will also be more rapid and local services more often for the growing Molonglo region.

Highlights of the new timetable include: additional rapid 2 services during the am and pm peak, increasing frequency and capacity on the busy city-to-Belconnen corridor during the high-demand periods in the morning and afternoon and improving the distribution of vehicles fitted with bike racks for those who choose to bike and ride for their commute; additional rapid 4 services between Woden and the city, increasing frequency and capacity on the busy Cotter Road corridor during the high-demand periods in the morning and afternoon; additional rapid 10 services between Denman

and the city, with services starting earlier at 6.05 am and now running every 15 minutes throughout the day. There will be the additional rapid 3 services from Canberra Airport to the city in the evenings. There will be additional, local 47 services connecting Denman, Whitlam and Belconnen, with services starting early and running nearly three hours later, providing hourly frequency from 6 am to 10 pm and 30-minute frequency during the pm peak.

There will also be a range of improvements to help students to get to various schools, and this includes additional services and refining routes so that they provide better coverage to surrounding suburbs and better connection to school bell times. The term 2, 2025 network will also provide new school services for Canberra Grammar School for students living in Molonglo and Weston Creek; new school services for Merici and Daramalan colleges for students living in Taylor and the northern suburbs of Gungahlin; and new school services for Canberra High School for students living in Bruce, Aranda, Cook and Macquarie, removing the need to transfer for further services at Belconnen interchange.

The completion of Woden depot will be a major milestone which increases our capacity across the entire network and will fundamentally improve the way we plan for services. It will also be critical in housing our electric bus fleet, which is already the largest per capita in the nation, with, on average, one new battery-electric Yutong bus being delivered and commissioned to enter service each week.

Mr Speaker, in my initial response to Assembly resolution of 5 December 2024 regarding bus frequency improvements, I outlined the commitments that we took to the election to increase local and weekend bus services and to deliver new rapid services for Lanyon, Molonglo and West Belconnen, which will be delivered progressively and staged in uplifts in line with regular network reviews. Transport Canberra is currently working on a bus frequency improvement plan that will bring all of these initiatives together so that they can be strategically delivered as incremental uplifts across the term. The current intention is that these staged changes will occur at the district level to support and maintain the high levels of service reliability that Transport Canberra has regularly achieved over recent years. Achieving more services more often requires more buses and more drivers, and this is subject to normal government processes, including community and workforce engagement and budget consideration, and the bus frequency improvement plan will be used to inform future government decisions.

With the Zero-Emission Transition Plan for Transport Canberra now firmly part of Transport Canberra's way of working, the timing of the fleet, and driver and future depot strategies within it, will align and support each stage of uplift. Through this, careful consideration has been given to peak vehicle requirements and the required balance of necessary vehicle requirements with the delivery and commissioning of new vehicles to ensure sufficient buses are available and in place at the depots; to peak driver requirements to inform the recruitment and driver training program and ensure the right number of drivers are employed and trained to deliver services, alongside the workshop staff needed to service and maintain the fleet; and to future depot planning to ensure sufficient depot capacity to garage and charge the future fleet.

The ACT government will also consider the next stage of weekend uplifts in the context of the ACT budget. The introduction in April last year of hourly local bus services on

Saturday from the first service until 6 pm has seen a positive increase in patronage of both local and rapid services, while service availability targets for Saturdays have continued to be exceeded with no flow-on detriment to service availability on Sundays. Transport Canberra is currently analysing these trends alongside the weekend reliability trial introduced in Transport Canberra's operations agreement 2023-2026—the enterprise agreement—in the context of the new three-depot network to inform the next stage of weekend uplifts, starting with increased frequencies on Sundays.

Mr Speaker, I am confident in the government's ambition for providing better public transport across the whole of Canberra. We are delivering on our election commitments, with the first stage of bus network uplifts, and we have a practical plan which will continue to see uplifts being delivered throughout the term in a way which is sustainable and will maintain the availability and reliability of public transport services expected by Canberrans.

I look forward to being able to update the Assembly and community as this work progresses.

I present the following paper:

Bus frequency—Improvement—Assembly resolution of 5 December 2024—
Government response—Ministerial statement, 18 March 2025.

I move:

That the Assembly take note of the paper.

MR BRADDOCK (Yerrabi) (10.50): I would like to thank the minister for the update provided to the Assembly in response to my motion from December on bus frequency improvements, which, to remind all members, was calling for 20-minute services on weekdays and at least hourly services on weekends. I welcome any improvement to bus frequency here in Canberra, and hence applaud the announcements made as part of this update.

I would like to note in my response that it is great to hear that the timeline for the opening of the Woden Bus Depot, which has been long delayed, has been announced as late April 2025. This is a fantastic improvement to our network. It will help improve the operations of the bus network as a whole, including bus frequency in terms of the mileage it has been able to free up for servicing Canberrans. Also, the fact that the Woden depot will allow for the recharging of electric buses is supporting the electrification of our bus fleet. This is all to be applauded.

It is fantastic to see the updates, particularly going into the Molonglo area, which has been the subject to quite significant traffic congestion. Each bus that is on the road will help Hoover up the equivalent of about 30 cars' worth of passengers; that will be fantastic to help address the congestion. I do have one concern, though: the Greens went to the election with the initiative of offering a Molonglo busway, a dedicated lane for the buses to be able to service that ever-expanding community out there. That is something I will keep looking at.

I also listened with interest to the reference to a bus frequency improvement plan. I, and the other members of the community, will be very interested in seeing that plan, once it is developed—and to have the plan to make further increases to our bus network.

Also, it is particularly pleasing to hear about the uplift in patronage following the increase in bus frequency. This is a case of “build it and they will come”. And in response to Mr Cocks’s question in the debate in the last week’s sitting about Molonglo transport—induced demand does also work with public transport. It is the case that if you do build additional capacity into the system, you will induce more people to actually take up that service, which is a fantastic thing, particularly since that comes at a fraction of the cost of other transport options.

I would also like to say that an issue Mr Steel’s response did not address at all is the network keeping to the timeframe, which was an issue that we identified during the annual report hearings, where buses that turn up early can be even more detrimental to the customers’ experience than buses running late. That is something that I will be keen to keep looking at and working on.

This is fantastic. I welcome the updates we are seeing. This is not the end of the story though; there needs to continually be improvements to the bus services that we are providing to Canberrans.

Question resolved in the affirmative

ACT Carers Strategy 2018-2028—update Ministerial statement

MS ORR (Yerrabi—Minister for Aboriginal and Torres Strait Islander Affairs, Minister for Climate Change, Environment, Energy and Water, Minister for Disability, Carers and Community Services and Minister for Seniors and Veterans) (10.52): I am pleased to speak today in my role as Minister for Disability, Carers and Community Services. It is a privilege to take on this role, which includes responsibility for carers policy in the ACT. I will always take every opportunity to acknowledge the profound importance of carers to our community, which is a testament to their generosity and commitment.

I recognise and understand that being a carer can be challenging, and the caring role can affect carers’ wellbeing, health and participation in work and study; however, this government is committed to better supporting carers. We believe carers deserve more recognition for the many ways in which they enhance our community, and they need appropriate supports to access personal opportunities alongside their caring role. The ACT government is striving to ensure Canberra continues to be an inclusive community. We want to achieve strong outcomes for people who need care, and their carers, because we know the demand for unpaid care in the ACT is growing.

Earlier this year, the ACT government provided its response to the 2024 Inquiry into Unpaid Work, led by the Standing Committee on Economy and Gender and Economic Equality. The committee’s report made four recommendations directly relevant to carers, recognising their significant contribution of unpaid caring work in our community. These recommendations align with the government’s commitments

through the ACT carers strategy to enhance supports for carers, including young carers. The government has agreed in principle to three of the recommendations and will continue to work with Carers ACT and other stakeholders to progress this important work. The fourth carer-specific recommendation referred to “public education enrolment and student engagement policies and practices for young carers”. This recommendation was noted as existing government policy that will continue to be delivered.

Today I am pleased to provide an update on progress under the ACT carers strategy for the 2023-24 reporting period. Our community includes an estimated 58,000 carers, who provide essential support to some of the most vulnerable people in the ACT. This enables the people they care for to live fuller, more enriched lives and to participate in their local community. Almost anyone can become, or need, a carer at any time. Becoming a carer is not always planned or a choice; in many cases, a family member or friend will become a carer unexpectedly, following a medical crisis or unforeseen change in circumstances.

While being a carer can be deeply fulfilling, it often brings risks to wellbeing, including stress, isolation, financial strain and social exclusion. This government recognises the barriers faced by people who need care and their carers, which can contribute to experiences of loneliness and social isolation. We remain committed to working with carers to provide the support they need, when they need it.

A key part of this commitment is a continued focus on the vision and priorities established under the ACT carers strategy. The ACT carers strategy vision has two components: “A community that cares for carers and the people they care for,” and “Supporting carers is investing in Canberra’s future.” This vision is underpinned by priorities that were agreed in collaboration with Carers ACT, and a diverse group of carers, when the carers strategy was developed. The ACT carers strategy priorities include: recognition, education, information access, ongoing carer engagement, enhanced support services, and the understanding that all carers’ needs should be treated equitably.

The carers strategy has guided work delivered under the first action plan and continues to serve as a road map for improving the experience and wellbeing of all carers in the ACT. Carers ACT has worked with other agencies, including ACT government directorates, to drive steady progress under the carers strategy and continues to advocate strongly for carers’ interests. This advocacy is important, as recent research shows that carers have lower than average wellbeing across multiple domains, due to the diverse demands of the caring role. This can affect their mental and physical health and social connectedness. Promisingly, the disparity between wellbeing markers for carers and non-carers in the ACT has begun to narrow on some measures.

To keep improving outcomes for carers, we need to ensure their voices remain central. Carers ACT has strengthened carer engagement through its Carer Collective consultation groups. This approach builds on the governance group model that supported carer-led progress during the early years of the carers strategy. Carers ACT is now leading carers strategy implementation and is using an engagement approach that enables even more carers to participate.

The Carer Collective provides flexibility for carers who wish to have their voices heard. Group consultations reflect the needs of diverse individuals, with multiple sessions held at different times of day, face-to-face or online, in both the southside and northside, in different locations. These activities often involve an opportunity to come together over a snack or a meal, which acknowledges carers' contributions and supports their involvement. This helps carers to feel respected and heard, recognising their time and effort as valuable. It also provides an opportunity for carers to catch up and spend time with others who understand their caring role.

Through the Carer Collective, Carers ACT aims to include carers from different backgrounds and circumstances, including foster and kinship carers, and culturally and linguistically diverse carers. This means the feedback received is representative of a broad array of lived experience and expertise. The ongoing series of engagement opportunities supports a stronger sense of community and connection, acknowledging and valuing carers' perspectives.

Carers ACT has continued to have a strong focus on the recognition priority of the carers strategy, ensuring that events to celebrate carers are truly special occasions. Many carers have told Carers ACT that they often cannot attend social outings, as it is challenging to arrange replacement care. For some carers, attending a Carers ACT recognition event may be their only social outing for the year, and it means a great deal to them to take part in an elegant celebration held at a beautiful venue.

As part of 2023 National Carers Week, Carers ACT held a cocktail party at the National Gallery of Australia to recognise carers for everything they do. Carers ACT also hosted a gratitude lunch at the Howling Moon rooftop bar to show appreciation to the carers who contributed stories and feedback as part of advocacy work.

In October 2024, Carers ACT collaborated with ACT Together and the ACT government to host a high tea at the QT hotel for around 80 carers. This event celebrated the tireless work of kinship and foster carers and the important role they play in shaping the futures of children and young people.

Carers ACT has continued to deliver systemic advocacy for carers, both locally and nationally. This involves representing carers' interests in a range of forums to influence policies and programs. Carers ACT has engaged with carers, facilitated consultation groups, drafted submissions and provided information on how carers can participate in inquiry processes.

Carers ACT also created resources to help carers lodge their own submissions, provided insight and data to stakeholders, liaised with many MLAs and attended public hearings. In this way, Carers ACT has provided important input based on the lived experience of carers in the ACT to multiple consultation and policy processes. These have included consultation on a new mobile phone policy for ACT public schools, the Inquiry into Loneliness and Social Isolation in the ACT and the statutory review of the Senior Practitioner Act 2018.

At the national level, Carers ACT engaged with the Inquiry into the Recognition of Unpaid Carers in Australia, the review of the National Disability Insurance Scheme, and the Royal Commission into Violence, Abuse, Neglect and Exploitation of People

with Disability. Through this work, Carers ACT continues to play an important role in shaping policy and legislation that affect carers.

Carer advocacy is important for all carers but is especially critical for young people in a caring role. From the carer strategy's inception, stakeholders and carers agreed that young carers are a special group who need specific support and recognition. This is because young carers face the same challenges as other carers, as well as trying to manage study or training alongside their caring responsibilities. Young carers may also be less likely to self-identify as a carer and, therefore, be less likely to receive support. To address this, Carers ACT has worked with young carers to ensure their voices were heard in consultation on the development of the National Carer Strategy. Carers ACT also supported young carers' participation in a carer forum at the TheMHS Learning Network in August 2024.

Carers ACT has continued to advocate for enhanced respite supports, providing input to various national-level consultations. This has included attendance at a national respite round table alongside the commonwealth Department of Social Services, senior representatives from the carer network, Carers Australia, other sector stakeholders and carer representatives from around Australia.

Closer to home, Carers ACT's submission to the Inquiry into Loneliness and Social Isolation in the ACT provided valuable insights on carers' experiences in accessing respite and on the implications for social isolation and loneliness.

Carer feedback also informed the Carers ACT training package for Canberra Health Services staff. This training aimed to increase staff awareness of carers' experiences and challenges. It included guidance on identifying carers who do not initially self-identify, and on how to respectfully bring carers into the conversation and take the time to ask if they need support.

Collectively, this work speaks to feedback we have heard repeatedly from carers. We know carers wish to be recognised and appreciated as experts in their caring role. Effective training can help to demonstrate the value of supporting carers to be included in conversations with healthcare professionals.

Progress under the ACT Carers Strategy continues to make tangible improvements to the lives and wellbeing of carers in the ACT. This work has strengthened recognition and awareness around the caring role and the challenges carers experience. I wish to reaffirm the government's commitment to the ACT carers strategy in partnership with Carers ACT.

On behalf of the ACT community, I would like to thank carers for the incredible support they selflessly provide every day so that everyone can participate more in our community. I would also like to thank Carers ACT for their significant contribution to the work under the strategy.

I present the following paper:

ACT Carers Strategy 2018-2028—Annual progress update—Ministerial statement, 18 March 2025

I move:

That the Assembly take note of the paper.

MS CARRICK (Murrumbidgee) (11.02): Thank you for your statement, Minister Orr. I am pleased that the government sees the profound importance of carers to our community, and I would like to know what conversations you have had with the Minister for Health, who is closing 4,500 bed-nights at Burrangiri.

You note that being a carer can affect a carer's wellbeing, health and participation in work and study, and that you are committed to supporting carers. You note the risks to carers' wellbeing, including the stress, isolation, financial strain and social exclusion they face. You recognise the barriers and that carers need support because they experience loneliness and social isolation. You note that you remain committed to working with carers to provide the support they need.

What they need is respite services. Carers need Burrangiri to stay open. They need the 4,500 bed-nights that Burrangiri provides. Shutting Burrangiri does not support carers. It is not a progressive policy. I would like to ask the government to commit to keeping Burrangiri open to support our carers. Thank you.

Question resolved in the affirmative.

Public Accounts and Administration—Standing Committee Report No 1

MR MILLIGAN (Yerrabi) (11.06): I present the following report:

Public Accounts and Administration—Standing Committee—Report 1—*Inquiry into Appropriation Bill 2024-2025 (No 2)*, dated 13 March 2025, together with a copy of the extracts of the relevant minutes of proceedings.

I move:

That the report be noted.

This is the first report of the Standing Committee on Public Accounts and Administration for the Eleventh Assembly. Given the short timeframe for this inquiry, the committee did not ask for submissions but held a public hearing on 7 March 2025, where it heard from the Chief Minister, from the Treasurer, from the Minister for Health and from the Minister for Children Youth and Families. The report makes three recommendations, including recommending improvements for budgeting efficiency and transparency, and the committee recommends that the Assembly pass the bill.

On behalf of the committee, I would like to thank those who contributed to the committee's inquiry, including Ms Carrick and Ms Tough, and of course the secretary, Hansard and broadcasting, and visiting MLAs.

I commend the report to the Assembly.

Question resolved in the affirmative.

Legislative Assembly—procedure relating to orders for the production of documents

MS CASTLEY (Yerrabi—Leader of the Opposition) (11.08): I move:

That this Assembly resolves that:

- (1) orders for the production of documents are an inherent power of any Westminster Parliament, including the ACT Legislative Assembly, and an essential tool by which the legislature ensures the transparency and accountability of the Executive;
- (2) the ACT Legislative Assembly may order the Executive to produce a document and, where a document does not exist, such an order compels the Executive to create and produce a document containing the information sought by the order; and
- (3) there is no obligation on Members to first seek information through questions without notice, questions on notice, freedom of information, or other mechanisms before seeking an order in the Assembly.

I would like to thank the Chief Minister for his comments during Assembly business debates in the last sitting week. It provided some insight into his thinking and showed why this resolution was necessary. In the debate on 4 March, the Chief Minister said:

My understanding of this standing order's insertion was that it was not to be used as an alternative to FOI, questions on notice, questions within annual reports hearings, estimates hearings or otherwise. It was, in fact, deemed to be a last resort, as a circuit breaker, where there was a considerable issue as to whether a document's public release was justified.

In that debate, the Chief Minister made the claim that we should be bound in some way by the intentions of those who made the standing orders. I think this claim is completely inconsistent with the long-established Westminster conventions, which see parliaments as bound by the standing orders and guided by past practice, rather than intentions.

It is concerning that the Chief Minister's logic has led him to such an absurd position. But even more concerning is the Chief Minister's view that it is an "abuse of the standing orders"—a term that he used more than once—to force the release of information without first seeking information through a freedom of information request, a question on notice, annual reports hearings, or other processes.

This claim is a surprising one. To my knowledge, it is not a claim codified or documented anywhere. It is not consistent with standing orders or practices in other Westminster parliaments. It seems to exist, as far as I can tell, entirely in the mind of the Chief Minister. It is a view that might represent his personal preference rather than an obligation which falls on anyone else.

The only way the claim makes sense to me is to take the perspective of someone who wants to avoid transparency, someone who wants to ensure the primacy of slow-moving

bureaucratic processes which are controlled by the government—someone who might possess information they prefer to keep secret, and who is afraid of transparency processes beyond their control.

This may be the Chief Minister's view—it may not be—but I believe it is how the Assembly should conduct business. Something I have asserted through this term—something I will continue to assert—is that the Assembly is not bound by the claims, the desires or the self-interest of the executive. We are an independent body, a sovereign body, and we have the power to conduct our affairs in the way that suits a majority of members, even if we operate in a way that does not reflect the preferences of the executive.

It is my view, and I hope the view of the Assembly, that orders for the production of documents are an entirely legitimate power of any parliament, so it is not for the executive to determine how the legislature exercises its powers. This view is not original or unique to me. It is fundamental to the doctrine of parliamentary supremacy, and lies at the very heart of the Westminster tradition. The view was affirmed in the celebrated precedent of *Egan v Willis* in 1998, in which the High Court found that a house of parliament can lawfully order a government to produce documents, and that it may sanction the members who refuse to comply.

Aside from these precedents, we can also look at practices in other Australian parliaments. So far, in the current federal term, the Commonwealth Senate has agreed to no fewer than 330 orders for the production of documents. And in New South Wales, the Legislative Council has agreed to 200 orders in the current term. Here in the ACT, five months into the term the Assembly has agreed to just three. But it is only in this Assembly where the executive has complained about this transparency being an abuse of process. This claim is wrong, and the Assembly needs to ensure it is put to rest.

The resolution I am proposing does not seek to change any practices here in the ACT. It simply and clearly reaffirms the status quo, as has been demonstrated by the three OPDs agreed by the Assembly this year. These demonstrate two things: first, that the Assembly clearly can order the production of documents, regardless of whether the information has been sought through other means; and, second, that the Assembly can make an order without specifying a particular document, and even without a particular document existing. In other words, an order for the production of documents can be interpreted as an order for the production of information. In other words, it is not an abuse of process to seek information in this way.

We have two more orders to debate this week, one regarding light rail, and one regarding health policy, and I suspect there will be many more to come in the weeks and months ahead—perhaps not as many as agreed by the Senate, but we will do our best! With this resolution, let's ensure those debates are focused on the facts of the matter rather than providing the Chief Minister with more opportunities to make incorrect claims—claims which are inconsistent with established tradition, practice and precedent.

Now, if the government has legitimate concerns around the scope of an order, or the time which is needed to respond, we are willing to have that discussion. In fact, during the last sitting week, we indicated to the Chief Minister's office that we were willing to

discuss amendments in good faith. Regrettably, they chose not to engage in those discussions, but I hope they reconsider that approach in the future, because it is not my intention to be unreasonable or political with these motions; my intention is to secure the release of information.

I will work with anyone in good faith to secure that outcome. If all sides are genuinely committed to transparency, and we can achieve that goal in a way that works for all parties, let us have that discussion; I am all for it. So, once again, I thank the Chief Minister for providing the impetus for this resolution, and I thank members for their consideration.

MR BARR (Kurrajong—Chief Minister, Minister for Economic Development and Minister for Tourism and Trade) (11.14), by leave: I move the amendments circulated in my name together:

Omit all text after paragraph (1), substitute:

- “(2) the ACT Legislative Assembly may order the Executive to produce a document and, where a document does not exist, such an order may require the Executive to create and produce a document containing the information sought by the order;
- (3) there is no obligation on Members to first seek information through the various mechanisms available such as questions without notice, questions on notice, freedom of information, open access (which includes incoming Ministerial Briefs, estimate briefs, question time briefs and cabinet summary decisions) before seeking an order in the Assembly. These mechanisms allow the ACT Public Service to undertake independent assessments in relation to privileged information contained in documents, ensuring factors such as personal information, commercial in confidence information are assessed for release;
- (4) that under standing order 213A where a document or documents is considered by the Chief Minister to be privileged, a claim of privilege can be made.”

The amendments that I have circulated go to provide some clarity and context to the existing standing orders, and indeed the rationale for the comments that I have made previously in relation to the use of standing order 213A. They largely speak for themselves; they are minor and technical in nature in most instances, and they—particularly the amendment adding a clause 4 to the motion—simply reflect that there is a right for the executive to vacate claim of privilege in relation to particular documents.

I will respond briefly to Ms Castley’s remarks. I have gone back and had a look at the *Hansard* when this standing order was inserted, and it was clear at the time:

It is well understood in parliaments around the country and internationally that parliaments can make orders for the production of documents. This right has been upheld by High Court decisions in recent years which have recognised that the ability of the parliament to call for any document is paramount and must be respected by the executive arm of government. However, there is an inevitable tension between the role of the executive in maintaining confidentiality of certain documents and the right of parliament to call for those documents. It is in many respects similar to the debate that we had yesterday—

this was back in 2009—

in relation to freedom of information and the ability of the executive to conduct its business in a way which is subject to some levels of confidentiality on some issues.

This standing order, therefore, is designed to provide a mechanism for the resolution of that inevitable tension. It provides that the Assembly may order any document to be tabled in the Assembly and a mechanism for that to be communicated by the Clerk to the Chief Minister's Department in relation to the documents needing to be produced. It then sets out that, in relation to documents against which there is no claim of executive privilege, the documents are to be provided to the Clerk by the Chief Minister's Department within seven days and the Clerk is obliged to table those documents in the Assembly. That is the relatively straightforward part of this mechanism.

The mechanism does also contain the ability for executive privilege to be claimed. The context at that time in this place related to the release of a number of Cabinet-in-confidence documents. Executive privilege was claimed in relation to those, and the independent arbiter ruled in favour of the executive—the standing orders operating as they were anticipated to.

So, when looking at the history of the insertion of this standing order, the reasons why, and the context of that debate, my remarks are reasonable, particularly in light of the sparing use of this standing order in the 15 years between its introduction up to this most recent parliament. I understand we have now had more uses of 213A in the first four sittings of this parliament than across the previous periods. So it does indicate a change in approach by the opposition. Of course, they are entitled to use the standing orders, but I stand by the point that the introduction of this was not as a substitute for FOI, nor was it a substitute for questions on notice, or all of the other scrutiny processes.

But I do appreciate the comments made by Ms Castley in relation to timeframes associated with responding to certain calls, and I foreshadow that a number on the notice paper this week will require an extensive amount of work. There is not an army of ACT public servants sitting by, doing nothing, ready to respond to 213A requests. This will, of course, divert resources away from other activities. Whilst I appreciate the Assembly can determine to call for documents, the processes that are in place for most productions of documents are FOI, questions on notice, questions without notice, and all of the other mechanisms, including those that are highlighted in the middle amendment—my amendment to clause 3 of Ms Castley's motion.

I wish to highlight to the Assembly that there are processes and appeal mechanisms that the ACT public service undertakes in accordance with FOI legislation, and the Ombudsman then has a role in determining any disputes. That is a far more cost-effective mechanism than the 213A process, which requires the Assembly to pay for a retired judge to make determinations on particular matters. There will be an expense associated if there is an endless stream of 213A requests where executive privilege is invoked. I bring that to the Assembly's attention—I know the Clerk would be aware of it—and when there are other available mechanisms, this seems to be making a political point for the sake of it. Nevertheless, the executive will, of course, comply with the standing orders, with the established practices and conventions of this

place, and Westminster processes.

I advise the Assembly that it is highly likely that claims of executive privilege will be made, and I advise and foreshadow to the Assembly that—with the timeframes requested for documents, at least on this sitting week’s motions put on notice—we will be seeking extensions of time, given the sheer breadth of requests and their frequency. It does place an enormous pressure on a very small area of the public service. With that, I commend my amendments to the Assembly.

MR BRADDOCK (Yerrabi) (11.22): This is a motion that appears to want to clarify the standing orders, so we find ourselves in an interesting situation. In the *Companion to the Standing Orders*, at point 2.114, it observes:

... the Assembly ... has not tested the extent of its power by compelling the production of information from the executive either on its own behalf or on behalf of a committee.

That testing appears to be happening in real time now, and I expect we will see some interesting updates in the next *Companion to the Standing Orders*.

Ms Castley’s motion is made up of three points. We unequivocally support the first point. It was established and confirmed in the courts that the parliament has the implied power to compel transparency from the executive and to decide what to do about it if the executive does not comply. This is because of the iron laws of mathematics here in this chamber with respect to “confidence always applies”. Law students at university learn about the *Egan v Willis* and *Cahill* cases cited by the *Companion*. The first assertion is not controversial. In fact, the Greens believe that the parliament works better the more transparent it is. Standing order 213A exists because of the Greens power-sharing agreement as part of the Seventh Assembly, and we will gladly defend that.

The second point of Ms Castley’s motion is a bit more interesting. Strictly speaking, it is accurate, but I worry that it could be easily overinterpreted by someone who does not have the full political context of what it means, so a few things need to be said about that. This is why we will be supporting Labor’s amendment to point 2, which tries to help improve its clarity. We will also be supporting the additional assertions that Mr Barr’s amendment makes.

There is a reasonable question over whether the executive can be compelled to create documents. Obviously, the executive cannot actually be compelled to create documents that cannot exist. For example, these sorts of orders cannot practically call upon the government to write a business case when it has never been considered, produce something about which information does not yet exist, or retrospectively establish databases containing information that was never collected. That would be fraud. However, they can compel the government to create something which supports a useful response to the order in the Assembly. This is particularly relevant when we are talking about databases and other types of information storage systems that are not strictly documents but still constitute the information that is sought in the relevant orders. At the same time, the government can also choose to reveal what particular records or information does not exist, which itself can be enlightening information.

I understand that this is common practice in the New South Wales Legislative Council. The New South Wales government states that, in principle, it cannot not be compelled to create documents, but it does exactly that in practice. *Odgers' Australian Senate Practice* highlights that this is a routine practice in the Senate. I note a motion passed last week implicitly required the creation of a document in order to answer the question.

Ultimately, the government needs to respond to the politics of the underlying order. The best answer always will be the one that ensures the confidence of the majority of members in the chamber. After all, the government does not want to provide members with cause to question a serious failure of leadership, a serious waste of public funds or a serious shortfall of accountability. That, by the way, forms part of the Greens' agreed criteria in terms of the supply and confidence agreement and, therefore, not moving a motion of no confidence in a minister.

With that, we come to point 3. The assertion that there is no obligation to first seek information through other channels is technically correct and therefore supportable, but it demonstrates a lack of appreciation of some of the other tools that are available to members here. If you want to be effective in parliament, you need to use the right tools for the right job. Resorting to a standing order 213A motion requires getting a majority on the floor of the Assembly during a sitting week. If you can get the information you want using a simpler instrument—whether that is, for example, a question on notice or a freedom of information request—why wouldn't you? Members should also consider whether this tool is worth the cost. Frivolous and simplistic claims risk chewing up the time of the Assembly and that of all members involved, potentially imposing additional costs on the territory by appointing an independent arbitrator and, as the Chief Minister mentioned, adding significant costs in terms of public service time and effort to respond. Why would a member wish to purposely pursue this when they want to be thought of as a good economic manager?

The design of our standing order for the production of documents is predicated on a few assumptions: firstly, that you have a decent idea of what you want from the government information; secondly, that the government has been at least obfuscating on the topic or making other tools comparatively ineffective; and, thirdly, that you convinced a majority in the Assembly that it is time to make a big deal about it here in the chamber. Last week, the Greens supported the orders made for information on executive staffing arrangements, because all those criteria were met. We knew what information the government should at least be in possession of—the fact that they had failed to retain it and needed the help of Mr Rattenbury to help provide it is beside the point; we felt frustrated by the obfuscation of the information; there was a public interest in seeking the information; and we agreed it was a reasonable time to make a big deal of it in the Assembly. Therefore, we supported it.

There is an important principle of parliamentary powers that this motion is based upon, and the Greens will ensure that that principle is protected. This is not a misuse of standing orders, but, just as we should jealously guard parliamentary privileges and powers, all members should be reminded to use them wisely. Overly excessive use is just as detrimental to the Canberra community that we are here to serve as a lack of transparency and oversight would be. This is not a tool to necessarily grandstand with.

Every time a member moves a motion under standing order 213A, they are going to need to convince the Assembly that the request is reasonable. As a general rule, the Greens will support reasonable motions for these orders. We will look at the public interest in obtaining the sought-after documents, whether the government has been readily forthcoming with the information, and whether alternative tools would be clearly more effective in obtaining the information. We will also look on with interest as to whether any timeframe for the extension of time required to meet such a request needs to be amended in the motion. Sponsoring members may wish to consult with the Greens before lodging their motion and describe to us how these criteria are being met, because we are asking to please demonstrate to us and the Canberra community that what is being sought goes beyond political theatre and provides effective oversight and transparency.

MR EMERSON (Kurrajong) (11.29): I support this motion and see no issue with Mr Barr's amendments. I was voted into this Assembly with a mandate from Canberrans to push for greater transparency from our government. As such, I make no apology for supporting the use of mechanisms that are available to members to seek information that will help increase transparency and accountability in this chamber. Concerns have been raised that such mechanisms may be susceptible to misuse. I do not share these concerns. In the event that a motion is considered unreasonable or vexatious, it can simply be voted down. Assembly processes are fortified by myriad checks and balances to ensure there is no abuse of process. This standing order is only one part of the puzzle, and I trust my Assembly colleagues to use the mechanisms available to us in good faith.

Transparency is precisely what people want from their elected representatives. Canberrans want to see honest and rigorous discourse on the basis of facts, not controlled narratives that shut down debate. What happens in government should not be unnecessarily sheltered from public scrutiny. Scrutiny leads to questions, questions lead to answers, and answers lead to solutions. Let's get on with answering our community's questions and solving their problems, rather than occupying ourselves with managing public perception. PR exercises of old-style politics are exactly what people are voting against when they vote independent. People want transparency. Let's give it to them.

MS CARRICK (Murrumbidgee) (11.31): I support this motion and the amendment because accountability and transparency are at the heart of functioning democracies. In a parliamentary democracy, the government executive is accountable to the parliament. While the executive is accountable to the parliament, parliament must have oversight of what the executive might want to do, what it does in practice and how it spends our money. Oversight is essential to ensure transparency, good governance and efficiency.

The powers of oversight must be clearly defined in law and precedence. The role of the opposition and crossbench is to scrutinise the decisions of the executive, to hold them to account and to try to make things better. The standing orders need to be clear about the roles of members of parliament and the requirement for the executive to provide documents to the Assembly, so that the opposition and crossbench can perform their role in the democracy to scrutinise decisions and hold the executive to account.

MS CASTLEY (Yerrabi—Leader of the Opposition) (11.32): In closing, I thank

everybody who has engaged in this conversation this morning. I appreciate the support. We will support the Chief Minister's amendment. I would also like to thank the Chief Minister's office for engaging with my office on this one. It is better and more than what we have seen in the past. I really have appreciated that today.

The Chief Minister talked about a change in approach. The reason we are doing OPDs—and, obviously, they have not been done in the Assembly before—is that FOIs, QONs and min reps are not giving us the information that we are asking for. It has been very difficult to get clarity on the questions we have been hoping to get answers on. We talked about it in question time last week. One of the ministers has responded to only two of our min reps. It is really quite frustrating. As we have all discussed here, the role of the opposition and the crossbench is to hold the government to account. When we do not know something, we lodge an FOI and it comes back redacted. We put a min rep to the minister and we either do not get a response or find that we have asked the question in the wrong way. We ask questions on notice. All of these things have proved difficult.

So the Chief Minister is right: we are doing things differently. It is because we can. There is a standing order that allows us to do this. Light rail is a perfect example. We have asked many times for information on the costs and all sorts of things, and we have not received information that we believe we need as the opposition.

Mr Braddock said we do not want grandstanding and he mentioned political theatre. We will not be lodging hundreds of these; we are just using them when we cannot get information from the government that we have been trying to get. You have my word: there will not be hundreds, like there are in the Senate, but we will certainly continue to do this.

I appreciate everybody having their say today. As I said, we will accept the amendment by the Chief Minister.

The motion, as amended, agreed to.

Question resolved in the affirmative.

Legal Affairs—Standing Committee Scrutiny report 3

MR CAIN (Ginninderra) (11.35): I present the following report:

Legal Affairs—Standing Committee (Legislative Scrutiny Role)—Scrutiny Report 3, dated 11 March 2025, together with a copy of the extracts of the relevant minutes of proceedings.

I seek leave to make a brief statement.

Leave granted.

MR CAIN: *Scrutiny report 3* contains the committee's comments on four bills, 11 pieces of subordinate legislation and one government response. The report was circulated to members when the Assembly was not sitting.

I commend the report to the Assembly.

Public Accounts and Administration—Standing Committee Statement by chair

MR MILLIGAN (Yerrabi) (11.35): Pursuant to standing order 246A, I wish to make a statement on behalf of the Standing Committee on Public Accounts and Administration relating to statutory appointments, in accordance with continuing resolution 5A.

During the reporting period 1 July 2024 to 31 December 2024, the Tenth Assembly Standing Committee on Economy and Gender and Economic Equality considered a total of four appointments and reappointments to the Territory Records Advisory Council. I present the following paper:

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

Veterinary Practice Amendment Bill 2025

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

Title read by Clerk.

MS CHEYNE (Ginninderra—Manager of Government Business, Attorney-General, Minister for Human Rights, Minister for City and Government Services and Minister for the Night-Time Economy) (11.37): I move:

That this bill be agreed to in principle.

MS CHEYNE: I am pleased to introduce this bill to the Assembly today. We understand the important companionship and valuable contribution that animals can provide to our community and to our families. At large, Australian homes have a high level of pet ownership and many people choose to live their lives with the comfort and support of an animal. That is one of the reasons why we in the ACT have previously made it harder for renters to be denied the ability to own a pet in their home.

Veterinarians play a key role in animal, human and community wellbeing by maintaining the health and wellbeing of our pets and livestock. In Australia, most veterinarians work in major cities and in small animal practices, with around six per cent working with larger animals. This government believes that veterinary practitioners should be supported to deliver quality services to the ACT and that all Canberrans and their pets should have access to the best health care possible. That is why the previous minister, Minister Steel, introduced the Veterinary Practice Act 2018 in December that year to regulate the provision of veterinary services. In accordance with legislative requirements, Transport Canberra and City Services undertook a review of the act's operation in 2024, and I tabled a report on the findings of that review in the Legislative Assembly on 5 September 2024. The bill introduced today is, in part, in

response to that review's report, noting that the terms of reference were expanded beyond the legislation itself.

This bill makes amendments to the act and the Veterinary Practice Regulation 2018. The amendments in the bill will enhance the regulation of veterinary practice in the ACT by aligning it with contemporary standards, improving the administration and efficiency of the legislation, and ensuring high standards of veterinary practice and public confidence in veterinary services. The bill amends the objects of the act to ensure that they are aligned with the Australian Veterinary Association's recommended key principles of veterinary practice acts in Australia. The objects of the act are updated to ensure that consumers of veterinary services have confidence in accessing services from veterinary practitioners and to clarify that the protection of the health and welfare of people is considered during the provision of those services.

The bill seeks to amend requirements relating to the declaration that entities are to be professional bodies and removes the requirement to consult with these bodies before making regulations, as this is not always necessary, nor relevant, to ensure the effective regulation of the profession. The bill clarifies and aligns regulation-making powers, clarifying that regulations can introduce conditions or restrictions on the practice of veterinary science to protect the welfare of animals.

Further, the bill seeks to make a range of minor and technical amendments to improve the act, including reordering the functions performed by the ACT Veterinary Practitioners Board to prioritise education and clarifying the language around who can attend meetings of the board.

The bill legislates a longstanding practice by introducing a new provision that requires a registered veterinary practitioner to hold a suitable third-party professional indemnity insurance policy. Legislating this longstanding policy is sensible by ensuring that the act continues to protect the health and the welfare of the public. The insurance cover must be third-party professional indemnity insurance and the level of cover must be appropriate for the nature of veterinary work carried out by the applicant.

In presenting this bill, I thank the ACT Veterinary Practitioners Board for their time and effort in considering the amendments I bring forward today. Their willingness to work collaboratively with the directorate ensures these amendments are balanced, appropriate and provide practical change. I also thank the Parliamentary Counsel's Office and the team led by Kirra Cox in the directorate for ensuring that these sensible and important reforms have been brought forward early in this parliamentary term. Notwithstanding these important reforms today, I look forward to continuing to improve the functionality and operability of the act throughout this term. I will have more to say on that in due course.

I commend this bill to the Assembly.

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

Building and Construction Legislation Amendment Bill 2025

Debate resumed from 5 February 2025, on motion by **Mr Steel**:

That this bill be agreed to in principle.

MR CAIN (Ginninderra) (11.42): This is an omnibus bill that makes amendments to multiple pieces of legislation in the building and construction legislative space. The bill makes technical amendments to several key pieces of legislation governing building, construction, gas safety and water regulation in the ACT. The goal is to improve efficiency, align with national standards and remove outdated provisions. In particular, the bill establishes a compliance framework for the regulation of medical gas systems; imposes offences for failing to comply with the regulatory framework for medical gas systems; and updates the ACT's building regulatory system to reflect current drafting practices and administrative processes, reducing the administrative burden on government and industry.

I note that this bill in no way addresses the significant concerns addressed this morning by the petition lodged on behalf of Mr Xavier Duffy, nor does it go anywhere near addressing the needs that the motion this afternoon will draw attention to: improving the efficiency of our building regulatory system.

The bill makes amendments to the Building Act 2004, Building (General) Regulation 2008, the Construction Occupations (Licensing) Act 2004, the Gas Safety Act 2000, Gas Safety Regulation 2001, the Property Developers Act 2024, the Water and Sewerage Act 2000, and Water and Sewerage Regulation 2001.

I note that the bill was considered by *Scrutiny report 2* of this term, published on 25 February. I note a couple of the committee's comments and a requested action. The committee flagged privacy risks and strict liability offences as potential human rights concerns and raised the lack of mandatory public notification of incorporated standards as an issue, especially since some regulations can create offences. The committee requested a ministerial response.

I indicate that the Canberra Liberals will support this bill. I thank the minister and directorate officials for the briefing I received on 27 February.

MS CLAY (Ginninderra) (11.45): The Greens are happy to support this bill. This bill contains a number of minor and technical amendments, and it is not a significant bill that affects human rights. I was pleased to receive a briefing on this bill. It continues a body of work that was commenced last term. In particular, some of the safety requirements about the installation of medical gas is quite important to follow through, so we are happy to support this bill and see this body of work continue.

MR STEEL (Murrumbidgee—Treasurer, Minister for Planning and Sustainable Development, Minister for Heritage and Minister for Transport) (11.45), in reply: I am pleased to close the debate on the Building and Construction Legislation Amendment Bill 2025. The bill streamlines processes and clarifies regulatory requirements, reinforcing our commitment to create a system that is not only accessible but also adaptable to the dynamic nature of the construction sector. These enhancements will bolster regulatory oversight and promote best practices in building, and they will ultimately make sure that we deliver a robust and effective regulatory system for all

Canberrans.

I thank members in this place for their support. I have responded to the scrutiny committee in relation to the matters that they have raised, including issues which have come up time and again about access to standards. Generally speaking, the construction industry has access to those standards. The Building and Construction Legislation Amendment Bill will improve effectiveness in the administration of the ACT's building and regulatory system and will ensure that it remains contemporary and fit for purpose.

I commend the bill to the Assembly.

Question resolved in the affirmative.

Bill agreed to in principle.

Leave granted to dispense with the detail stage.

Bill agreed to.

Assisted Reproductive Technology Amendment Bill 2025

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

That this bill be agreed to in principle.

MS CASTLEY (Yerrabi—Leader of the Opposition) (11.47): I rise today to speak to the Assisted Reproductive Technologies Amendment Bill 2025. I would like to note we are only a few sitting weeks into the new Assembly and we are now on to our third urgent health bill of the Assembly—the other bills being the Variations in Sex Characteristics (Restricted Medical Treatment) Bill 2024, which is now law, and the health appropriation bill, which is also being debated this week.

It is striking that all three bills are essentially dealing with defective management by the government. In the case of the appropriation, defective financial management; in the case of the other bills, it is defective legislation management where Labor has failed to properly manage the transitional arrangements.

I think there is a fair question to ask about exactly what the health minister is focused on because it does not seem to be the budget. It does not seem to be legislation. It does not seem to be ensuring the accessibility or affordability of GPs. It does not seem to be short wait times for emergency departments or elective surgeries. It does not seem to be publishing their performance reports. It does not seem to be the morale of our health workforce—just ask the orthopaedic surgeons who have resigned in the past few weeks. It certainly does not seem to be the fundamental reforms that we need for an effective, affordable and accessible health system.

As far as I can tell, the minister is focused exclusively on damage control, on finding new excuses and new people to blame for the litany of problems that we have with the health system after less than six years of her leadership. Canberra needs a health minister who will spend less time sneering and closing people down and more time

doing her job. She has been the Minister for Finance and Minister for the Public Service for less than six months and already the budget is busted. They are cutting the public service and they are cutting health services. The minister is not doing a great job in this role, and for the good of Canberra, the good of the health system, the good of the public service, she has to go.

To return to the provisions of the bill, though, I can tell you that the Canberra Liberals will be supporting the legislation. I would like to thank the minister's office and the officials for the briefing. We do not want to cause any unnecessary distress for families who are seeking to access assisted reproductive technology and that is why I am surprised this has taken so long to come back to the Assembly. My understanding is that there were families who were impacted by this. So, again, we are happy to support cleaning up another mess made by the health minister.

MR RATTENBURY (Kurrajong) (11.50): I rise today to speak in support of the proposed Assisted Reproductive Technology Amendment Bill. These amendments will make several changes to the Assisted Reproductive Technology Act, which was enacted last year and made several important changes to clinical requirements for assisted reproductive technology providers. In particular, this bill includes requirements for certain information about a donor to be collected by an ART provider prior to obtaining or using the donor's gametes for ART treatment; limits on the number of families that can be created from one donor; and establishing a registry that includes information about donors for those who receive the donation and the donor-conceived person.

These were important changes; however, the limited transitional period also led to significant impacts on people in the midst of fertility treatments. My office has received several emails and representations from members of the community who have been directly impacted by the changes in the Assisted Reproductive Technology Bill or who have family and friends who have been. I want to recognise the distress that some have experienced in not being able to continue to progress their fertility journey during this period of uncertainty whilst waiting for these amendments to be enacted. I hope these expanded transitional provisions will alleviate the pain that has been experienced by some members of our community.

These expanded transitional provisions enacted through these amendments will allow people who were allocated gametes prior to the transitional period, and during the transitional period, which now do not comply with the ART Act, to use those gametes for ART treatment without the extended provisions applying. Also, the basic provisions will not apply to the use of gametes from the same donor by that person or their domestic partner for subsequent pregnancies, to enable people to complete their families. In this advancing medical and ethical landscape, we need to make sure that we are not only responding to the needs of people who want to become parents but that we are also enabling the children born, thanks to assisted reproductive technologies, to have the information they need in years to come.

I also want to highlight the work of advocates for donor-conceived children in this area. Throughout this process, during the original bill and the subsequent amendments, we have actively engaged with advocates from the donor-conceived community. They have consistently, both as parents of donor-conceived children and as donor-conceived children, provided invaluable lived experience. They have highlighted the importance

of ensuring that medical and biographical details about donors are available for future donor-conceived children. It is my hope that information regarding the importance of ensuring donor-conceived children have access to medical and biographical details continues.

The government has a role to play in ensuring that the community's understanding of the rights of donor-conceived children remain, as proposed in the Assisted Reproductive Technology Act 2024, at the forefront of our work in this area. This will be particularly important in relation to the difference between gametes and embryos that are compliant with the Assisted Reproductive Technology Act 2024 and those that are not but are allowed within the proposed extended provisions.

I want to thank advocates for donor-conceived children for their work in this area. This process has been a good illustration of the law of unintended consequences when it comes to legislation being enacted. Here in the ACT we do our best to consult a wide range of stakeholders and we game out how particular pieces of legislation will operate in the real world. In this instance, with the Assisted Reproductive Technology Act 2024, there was a small cohort of people who fell into a gap that the consultations had not picked up. So I am very happy we are taking action to remedy that situation, and the Greens are very happy to support this bill containing these amendments in the Assembly today.

MS CARRICK (Murrumbidgee) (11.54): I support this amendment. It is an important reconsideration of a cohort left in limbo due to transitional dates and provisions. It reinstates their rights to continuous ART treatment and support, and I thank the Murrumbidgee resident that brought this issue to my attention.

MS STEPHEN-SMITH (Kurrajong—Minister for Health, Minister for Mental Health, Minister for Finance and Minister for the Public Service) (11.54), in reply: I rise to close the debate on this bill. As others have outlined, the current transitional provisions in the Assisted Reproductive Technology Act do mean that people who have become pregnant or created an embryo prior to 29 September 2024 are able to complete their family using gametes from the same donor, even if those gametes do not meet the requirements of the act.

This bill responds to feedback received after the act commenced about people who had started the ART treatment journey and been allocated gametes prior to 29 September 2024 but had not yet become pregnant or created an embryo. People in this situation are currently unable to legally use their allocated gametes because they do not comply with the requirements of the act. The primary purpose of this bill is to expand the transitional provisions to include people who are in this situation. Without this change, they will most likely face problems or delays obtaining new gametes because of waiting lists, short supply and high costs. These amendments will exempt the use of these gametes from the operation of certain provisions under the act, meaning that this small additional group of people will be able to use the gametes they had previously obtained and would have been legal before the legislation was introduced. A further change in the bill will allow people who have become pregnant or created embryos prior to 29 September 2024 using gametes that do not comply with the act's requirement to access newly donated gametes from the same donor, allowing siblings to be genetically related.

The bill has been informed by feedback received during the implementation of the act. I want to join with others in this place, as I did in introducing the bill, by thanking those people who have provided that feedback, and again recognise the distress that the situation has caused for too many individuals and couples in our community. We carefully considered the correspondence from ART consumers received in the second half of 2024; consultation on the amendments with donor-conceived community members in late 2024; and ART provider feedback as well, on the draft bill in January 2025.

I do want to respond to a couple of Ms Castley's comments: just to note that this has been a more complex piece of work than we had originally thought it would be. Of course, the bill passed the Legislative Assembly in March 2024, having been introduced in November 2023. We can all recognise that it was a bit unfortunate that the relevant Assembly committee determined not to undertake an inquiry into the original bill when it was introduced. While I can understand why the committee made that decision on the understanding that there had been considerable consultation prior to the introduction of that bill, had the committee undertaken an inquiry it may have encouraged particularly the Assisted Reproductive Technology providers in the ACT to make submissions, which may have encouraged them to scrutinise the legislation before it passed.

As it was, and as Ms Castley is well aware, unfortunately ART providers appear to have only really started scrutinising the new legislation—which they had been aware of for not just months, but years, that it was in the making—some months after it was passed and then suddenly started telling people that their ART treatment would have to cease immediately. I can absolutely understand the distress that those people experienced. Then it was obviously further exacerbated by the fact that the lengthy caretaker period meant that there was not a great deal that we could do other than ask the Health Directorate to be ready to brief the incoming government on further changes to the transition provisions.

I would note to Ms Castley, and I have made this point before, that part of the job of being a parliamentarian is to scrutinise legislation. I have worked for an opposition member, and I understand that part of your role as the shadow minister for health is to carefully scrutinise legislation. Perhaps if Ms Castley had also carefully scrutinised the legislation, maybe she would have picked up some of the unintended consequences that officials did not pick up—that no-one picked up before the ART provider started implementing, or trying to implement, the legislation. I take her point that it would have been better if these changes had been made earlier, but I think everyone bears their own little bit of responsibility for that. The key thing is that we are making these changes now. I am pleased that we have been able to get them through the Assembly as quickly as possible, given the complexity of the issues.

The feedback we have received from all stakeholders has been truly valuable, highlighting the potential ambiguities and inconsistencies that, as I say, were not really apparent in the legislation's initial drafting. I also want to recognise and thank everyone who has contributed to this conversation and who will further contribute to the ongoing regulation of assisted reproductive technology in the ACT. Of course, there is another step in this process to further expand the donor register in the future. I also thank the scrutiny committee for its consideration of this bill.

Of course, we absolutely recognise that there is a time-sensitive element to providing ART treatment for many ART consumers, so I am pleased to see that this bill will pass today and thank members for their support. The bill reflects the ACT government's ongoing commitment to ensuring Canberrans can continue to receive exceptional care and treatment in all healthcare settings. With that, I commend the bill to the Assembly.

Question resolved in the affirmative.

Bill agreed to in principle.

Leave granted to dispense with the detail stage.

Bill agreed to.

Sitting suspended from 12.01 to 2 pm.

Questions without notice Minister for Health—conduct

MS CASTLEY: My question is to the Chief Minister. Given the inept forecasts, the expenditure blowout, the loss of some of the ACT's most experienced surgeons, the revelations that her operations centre is overriding clinical care decisions, staff signing letters of no confidence in the leadership, and rock-bottom staff morale, does the Chief Minister have confidence in the health minister and her ability to prevent further resignations by surgeons?

MR BARR: Yes, I have full confidence in the health minister, who is undertaking a process of reform within the health system in an environment where, undoubtedly, there are challenges being faced by every state and territory. The health minister is working diligently across her portfolio, and retains both my and her colleagues' full confidence.

MS CASTLEY: Chief Minister, have you had any discussions with the health minister regarding her performance, either during or after the election?

MR BARR: I thank Ms Castley for the question. The health minister and I talk regularly, as I talk regularly with all of my colleagues. We have been focused, as you would expect, on a number of priorities, including the implementation of the government's election commitments, with a particular focus in recent times on intergovernmental health policy, particularly as it relates to work with the commonwealth on the National Health Reform Agreement.

MR COCKS: Chief Minister, are you keeping the health minister in the job because you do not believe any of your other colleagues are up to the job?

MR BARR: Mr Cocks, that question is beneath you.

ACT Health—surgeons

MS CASTLEY: My question is to the Minister for Health. Four orthopaedic surgeons have resigned in recent weeks due to your incompetence. In an open letter sent to you,

ACT surgeons say the culture under your leadership “now reeks of disrespect of clinicians; failure to consult, communicate or collaborate; and an ethos of edicts without thought”. Minister, are the surgeons wrong?

MS STEPHEN-SMITH: I thank the Leader of the Opposition for her question. Absolutely that is not the case in terms of the way that has been articulated, and you could speak to a number of other senior clinical leaders within Canberra Health Services who would take a very different position on this.

I recognise the concerns that have been raised by a number of orthopaedic surgeons, and, as I said during the last sitting week, I have met with some of those orthopaedic surgeons and we have talked through some of these concerns. What I have continued to do, and what I continue to do now, is to encourage the orthopaedic surgical group to work with the leadership of Canberra Health Services. None of the issues that have been raised are in fact, in my view, insurmountable.

As the Chief Minister said, there are some difficult decisions that are having to be made. There are some difficult conversations that are having to be had—conversations that have been had in other jurisdictions many, many years ago when it comes to things like how visiting medical officers are remunerated and the expectations of their participation in the health system.

MS CASTLEY: Minister, why has the culture deteriorated on your watch to the point clinicians feel their workplace reeks of disrespect?

MS STEPHEN-SMITH: I do not agree with the premise of that question, and I do not think that the workplace surveys that have been undertaken in the time that I have been minister would back that up.

MR HANSON: Minister, if Canberra’s surgeons do not have confidence in you, why should anybody else?

MS STEPHEN-SMITH: This is a small group of surgeons from one surgical group, who, clearly, we are having a dispute with. There is clearly no doubt about that. But I would again encourage those surgeons, like the other craft groups have done, to come to the table and to have productive conversations about how we can work together to ensure that information is shared in both directions.

One of the challenges we have faced is that there is a cultural issue here, and the cultural issue is about how some of our surgical waitlists have been managed over time, and how our surgical lists have been managed over time, and the expectations that visiting medical officers have had about their remuneration. Those things do have to change. To give credit to the other surgical craft groups—they have all come to the table and sat down with senior leadership to talk productively and collaboratively about how we are going to modernise the arrangements in Canberra Hospital and across Canberra Health Services. I would strongly encourage the orthopaedic team to do the same thing. And I really recognise, Mr Speaker, that some of the orthopaedic surgeons have been participating proactively and productively in that conversation, and I thank them for that, including those I met with recently.

Health—spending

MR RATTENBURY: My question is to the Minister for Health. Minister, the report of the inquiry into Appropriation Bill 2023-2024 (No 2) notes:

The Committee was concerned that the Government was not able to provide sufficient detail on what is driving the trends in demands for health services.

Given this finding, can you please outline if you are assessing the benefits of increased spending on primary or preventative health care versus acute care?

MS STEPHEN-SMITH: I thank Mr Rattenbury for the question. This was part of the conversation that we had in the hearings during the committee inquiry. I recognised then, as I am happy to do now, that Canberrans' lack of access to affordable primary care is probably one of the drivers—but not the only driver—of increased demand for hospital and other acute services and other public health services. But, as Mr Rattenbury is well aware, primary care is not the primary responsibility of the ACT government.

Despite that, we have an election commitment of \$11 million to support bulkbilling for Canberrans, and \$4 million to support professional development and recruitment and retention in the primary care sector. Those are initiatives that we are working through in the context of the 2025-26 budget, but I have already met with the Capital Health Network and our GP adviser within the ACT Health directorate to start to have the conversation about how we can make that work, on the ground. We want to see improved access to primary care, just as we want to see continued improved access to the rest of our public hospital system and, of course, continued investment in prevention and early support for people so that they stay well in the community.

That is why ACT Labor is committed to the development of new community based health centres in south Tuggeranong, which now has its development approval; in north Gungahlin; in west Belconnen; and, in the Inner South—commitments that those opposite did not make.

MR RATTENBURY: Minister, does the government have any modelling regarding return on investment and cost-benefit analyses for increased funding in preventative health care and the potential for increased spending in primary health to prevent the requirement for future supplementary appropriation bills?

MS STEPHEN-SMITH: I would not say that we have any specific modelling, but there is a lot of information out there, including from organisations like the Grattan Institute, that clearly demonstrates that investment in prevention and primary care are very important. And one of the challenges that we face in our health system, is the split in funding responsibilities.

That is why—I think the Chief Minister alluded to this earlier—part of the significant amount of work in this portfolio is working, in the context of the health ministers' meeting, with the commonwealth government to ensure that it is taking its role seriously in investing in primary care and aged care and the reform of the National Disability Insurance scheme—in particular the development of foundational supports—to ensure that people who are more vulnerable are able to say well in the community. In that

context, we have very much welcomed the Albanese Labor government's investment of an additional \$8½ billion in the primary care sector to encourage and support bulkbilling and to reward those clinics that are committed to bulkbilling, seeing the expansion of the bulkbilling incentive from only children and concession card holders to everyone who is bulk billed. Of course, we are backing that in, as well, with our changes to the payroll tax arrangements for general practice, to exempt revenue from bulkbilled appointments from being eligible for payroll tax. So we are backing-in access to bulkbilling here in the ACT, but we are also backing-in our GPs with, in addition to our \$11 million bulkbilling incentive fund, our \$4 million professional development and wellbeing fund for GPs, because we recognise that they are the backbone of the health system and the pressure that they have been under.

MS CLAY: Minister, how many health economists are currently employed by ACT Health and by ACT Treasury?

MS STEPHEN-SMITH: I will take that question on notice, but I suggest to Ms Clay that "health economist" is probably not an ANZSIC code that we will be able to identify. Economists often have multiple areas of speciality, and they can specialise across a range of social policy areas. I, myself, did an honours thesis in the economics of education work a long time ago, but we will see if we can find an answer for Ms Clay. I will take it on notice and come back to the chamber.

Burrangiri Aged Care Respite Centre

MS CARRICK: My question is to the Minister for Health. The Carers ACT submission to the inquiry on loneliness stated that carers repeatedly raise access to respite as an issue and that Canberra's carers are the least likely in the country to access respite care, demonstrating a clear issue with the way respite care in the ACT is operating. The Assembly passed a resolution to extend the contract for the Salvation Army to run Burrangiri until alternative capacity is available. Have you extended the contract with the Salvation Army?

MS STEPHEN-SMITH: No, I have not – or the health directorate has not. I would not be the signatory anyway.

MS CARRICK: Minister, when will you extend the contract with the Salvation Army?

Ms Castley: Since, in the Assembly, you said you would.

MS STEPHEN-SMITH: I will take Ms Castley's interjection. In the Assembly, I never said that I would. In fact, I moved an amendment to the motion to remove that bit of the Assembly's resolution. I have not provided any directive to the health directorate to extend the contract with the Salvation Army. In that context, I note that the contract with the Salvation Army had already been extended for 12 months. Were we to recommission the service, under our probity and procurement rules—and I am sure Ms Carrick takes sticking by procurement rules and upholding probity very seriously—we would, in fact, be required to go to market to test the service.

The reason we have made the decision we have is that this particular facility requires refurbishment and, as I have said multiple times, that would require the service to close

for a period of time in any case. The decision was not whether to continue the service; the decision was whether to fund an alternative service. I have made the decision not to do that, because it would duplicate services that are already funded through Canberra Health Services. If we were to increase investment in those services, we would do it through that mechanism.

MR COCKS: Minister, when will you let the staff at Burrangiri know that they do not have a job?

MS STEPHEN-SMITH: I am interested in Mr Cocks's question because I made the point during the debate the other week that what the opposition is doing and what Ms Carrick is doing is creating uncertainty for the staff. We told the Salvation Army that their contract would expire at the end of June 2025 so that they would have an opportunity to provide staff with plenty of notice and manage the transition. The staff work in a sector with significant skill shortages. We worked with the Salvation Army to understand the notice that they required to work with their staff through that transition, and that is why they were advised in January that their contract would not be renewed at the end of June, so that they had that capacity to work with staff through the transition—a capacity that Mr Cocks is now actively undermining.

Canberra Health Services—surgeons

MR EMERSON: My question is to the Minister of Health. I would like to ask a question on behalf of Carol, a Canberra resident who has been failed by our healthcare system. In 2019, an orthopaedic surgeon recommended that Carol undergo a hip replacement surgery at Canberra Hospital. Now, six years later, she is still waiting for that surgery and the surgeon has just tendered his resignation. Carol waited on Dr Smith's waitlist for 565 days, well past the recommended maximum 365 days for a category 3 patient. She is on crutches. Her mental health has severely deteriorated and she has spent over \$35,000 on otherwise unnecessary treatment while awaiting this operation. Until recently, she thought she was progressing on the waitlist but was shocked by recent media reports that her surgeon had resigned. Dr Smith quit, calling the system extremely poorly planned and extremely poorly executed.

This “extremely poorly planned system” has not informed Carol of any changes to the waitlist or waiting times. Minister, you have said in relation to these resignations that we as a hospital system have to be fair to all patients. Is this a fair outcome for Carol? Having already waited six years, when will she receive the hip replacement she needs today?

MS STEPHEN-SMITH: I thank Mr Emerson for the question. I have had experience with people who have written to me, who have been on the hip replacement waitlist for quite a long time, and when I have received advice about that, I have discovered that they are on Professor Smith's waiting list. I have written back to them or I have contacted them and said, “Actually if you go on the pooled waiting list and you are willing to have your surgery done by another surgeon, it will be done a lot more quickly than if you wait for Professor Smith.” I have actually been told by a patient they would rather wait for Professor Smith and have their surgery done by Professor Smith. So what I would say to Carol is, if she is on the public waitlist, she will go onto a pool waitlist. If Mr Emerson can provide me with the details, we will make sure that

Canberra Health Services gets in touch with Carol and lets her know that she will go onto the pooled waitlist to get her hip replacement more quickly than she probably would have got it waiting for Professor Smith to do it himself.

MR EMERSON: Minister, have all or any of the patients on the waitlist of the surgeons who have resigned been informed of their surgeon's resignation and of how recent events will affect the timing of their surgeries?

MS STEPHEN-SMITH: I will take that question on notice. Of those surgeons who have resigned, at least two of them are working out their notice and at least one is still considering whether to go ahead with that resignation. So a resignation has been submitted but the surgeon is still in conversation with Canberra Health Services. So I will take the question on notice, but again, I would really encourage Mr Emerson, if he has individual matters that he wants followed up, he can always come to my office, or he can always send me an email, and we will follow up those individual matters for those people.

Schools—teachers

MR WERNER-GIBBINGS: My question is to the minister for education. Minister, the national teacher shortage has been well-covered in the media, could you provide the Assembly with some details about education workforce here in the ACT?

MS BERRY: I thank Mr Werner-Gibbings for his question. Teachers are the most important factor for a high-quality education. We can, all of us, think of one teacher at least who impacted our lives for the better, made us think about things differently, ignited our imagination and made us excited to learn. That is why the ACT government is so committed to recruiting public school teachers and retaining them in our system.

This year, we have had more than 200 teachers go through our New Educator Induction Program week and I am happy to hear that those new educators have chosen to join the ACT public school system. That successful recruitment means that we started 2025 in a really strong position. As at 11 March 2025, there were 29 vacant positions across 92 public schools. Of those, nine are permanent substantive vacancies while 20 are temporary vacancies—those are vacancies with periods which vary up to 12 months.

The teacher shortage is ongoing and there is always more to do, but our public school system is very well placed to address these challenges.

MR WERNER-GIBBINGS: Minister, how do we recruit new teachers into ACT public schools?

MS BERRY: Thank you for the supplementary. Teacher recruitment campaigns are launched frequently to attract teachers from across Australia to come to Canberra. The Education Directorate advertises online through social media, including SEEK, LinkedIn, Teachers On Net, as well as Facebook. The Education Directorate is also advertising in New Zealand and we are also investigating opportunities to extend international recruitment to other countries, including Canada and the United Kingdom.

The Education Directorate is also establishing pathways from college to initial teacher

education to create a new local teacher pipeline. The directorate is also both working with local and interstate universities to promote ACT public schools to soon-to-be graduate teachers. No one pathway will solve the teacher shortage, so we are working on multiple fronts to attract teachers here to the ACT.

MS TOUGH: Minister, how does the ACT public school system support new educators?

MS BERRY: Thank you, Ms Tough, for that question. The New Educator Induction week and the New Educator Support Program are just two of the initiatives in place to support new educators to be successful in their roles. The New Educator Induction week is held the week before term 1. The five-day program prepares new teachers from a variety of backgrounds to step into the classrooms of our 92 public schools across the ACT. The New Educator Support Program runs for the first three years of their employment, offering further networking, mentoring and professional development opportunities. This year, for the first time, school principals hosted a welcome afternoon tea for new educators to celebrate their arrival. New educators are also having a full day workshop on the best practice literacy and numeracy teaching as part of our Strong Foundations program.

We welcome all of our new teachers to our public school system and invite anybody who is interested to apply for the ACT's public school education system and enjoy what Canberra has to offer.

Child care—early childhood education

MISS NUTTALL: My question is to the Minister for Education and Early Childhood. Minister, reports from the ABC have outlined significant nationwide issues with early childhood education and care centres being focused more on generating profits than on the care and education of our young people. The report states that there has been a 27 per cent increase in serious incidents at early childhood education and care centres nationally. Has this also been the case in the ACT?

MS BERRY: I thank Miss Nuttall for her interest in early childhood education and care services. Yes, there has been an increase in notifications of incidents in the ACT. That was information provided by the Productivity Commission's work into early childhood education and care services. We in the ACT have a very high reporting culture. While some of our incidents were of a serious nature, they were, for the most part, managed appropriately, according to the regulator. We encourage reporting of all issues, regardless of their seriousness, so that the regulator can work with those services to ensure that they lift quality and support educators to provide the best possible quality early childhood education and care.

MISS NUTTALL: Minister, how long does the ACT government give centres that are currently at "moving towards" standards ratings before they take action to ensure that they are a safe place for parents to send their children?

MS BERRY: That would depend on a range of different circumstances that the regulator would investigate as well as the variety of different supports or other services that the early childhood centre might need. It could be, for example, that they have not

quite met the quality standard because they do not have a qualified teacher, but a teacher might be getting their qualification and doing their university studies. That is one example of the kind of work that the regulator would be supporting the service on, and that could be for a variety of different times, depending on where the service is at as far as meeting their ratings.

MR BRADDOCK: Minister, what is the ACT government doing to provide parents and carers confidence that our early childhood education and care system is a safe place for their kids?

MS BERRY: The ACT government has a strategy, Set up for Success, where we are working towards filling in all the work that we need to make sure that our early childhood education and care services and the education professionals who work in those services are supported so that they can provide the best possible early childhood education and care in the ACT to parents and families.

Supporting educators leads to quality education. That is what the ACT government is doing in providing scholarships and providing opportunities for early childhood education and care services to participate in partnership with the ACT government in our free three-year-old preschool program. All of these things that the ACT government is doing are about promoting the education professionals and the quality that we expect from our early childhood education and care services so that families can be assured that our services are properly regulated and are doing everything that they can to meet the National Quality Framework.

Canberra Health Services—elective surgery

MS CASTLEY: My question is to the health minister. Minister, given there are more than 1,000 Canberrans who have been waiting for more than 12 months to receive orthopaedic elective surgery—in fact, the most recent data I can see is 1,640 Canberrans—can you tell them why they will be waiting even longer now, due to the resignations?

MS STEPHEN-SMITH: They will not.

MS CASTLEY: Minister, why has the number of Canberrans waiting longer than the clinically recommended time for orthopaedic surgery increased from 453 on 11 October 2024 to 475 on 13 March 2025? They are waiting longer.

MS STEPHEN-SMITH: These numbers go up and down throughout the year and that particular time period could have been affected by anything, from people taking summer holidays to going off on conferences. There are a whole range of things that surgeons do throughout the year that impact the number of surgeries that are undertaken by particular craft groups in the elective stream from month to month throughout the year.

As per my response to Mr Emerson earlier, some individuals who have been waiting a very long time on the orthopaedic elective surgery waitlist are waiting for procedures with particular surgeons and would receive their surgery more quickly if they were on a pooled waiting list. One of the things that we are moving towards is a public system,

like other public systems around the country, where the public system is a pooled public waiting list that prioritises people on the basis of need and length of wait. That is not how our public orthopaedic waiting list currently works, where people have a particular surgeon whose list they are on, and sometimes that is a decision that they make—that they would rather stay on that surgeon’s waitlist for longer than get their surgery more quickly with another surgeon. That is part of the change that we are making.

For example, I would refer Ms Castley to Queensland’s public websites around elective surgery data, et cetera. There is a very clear statement on the Queensland website—and this is how other jurisdictions work as well—that if you are a public patient waiting for planned care in the public system, it is not about choosing your clinician of choice; it is about being part of the public system. Clinicians do not get to choose their patients, and patients do not get to choose their clinicians. That is part of the difficult conversation we are having with our clinicians at the moment; we are not doing that overnight, however.

MR HANSON: Minister, will you guarantee that the resignation of orthopaedic surgeons will not increase the number of Canberrans waiting for surgery?

MS STEPHEN-SMITH: I have no reason to expect that this will increase either the number of people waiting for surgery or the length of time that they are waiting; there is absolutely no reason to expect that that would be the case. These surgeons have very small numbers of public elective surgery, and other mechanisms are in place to ensure that this work can continue.

Canberra Health Services—elective surgery

MS CASTLEY: My question is to the Minister for Health. In the 2023-24 annual report the number of Canberran patients waiting longer than clinically recommended timeframes for elective surgery was 2,062. By 13 March 2025, CHS put this number at 2,149. Minister, if more and more Canberrans are waiting longer than clinically recommended times for elective surgeries, how can you continue to claim that the hospital system is improving?

MS STEPHEN-SMITH: I thank the Leader of the Opposition for her question. Again I point out to her the very significant improvements in emergency department performance that have been achieved by the hospitals. When I talk about improvements in the system I am often talking about the improvements in flow-through, the improvements in emergency department wait times, the improvements in the number of people who are waiting four hours or more, and the reductions in the numbers of people who are being in an emergency department for four hours or more. But what I said in the last sitting week, which Ms Castley obviously missed, was that also we are now—as a result of the work of the operations centre and this work around planned care—starting to see the number of people on the elective surgery waitlist turning around, as well.

This was always going to take a bit of time, particularly in the context of the post-pandemic period and the fire at Calvary public hospital, which we have talked about many times, and the significant impact that that had on that year’s capacity to undertake elective surgery. We are still catching up on that year, but we are on track to

deliver an absolute record number of elective surgeries this year. We continue to do that work in the public system. We continue to partner with our private hospital partners, and the work of the planned care team, the work that Dr Howard led—the work that these surgeons are complaining about—is what is starting to see a turn-around in that elective surgery performance, as well.

MS CASTLEY: Minister, why has the number of patients waiting longer than clinically-recommended timeframes for elective surgery—not emergency—increased, given your claimed turn-around in elective surgery performance? It has gotten worse.

MS STEPHEN-SMITH: What I have said to Ms Castley is that we are starting to see a turn-around in that performance.

Ms Castley: You are not, though.

MS STEPHEN-SMITH: We absolutely are. That data is currently internal data. We are starting to see that turning around, but over the time period that she is talking about, yes, those numbers on the waitlist have increased. I absolutely recognise that. I always have; I have never denied that. There are many reasons for it, but the planned care changes that we are implementing—the exact changes that she is complaining about—are what are now starting to drive a turn-around in those numbers.

MR COCKS: Minister, why do you keep claiming that you are doing so well, when the data and the lived experience of so many patients and health workers says the opposite?

MS STEPHEN-SMITH: Again, I say to Mr Cocks that the data does not say the opposite. For a long time, those opposite focused on emergency department performance, but now that that has turned around, they are not talking about that anymore, because they cannot make the case—although Ms Castley did this morning—

Ms Castley: I have a point of order on relevance. We are not asking about emergency. There are specific details here that the minister is refusing to accept as the truth. Mr Speaker, can you please ask her to answer the question with regard to elective surgery, and does she actually believe this is getting better.

MR SPEAKER: I think the minister is getting to the answer. She had only just commenced.

MS STEPHEN-SMITH: Thank you for the interruption and the point of order, Ms Castley, because it has given me the opportunity to find the data that I was talking about. In the ACT, the public elective surgery waitlist census, month by month, has shown that between December 2024 and March 2025, we have seen a reduction of more than 500 in the number of people waiting for elective surgery in the ACT.

Legal Aid ACT—conduct

MS MORRIS: My question is to the Attorney-General. In annual reports hearings, the CEO of Legal Aid ACT, Dr John Boersig, said the employment of Bradley Burch, aka Sexton, a convicted child sex offender, was the result of “human error”. Minister, whose

human error was this?

MS CHEYNE: I do not think I am at liberty to say. I think Dr Boersig has answered this question sufficiently—that this was a genuine mistake. It is not within the scope of my responsibilities to reveal the name of any member of staff.

MS MORRIS: Minister, given Bradley Burch openly declared he had unspent convictions, yet was still employed by Legal Aid without a returned police check or a Working With Vulnerable People check, will those responsible for his employment be held to account?

MS CHEYNE: I have full confidence in Dr Boersig's handling of the situation and his management of it. I have received a briefing in relation to the steps that he has taken. I have nothing further to add.

MS BARRY: Minister, if Legal Aid's safeguards were so easily bypassed by a convicted child sex offender, why should Canberrans have confidence that another predator would not slip through the cracks?

MS CHEYNE: Firstly, in the last sitting, we passed a piece of legislation that created further safeguards to stop something of this nature occurring again. Secondly, I know that Dr Boersig has reviewed in detail what happened. I have confidence in Legal Aid ACT's processes.

University of Canberra—courses

MS CLAY: My question is to the Minister for Skills and also for planning—

Mr Pettersson: Sorry, for who? For planning?

MS CLAY: We can just run with skills. It is about the skills for planning. For our new planning system to deliver the best outcomes we need the best qualified people. The Planning Institute of Australia has highlighted that there is a national shortage of planners which has been compounded by universities, including the University of Canberra, closing planning programs. What impact will this shortage of planners have on our ability to deliver good outcomes in our new planning system?

MR PETTERSSON: I would like to thank the member for the question. I will have to take it on notice. The references in the question are to the university sector, which does not fall within my portfolio responsibility. There are some broader workforce strategy questions, none of which I have been briefed to, so we will take that on notice.

MS CLAY: Minister for you or whichever minister brings the answer back, have you spoken to UC about the decision to close the planning course and what was the outcome of those discussions?

MR BARR: For the benefit of Ms Clay, higher education sits with me, the universities; skills and TAFE sits with Mr Pettersson, and Mr Pettersson is not the planning minister. The planning minister is Mr Steel. So that is why there was a degree of confusion. In relation to course offerings of the University of Canberra, members would be aware the

university is going through a process of financial consolidation and so its course offerings need to reflect its student demand, its available teaching resources and its financial position.

Transport Canberra—MyWay+

MR BRADDOCK: My question is to the Minister for Transport. The government submission to the MyWay+ inquiry says:

Of note, preparation of a Privacy Impact Assessment post Go-Live was considered acceptable given the proven overall data security of the system.

Was the Labor government made aware of risks around private personal and payment information prior to the MyWay+ system going live?

MR STEEL: Well I thank the member for his question and I want to reiterate before I go to the detail of the question that to date there have been no recorded data breaches of the MyWay+ system. And the ACT government was proactive in identifying cyber security risks for the MyWay+ project and that is why Transport Canberra and City Services engaged CyberCX, a nation and international leading cyber security firm, in September 2024 prior to Go-Live to conduct cybersecurity risk assessment on the MyWay+ system prior to its public release.

So that resulted in a treatment implementation plan to enable the reduction of risk to a medium level for any risks that were identified as part of that. So we have been proactive in identifying the cyber risks and there have been no breaches.

MR BRADDOCK: When will the findings of this privacy impact assessment be made public?

MR STEEL: I will take the question on notice. As the member is aware, we do have a responsibility in relation to vulnerable disclosure and the broader sector takes that responsibility on as well. That means that we have to be careful about revealing any vulnerabilities publicly that have not yet been addressed. So I will check whether there have been any of those issues in that report when it comes forward, and I will respond on notice with any further information that I can.

MS TOUGH: Minister, what benefits has MyWay+ brought to the community?

MR STEEL: I thank the member for her question. It has brought significant benefits for the community in enabling people to tap on and off with their credit and debit cards which they could not do under the old system. It is an account based system, which the old MyWay system was not, and that means that people can manage their account and the range of the of different payment methods that are available that can be attached to that account.

Of course, people do not need to establish accounts to engage with the system, they can simply buy a travel card, similar to the old MyWay system, from one of the many vendors around the ACT, get their concession card if they are a concession holder and use public transport. We have seen the benefits already across the system with the most

frequent use of the system being through the use of debit and credit cards, which was the purpose of the procurement that we undertook of this system. It is delivering the benefits that we expect and we expect further benefits to be realised as we continue to improve the system.

City Police Station—maintenance

MS MORRIS: My question is to the Minister for Police. Minister, with raw sewerage once again leaking into the City Police Station last week, can you explain how this disgusting situation reflects anything other than a total neglect of our police?

DR PATERSON: I thank the member for the question. There have been ongoing rectification works at the ACT's City Police Station and liaison with plumbers to identify and fix this ageing sewerage infrastructure for the last few months—again, in relation to the leak that happened at the beginning of the year. Exploratory work was completed, and no officers were required to be moved while this work occurred. The rectification work for the current issue commenced yesterday. There will be some minor impacts on work areas, but public access to the station and the ACT Watch House will not be affected.

MS MORRIS: Minister, how long do you expect frontline officers to keep risking their health in these squalid conditions while you and your cabinet colleagues enjoy clean, well-maintained offices, given these issues are very longstanding and occur over and over again?

DR PATERSON: I thank the member for the question. That is exactly why this is a priority for the ACT government. Both the ACT City Police Station and the ACT Policing Headquarters are critical infrastructure assets that support ACT police services. The 2023-24 budget allocated \$3.464 million over two years for a comprehensive feasibility study and business case for a new ACT Policing Headquarters and City Police Station. This work is currently underway, and I look forward to coming to the Assembly with updates.

MS CASTLEY: Minister, why was the City Police Station not closed as unfit for purpose given that this was the government's stated reason for closing the Burrangiri respite centre and the City Police Station is in a much worse condition?

DR PATERSON: There is a plumbing problem, and there is a plumber there at the moment that is fixing a plumbing problem in one pipe.

Light rail stage 2A—construction impact

MR MILLIGAN: My question is to the Minister for Transport. I have spoken to many businesses on Bailey's Corner that have told me there is inadequate access for deliveries, caused by road closures and removal of loading zones from the east side of London Circuit. What is government doing to ensure there is appropriate access for deliveries to these businesses that operate out of Bailey's Corner?

MR STEEL: I thank Mr Milligan for his question. There has been extensive engagement with Infrastructure Canberra, which is delivering the light rail stage 2A

project with Canberra Metro, in relation to the disruption that results from that project for, particularly, businesses along the alignment and on the eastern side of London Circuit between Northbourne Avenue and Theatre Lane. Those discussions have been occurring in a range of different ways, and Infrastructure Canberra has been responsive to the issues being raised. Some of those issues do relate to access to the area for deliveries, and Infrastructure Canberra is working through a range of ways that those deliveries can be provided so that those businesses can continue to operate. I am happy to provide some further detail of that on notice, perhaps a map of the specific areas that they are proposing.

MR MILLIGAN: Minister, how much notice was provided to businesses on Bailey's Corner that the east side of London Circuit would be closed for two years?

MR STEEL: I thank the member for his question. Discussion first began, of course, with the works approval and development application process in 2023. The documentation was publicly notified and in the case of the works approval was on public exhibition. That included detailed plans showing that the stage 2A of light rail would incorporate upgrades to the eastern side of London Circuit, and the community was engaged to have their say through that process. It was clear to the community in 2023 that the government was proposing to undertake public works in the public realm on the eastern side of London Circuit.

Further to that, the ACT government engaged, from last year, with businesses in relation to the specific works that would be undertaken based on those plans. The program of works will differ during the construction program, and we will keep businesses up to date to make sure they are aware of changes to the construction footprint and how it might affect their businesses. The construction continues.

MS CASTLEY: Minister, why does it take two years to augment stormwater and improve footpaths and cyclone infrastructure on the east side of London Circuit?

MR STEEL: These are substantial works. It is a complete redesign of the intersection at Northbourne Avenue and London Circuit, not just to enable light rail but to implement a brand new intersection format, which does include safe cycle infrastructure consistent with our best practice design guide for streets and intersections. There are also some benefits in terms of landscaping and paving and so forth that will be undertaken on the street. In the long term, this will provide the benefit of an improved public realm for the businesses that operate around there. We have already seen the benefits of stage 1 in terms of the improved public realm around the Alinga Street stop and Northbourne Avenue. We want to make sure that the rest of the streetscape adjoining that area is of the same high-quality standard that will promote business, and people using those businesses, into the future.

Gender equality

MS TOUGH: My question is to the Minister for Women. Minister, the 2025 ACT Women's Awards were presented last week just before International Women's Day. What is the significance of the award in promoting gender equality in the ACT community?

DR PATERSON: I thank the member for the question. The ACT Women's Awards are awarded to women, including trans and gender diverse people, who have demonstrated an outstanding contribution to improving the status and lives of women and girls in the ACT. Each year the awards recognise an ACT Woman of the Year, an ACT Young Woman of the Year and a Senior Woman of the Year. The awards celebrate and elevate the often-unseen work that women do in our community to build connections, create opportunities for women and girls to participate in diverse areas of society, and to empower action on gender equality initiatives.

The work of all the nominees contributes to promoting gender equality in the ACT. Recognising and celebrating this work is a public way to challenge us all to consider how we can contribute to addressing the ongoing barriers faced by women and girls. The awards also highlight the issues facing women and girls through the important work being undertaken by all nominees.

MS TOUGH: Minister, what contributions have this year's award-winners made?

DR PATERSON: This year's award-winners are all remarkable women, and I feel very lucky to have had the opportunity to get to know them and the incredible work that they do. Anjali Sharma, our Young Woman of the Year, is a brilliant and committed climate change activist, law student and leader. In 2021, she was the lead litigant in a court case seeking to establish that the federal government had a duty of care towards future generations. She coordinated the Melbourne school strike. She currently works to develop the capacity of other young women as climate activists in the ACT through her duty of care campaign.

Jayanti Gupta, is the 2025 ACT Senior Woman of the Year. She is the founder of the Integrated Women's Network, which delivers health and wellbeing workshops and International Women's Day events. She also presents the weekly *Gender Equity Matters* radio program on 2XX, which highlights issues relating to gender, women and girls in the ACT.

Lauren Cannell is the ACT Woman of the Year. She leads Educacion Diversa, an international not-for-profit organisation working in the ACT and internationally. Educacion Diversa provides free, inclusive, art-based education for children and young people to promote their understanding of human rights, sexual and reproductive health and gender-based violence.

MR WERNER-GIBBINGS: I have a supplementary question. What are the government's priorities to improve outcomes for women and girls in the ACT?

DR PATERSON: I thank the member for the question. I am very committed to ensuring the government is working to promote gender equality across all facets of society. This work is guided by the ACT Women's Plan. The annual reporting against actions of the third action plan under the Women's Plan was published last week, and it is heartening to see the significant progress we have made in implementing these actions. Some of these include improving the approach to perinatal mental health screening; completion of the ACT's first eating disorder clinic; and increasing the availability of programs and services for women in custody at AMC.

The government is also committed to implementing the recommendations of the *Long Yarn* report to progress key actions which the community have identified will contribute to improved outcomes for Aboriginal and Torres Strait Islander women and girls at risk of violence. We are also implementing recommendations of the sexual assault police review to improve justice responses to sexual violence, which we know is statistically more likely to affect women and girls.

The ACT government is also working to remove barriers to women's participation in society through programs such as the free three-year-old preschool program, which will be expanded to two days per week. The free period products roll-out continues, ensuring access to essential products across the ACT and a range of public locations. This broad range of activities across multiple portfolios and policy areas are part of a coordinated strategy to achieve gender equality in the ACT.

Pest control—termites

MR MILLIGAN: My question is to the Minister for City and Government Services. Many residents have raised concerns regarding termite mounds on public land near their homes. The City Services website states:

Where a pest controller locates a nest—

that is, a termite nest—

on public land within 60 metres of a residence, the ACT Government will be responsible for the cost of the inspection and the destruction of the nest. The pest controller must obtain permission from the ACT Government to destroy the nest. The pest controller must provide a ... quote ... If the quote is acceptable, the ACT Government will contract the pest controller to undertake the work.

Minister, if the quote provided by the pest controller is not approved, who carries out the destruction of the termite mound?

MS CHEYNE: I do not know. I would refer Mr Milligan to the top line item on the web page that he is quoting from, where it says:

The new updated Termite Inspection Policy is expected to be released to the public in April 2025 and the new procedures will be activated at this time.

So I assume that whatever the answer might be, it may also be about to change. I will do my best to provide the most fulsome answer I can, but I will have to take it on notice.

MR MILLIGAN: Minister, is the government actively looking for termite mounds on public land or is it up to residents to report termite mounds via Fix My Street?

MS CHEYNE: It would be a combination of both. It is not just City Services; of course, we also have the Parks and Conservation Service. In some cases, termite mounds are welcome in our ecosystem. I appreciate that they are not welcome near homes. This is the reality, and, if you are going to lecture me on treating this seriously, maybe you could too.

MS CASTLEY: Minister, what consultation has been conducted with residents with regard to the upcoming termite inspection policy?

MS CHEYNE: I will take that on notice.

Mr Barr: I won't make a mountain out of a molehill! All further questions can be placed on the notice paper.

Papers

Mr Speaker presented the following papers:

Bills, referred to Committees, pursuant to standing order 174—Correspondence—

Bills—Not inquired into—

Better Regulation (Repeal of Legislation) Bill 2025—Copy of letter to the Speaker from the Chair, Standing Committee on Social Policy, dated 11 March 2025.

Better Regulation Legislation Amendment Bill 2025—Copy of letter to the Speaker from the Chair, the Standing Committee on Environment, Planning, Transport and City Services, dated 14 March 2025.

Crimes Legislation Amendment Bill 2025—Copy of letter to the Speaker from the Chair, the Standing Committee on Legal Affairs, dated 12 March 2025.

Tobacco and Other Smoking Products (Vaping Goods) Amendment Bill 2025—Copy of letter to the Speaker from the Chair, the Standing Committee on Social Policy, dated 14 March 2025.

Standing order 191—Amendments to:

Crimes (Child Sex Offenders) Amendment Bill 2025, dated 12 and 13 March 2025.

Justice and Community Safety Legislation Amendment Bill 2025, dated 12 and 13 March 2025.

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

Auditor-General Act, pursuant to section 21—Auditor-General's Report No 11/2024—Governing boards of selected ACT Government entities—Government response, dated March 2025.

Public Accounts and Administration—Standing Committee—Report 1—Inquiry into Appropriation Bill 2024-2025 (No 2)—Government response, dated March 2025.

Subordinate legislation (including explanatory statements unless otherwise stated)

Legislation Act, pursuant to section 64—

City Renewal Authority and Suburban Land Agency Act—City Renewal Authority and Suburban Land Agency (Draft Revitalisation Plan) Approval 2025, including a regulatory impact statement—Disallowable Instrument DI2025-27 (LR, 14 March 2025).

Integrity Commission Act—

Integrity Commission (Acting Commissioner) Appointment 2025 (No 1)—Disallowable Instrument DI2025-15 (LR, 5 March 2025).

Integrity Commission (Commissioner Selection Criteria and Process) Determination 2025—Disallowable Instrument DI2025-12 (LR, 27 February 2025).

Remuneration Tribunal Act—Remuneration Tribunal (Fees and Allowances of Members) Determination 2025—Disallowable Instrument DI2025-14 (LR, 27 February 2025).

Retirement Villages Act—Retirement Villages Amendment Regulation 2025 (No 1)—Subordinate Law SL2025-1 (LR, 27 February 2025).

Road Transport (General) Act—Road Transport (General) Application of Road Transport Legislation (Manuka Oval) Declaration 2025 (No 1)—Disallowable Instrument DI2025-13 (LR, 17 February 2025).

Early childhood education—out-of-hours care

MS TOUGH (Brindabella) (2.58): I move:

That this Assembly:

(1) notes that:

- (a) the first five years of a child’s life is critical to brain development;
- (b) high quality early childhood education and care play a critical role in supporting children to learn and grow;
- (c) preschool programs help children learn through play and activities to develop language, thinking, physical, social, self-regulation and problem-solving skills;
- (d) research shows that children who participate in quality preschool programs are more likely to be ready to start school;
- (e) higher levels of educational success, employment and social skills have been linked to participation in quality early childhood education;
- (f) early childhood educators and preschool teachers play a vital role in the education of young children and are a critical workforce;
- (g) the ACT Government is providing Canberra three-year-olds with up to 300 hours of free preschool;
- (h) the ACT Government provides 30 hours a fortnight of free public preschool to all four-year-olds in the year before they start school, either in the form of a three-day/two-day split over the fortnight or 2.5 days a week;
- (i) families often find it difficult to manage the preschool year balancing the hours of preschool with work and responsibilities; and
- (j) many children attend both a public preschool and an early childhood education and care service, or choose to attend a non-government run early learning centre with extended hours to allow parents to balance work and care responsibilities while giving their children access to high quality preschool programs;

(2) further notes that:

- (a) the ACT is trialling outside of school hours care provided by external providers onsite in public preschools;
 - (b) access to outside of hours care for preschool students should not be determined by where they live and the services available in their preschool catchment area; and
 - (c) ACT Labor committed at the election to work with the preschool sector to roll out supervised before and after preschool care at public four-year-old preschools; and
- (3) calls on the ACT Government to:
- (a) start engaging with the early childhood education sector, parents and preschools to explore what is needed to expand out of hours care for families;
 - (b) explore options to expand out of hours care for all preschool students either onsite in preschools and/or through external outside of school care providers co-located or located close to preschools, such as those providers already providing outside of hours care to primary aged students; and
 - (c) report back to the Assembly by the first sitting week of 2026.

It is a truth universally acknowledged that the preschool year is the worst year for families. For full disclosure, my family has just started the preschool year, so I probably have a bit of a vested interest in this. Why is it so hard for families to navigate preschool?

We know that most brain development occurs in the first five years of life. We know children who experience high quality education and care have improved social and economic outcomes when they are older, and we know that, when disadvantaged children are able to attend preschool and high quality early education and care, issues that are often prevalent, such as learning delays, repeating grades and not finishing school, are more easily addressed early, leading to better outcomes.

I am proud to be part of a government that has provided public preschool since 2008 as part of the National Partnership Agreement on Early Childhood Education. Families these days in the ACT can access 30 hours a fortnight of public preschool at one of 76 preschools operating across the ACT, either in a three days, two days split across a fortnight or 2½ days a week. This is not always convenient for working families who have often spent the years before accessing early childhood education and care in centre-based long day care that they could access up to five days a week, often 11 hours a day.

Many parents end up juggling preschool while still accessing a long day care centre, accessing a combination of a public preschool and a non-government early learning centre with a preschool program, or using a non-government early learning centre to access a preschool program, often at a significant cost that families were not necessarily counting on in the preschool year.

I know of some long day care centres across Canberra that will take kids to a public preschool and pick them up in the afternoon. Instead of just accessing preschool, you can drop your kid at their ordinary long day care. That centre will then walk them to a

preschool, pick them up at the end of the day and bring them back, and the parents can collect them from the centre. But that still requires the parents to pay for a full day of care and take a spot at that centre that could be accessed by another child, even though their child is there for only an hour or two in the morning and afternoon. I know of some centres where preschool students do a 2½ day week. On the half day, their parents will duck out of work at lunch time, pick them up from preschool and then drop them over at the centre, or vice versa; but, once again, this is using a place that another student could use.

I also know there are some preschools across Canberra where students are able to access offsite outside-of-school-hours care or even onsite outside-of-school-hours care, along with primary school students or just their fellow preschoolers. In the last term, the government started a trial of outside-of-school-hours care provided by external providers onsite in public preschools. We took to the election a commitment to roll this out further, which I personally think is one of our best commitments.

Access to outside-of-school-hours care for preschool students should not be determined by where a student lives, and children should be able to access early childhood education and care, including preschool, with minimal disruption to their day. Being a preschooler is hard enough without needing to be moved around all day for care. I know that my kid loves routine. The more disruption there is in a day, the harder it can be for kids to feel settled and know what is going on.

Particularly over the past year, my family has grappled with how to deal with the preschool year. I have talked to colleagues, constituents and many other people. I have spoken to so many families whose kids struggle with multiple care arrangements during the week. That is why many families continue to access costly early childhood education services or enrol their kids in non government-run early learning centres that have built-in before- and after-school care onsite. Often these parents have no intention of accessing non-government schooling later in their child's life, but many end up staying in that system once they are used to it.

We know that in the ACT the weekly cost for 50 hours of government subsidy-approved childcare services is the highest of all jurisdictions across Australia. An ACT family accessing full-time care in a long day care service has an average weekly cost, before CCS, of \$760 a week. Nationally, the average is \$668 a week. That is quite a significant difference for families.

I welcome the work the ACT government started last term and will continue this term, particularly around preschool for three-year-olds. Children in the ACT now have access to 300 hours a year of free preschool in centre-based care. As someone whose family benefited from that, I saw the difference it makes, and I know, from talking to other families that access this care, the benefits in the development of three-year-olds by having a preschool teacher onsite one day a week. I am really looking forward to this being extended to two days a week.

To add to that, if the Albanese Labor government are re-elected, they have promised that we will see the removal of the activity test for access to CCS for three days of care a week. The activity test can significantly impact a family's ability to access care and can really disadvantage already vulnerable kids who would significantly benefit from

access to high quality early education and care.

In addition to the cost of early childhood education and care, we saw on *Four Corners* last night what is happening in the sector, particularly in the for-profit run services. This is not reflective of the full sector. However, what we saw last night was shocking. Having already brought to the attention of this Assembly the behaviour of Genius Childcare on more than one occasion, the more widespread behaviour of shirking responsibility and putting profits above children is really shocking to see. That it is why a strong early childhood education and care sector and preschool is so important for our children's future.

I acknowledge the work that so many wonderful early childhood educators and teachers do, as well as the staff in centres. They are wonderful people. Just a small number of staff commit atrocious behaviour and bring a bad name to all workers in the sector. I feel for early childhood educators, teachers and staff this morning who would be feeling a mix of so many emotions, having watched *Four Corners* last night or heard reports of what was on the program and knowing that it is not what is happening in their centre. I want them to know that I really do support the work of early childhood educators.

As a society, we need to move past the idea that the best place for a young child is at home with their mum all the time. Having taken a year of maternity leave, that year with my son was one of the best years of my life. I thoroughly enjoyed it. It is important that families can choose the care they want for their children. As a society, we need to move past the notion that the only option is for kids to be at home with their mums and that anything outside of that is a deviation from the norm. We do not make it easy to do that. I want to put on the record that, as a society, we need to have more support for families to do what is right for their family in accessing care, because we know the benefits of early childhood education. We know that good quality early education and care can pick up issues that might be in the home that would not otherwise be spotted by services. We know that high quality early education and care can pick up where there might be family and domestic violence, where there might be child abuse, or where there might be other things going on. It might be that additional support is needed for children who are neurodivergent and their families have not picked up on it.

There is a really important role for good quality early education and care in this country, and preschool is part of that. Ensuring preschools have wraparound care onsite is so important for children to fully access preschool without it causing stress to their families. The easier we can make it for families to access preschool and early childhood care the better for students and their families.

For families who attend preschool with a three-day, two-day split, parents often have to find care for the third day each week so they can work the same pattern of work each week. This means that students often do not attend the third day at all, because that is just easier. It is the same for students whose preschools run for 2½ days a week. Often that half day is impossible for parents to navigate, so we have kids missing out on the full preschool program because it is just too hard for families to organise. Where there are wraparound services, they are not always accessible to kids who have a 2½ days a week preschool arrangement.

The ACT—and I am proud of this—is always leading the way for early childhood

education in Australia. That is something we should all be really proud of. But I think it is time we looked at how preschool can be improved to ensure families have access to before- and after-school care, wraparound care, where families need it. So I am calling on the government to engage with the sector to see what can be done to ensure that where a family lives in Canberra does not impact the services that are available to their family. Everyone should have equal access to care.

I close by thanking members in the chamber for engaging with this motion. It has been great to be collaborative and hear everyone's views on what we can have to make this a stronger motion, so I thank them. I look forward to seeing the amendments come to the floor. I commend the motion.

MR HANSON (Murrumbidgee) (3.08): by leave, I move the amendments circulated in my name together:

1. After paragraph (1)(j), insert the following new paragraphs:

“(k) the Report on Government Services 2025 shows that the ACT weekly cost of 50 hours of government CCS approved childcare services is the highest of all jurisdictions in Australia. Across all areas for 2024, the ACT records a cost of \$760 a week for centre-based day care. This is compared to the national cost of \$668 a week (almost 14 percent higher). For the ACT, this is an increase of \$150 from \$610 in 2015;

(l) the Report on Government Services 2025 outlines the Serious Incidents per 100 National Quality Framework (NQF) approved services for 2023-24. The ACT is recorded to have 235 incidents across all service types, the highest out of any jurisdiction in Australia. The national figure is 148.1. For 2022-23, the ACT had a figure of 189.8, an almost 24 percent difference;

(m) on December 16 last year, *The Canberra Times* reported that childcare centres are choosing not to opt into the federal government's \$3.6 billion grants program to fund pay rises. They reference that the grants are supposed to cover at least 20 percent of additional costs, but the sector reports that they do not cover actual costs;”.

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

“(3) calls on the ACT Government to:

(a) start engaging with the early childhood education sector, parents and preschools to explore what is needed to expand out of hours care for families;

(b) explore options to expand out of hours care for all preschool students either onsite in preschools and/or through external outside of school care providers co-located or located close to preschools, such as those providers already providing outside of hours care to primary aged students and current Early Childhood Education and Care (ECEC) providers;

(c) in examining the suitability of options to expand out of hours care for all preschool students, address:

(i) why ECEC services in the ACT are the most expensive in the

- country and how government will ensure the ECEC services engaged to provide out of hours care for preschools are affordable for families;
- (ii) why the ACT has experienced the highest number of serious incidents in ECEC centres in the country, why the number of incidents is increasing so significantly and how the government plans to reduce the risk of such incidents occurring;
 - (iii) how many ACT ECEC providers, including out of hours care providers are currently participating in the federal government's \$3.6 billion grant program, and if not, why not; and how it interacts with the ACT government's three-year old pre-school program, and
- (d) report back to the Assembly by the first sitting week of 2026.”.

At the outset, I thank Ms Tough for bringing this motion before us today and indicate that the Canberra Liberals will be supporting it. It certainly raises important points in what I think we all agree is an important area.

I have moved some amendments to ensure that the motion is as complete and constructive as possible. Also, I acknowledge the negotiations that were had, particularly with Ms Tough and Miss Nuttall. I think we have reached a position where all the parties are happy with the outcome today. I understand that there will also be a minor amendment from Ms Carrick, which we will support.

I would like to touch on the areas that I have included in my amendments and why I believe they are important to include in this motion. The motion, as circulated, notes:

families often find it difficult to manage the preschool year balancing the hours of preschool with work and responsibilities ...

Many of us understand those difficulties. I have been a parent with two children and a working wife in the federal public service, balancing before- and after-school care. It is difficult. I acknowledge that parents should be in a position where they can make that choice. I agree with Ms Tough on that. Some parents want to keep their kids at home. That is great, and we should make it as easy as we can for those parents, but, equally, other parents—often driven by having to pay a mortgage and meeting costs—do not have the choice. That is certainly the circumstance that we found ourselves in. As an aside, when I found myself in that situation, I did some research on whether child care was good or bad, and the conclusion I came to was that good child care is good and bad child care is bad. The quality really matters. So, if we can get that right, it really does make a difference.

There are a number of issues confronting parents who need child care and after-school care services in the ACT, and one of them is cost. The cost for services in the ACT is the highest in Australia. The *2025 Report on Government Services* shows that the ACT has the highest median weekly cost for 50 hours of government-approved childcare services across all jurisdictions. In all areas for 2024, the ACT records a cost of \$760 a week for centre-based day care, and this is compared to a national cost of \$668 a week. It is almost 14 per cent higher. That is an increase of \$150, from \$610 in 2015. So, if

we are going to talk about access and equity, we must include the barrier due to cost.

As reported on 11 February this year, Canberra parents face the highest childcare fees in the country and spend a larger portion of their disposable income on child care compared with other states. We have to face these facts. Why are Canberrans paying \$100 more for the same service as families in New South Wales? Why has it increased so much when other jurisdictions have not had the same increase? There are vital factors that need to be included in this motion—and I am glad that they will be—so that we can understand the environment that parents face in supporting their kids.

The second issue is critical incidents. Again, the ACT has the worst outcomes of anywhere in the country. The *2025 Report on Government Services* outlines serious incidents per 100 in National Quality Framework-approved services for 2023-24. The ACT was recorded to have 235 incidents across all service types—the highest of any jurisdiction. We recorded an incident rate of 235 against a national figure of 148. For context, serious incidents are “anything that could seriously harm the health, safety and wellbeing of children. Examples include any incident requiring emergency services to be called, a child needing medical attention from a doctor or a child going missing.”

What is even more troubling is that this incident rate is increasing, and it has been increasing rapidly recently. In just the year prior, 2022-23, the ACT had a figure of 189.8, so it has gone up by about 24 per cent. It is important for us to understand: why has it increased; why do we have the highest level of incidents in Australia; and what are we going to do to address that? I am glad that will now be incorporated in the motion.

We also need to understand where existing programs are working well and where they are not working well. There are some issues being raised with some of the programs available, both in the ACT and federally. In September last year, the *Canberra Times* ran this headline: “‘Very disappointing’: centres pull out of free three-year-old preschool program”.

It reported that the Wattle Early Childhood Centre assistant director said:

“We decided to give it a go because the promise sounded good, great for families, great for the service,”

Further, the assistant director said:

“We decided to give it a go because the promise sounded good, great for families, great for the service,”

The article went on to say:

It wasn't long after the Lyneham centre joined the program that they started losing money through the scheme ...

The small, independent centre decided to pull the plug when it found in the second quarter of the year they were losing money for the majority of children in the program. For 12 of the 18 children who received the funding, it wasn't enough to cover the centre's expenses.

By the third quarter, every child on the program bar two was costing the centre money.

It is not just the ACT programs. The federal government has tried with a significant grant proposal of \$3.6 billion, but, again, it seems the offer was not being taken up. On 16 December last year, the *Canberra Times*, in an article headed “Childcare centres opt out of the Albanese government’s grant to boost wages”, reported:

Data provided to *The Canberra Times* shows just 15 per cent of early childhood education services had applied for a slice of the \$3.6 billion grant program ...

The grant is supposed to cover at least 20 per cent of these additional costs, but some say the formula being applied by the Education Department does not cover their actual costs. Wattle Early Childhood Centre in Lyneham has not applied for the worker retention grant because the community-run centre’s leadership team is not convinced it will be worth it.

The article went on to say:

“At the end of two years, there’s such an unknown,” Ms Webb said. She did not believe the formula being applied would cover Wattle’s costs.

“We have found that there’s a complete lack of information,” she said. “As an employer, we can’t take a risk.”

Other operators have shared concerns in the article, including Communities at Work. The ACT’s largest not-for-profit early childhood education provider has estimated that signing up for the grant would leave it about \$1 million out of pocket. These stories and others like them show how important it is to get the programs right and make sure they work in the real world. This matter is a welcome inclusion in the motion.

I am pleased that the three parties in this place and the independents have worked together to make sure that we have a way forward. I particularly thank Miss Nuttall and her staff and Ms Tough and her staff for considering the amendments. As well, there is support from Mr Emerson and Ms Carrick. As I mentioned before, Ms Carrick has an amendment to my amendment, which I believe we are all supporting, if we get it right.

We all agree on the importance of these issues. Many of us are parents and understand that, in the real world, it is a massive issue. There are matters of convenience, cost, trying to find centres that have places, and making sure that the care that is provided is quality care. It is a big issue for parents. In many ways, it would be the second order of magnitude in terms of cost and the pressure of housing. We all want to make sure that we are doing the best we can for the kids in Canberra and their parents.

Again, I thank Miss Tough for bringing this motion before us and I thank those opposite for their input. I commend the motion, hopefully as amended, to the Assembly.

MS CARRICK (Murrumbidgee) (3.18): I support this motion. I move an amendment to Mr Hanson’s amendment:

Omit paragraph (3)(a), substitute:

“(a) start engaging with the early childhood education sector, parents and preschools to explore what is needed to expand out of hours care for families, including understanding parents and providers concerns about the preschool hours split process and how it interacts with wraparound care, and resulting issues.”.

The needs of preschoolers are different to children in kindergarten and primary school. There are different frameworks for them—the Early Years Learning Framework for preschool and My Time, Our Place for primary school—and include, among other things, different staff ratio requirements. Younger children have higher needs, necessitating higher staff ratios and appropriate infrastructure and equipment.

In addition, strong community partnerships are needed for success. Parents, carers and service providers need to be involved from the beginning. Often the split of hours for four-year-olds at preschool is difficult for parents. The 2½ days of preschool make it difficult to find out-of-hours care when parents have to pick up a child halfway through the day. Two and a half days of preschool make it difficult to expand out-of-hours care, and that should be considered as part of the report to the Assembly.

MISS NUTTALL (Brindabella) (3.19): The Greens support this motion. I would like to thank Ms Tough for bringing it forward. The expansion of early childhood education in Canberra is something that the ACT Greens have always been eager to see, and I am personally really invested in seeing it happen.

The calls in this motion are uncontroversial and very easy to support. Parents and carers of all stripes are going to benefit from the expansion of out-of-hours care in and around preschools. We live in a world where expecting all families to require early childhood education and care only between the hours of eight and four is not realistic. None of us work those hours. Early childhood educators do not work those hours, and neither do teachers, construction workers, nurses or retail and hospitality sector workers, among others. People work at night or have to work overtime. People might have commitments that, for a variety of reasons, do not accommodate the presence of small children. Importantly, we do not have a world in which everyone is in a traditional nuclear family where there is always a second parent—normally the wife—available to take care of a child if one parent is busy.

The ACT Greens are passionate proponents of a better funded, better supported and better equipped early childhood education and care system. That includes the out-of-hours care component that Ms Tough was discussing today. Across the early childhood education and care system, flexibility is essential to ensure that as many families as possible can benefit, and expanding hours is a really important start.

I moved a motion last year which explicitly called for more support and training opportunities to ensure that the number of educators providing these services are increasing and that they are well supported. Since that motion, the ACT government has committed to increasing funding for early childhood scholarships and financial supports aimed at promoting and retaining the profession, through the Early Learning Connection program which commenced in 2024. We are really excited about that.

Sadly, we have not seen an award increase from the federal government since my motion on this topic. On 8 August last year, the commonwealth government announced

the above award wage increase of 10 per cent and then 15 per cent over the next two years through a worker retention payment. Mr Hanson's amendments go to this point. The trouble is that it is administered through a grant. It is an opt-in process and risks deprivileging small and local not-for-profit providers, who may not always have the economy of scale to administer it. It is unclear to me whether the grants will continue after the two-year period. Any money towards the sector will have its use, but there is no substitute for an award wage increase that values what educators do and allows them to live, ideally comfortably, in a cost-of-living crisis.

To that end, any consultation with stakeholders on what can be done to make hours more flexible in that process and calling on federal colleagues to increase the award rate will always be important steps. Hopefully a strong and progressive crossbench with the balance of power at the federal level will be able to push that change along, but maybe that is just me manifesting.

My TLDR is that support for educators will need to be foundational to get this change through. We need to make sure that we are not taking a single person for granted and that every educator feels adequately trained, supported and paid for the work that they do.

The rate at which we roll out expanded hours in preschools should not be needlessly slow. We also cannot risk increasing hours provided faster than the workforce can keep up with. We will navigate that as we go. The wellbeing of students and their families will be directly impacted by how well we care for the people taking care of the children for four hours a day on most days of the week.

I would like to encourage the government to look back at the various supports I have advocated for in my early childhood education and care motion last year. I feel now, more than ever, that additional support for those trained to become early childhood educators is needed, especially when we are talking about bringing these providers into preschools. We need this sector to be as appealing to future educators as humanly possible. Unfortunately, as the Albanese government has made clear, they lack the ambition to make the job one in which people are paid properly for their work.

At this point, I would like to posit that the ACT Greens went to the previous election with a more ambitious platform for early childhood education and care than any other person here. We stand by the need to increase the number of hours of free early childhood education and care provided to three-year-olds, and we are glad there is a voice from outside the Greens joining in that call for an increase. Fifteen hours a week is a decent baseline, but the Productivity Commission has made it pretty clear that we will eventually need 30 hours a week of free early childhood education and care for three- and four-year-olds to be our ultimate goal. We were the only party calling for that long-term goal, to the best of my knowledge. Please correct me if I am wrong. We did manage to get it into our supply and confidence agreement with Labor.

I, of course, support the sentiment of this motion. I want to tease out some of the implications. Point 3(a) in both versions, I believe, calls on the government to start engaging with the early childhood education sector, parents and preschools to explore what is needed to expand out-of-hours-care for families. I would be pretty concerned if engagement with relevant stakeholders and families on expanding out-of-hours early

childhood education and care has not yet begun, given that this was a Labor election commitment. The current minister has been in charge of the education portfolio for almost a decade, and the Labor party, on the whole, has held the portfolio for the vast majority of the 21st century. If this work needed to be done, I would hope that there was political will within cabinet to lay the groundwork on consultation.

Considering the vast number of sensitive factors surrounding early childhood education and care and the minister's previous experience in the sector, I certainly hope that more than adequate consultation with relevant stakeholders has always been done. Indeed, if there is already a trial taking place, which would be good, I would certainly hope that stakeholder engagement has been undertaken in order to ensure that everyone is happy with the way it has been running.

I applaud Ms Tough for establishing herself as someone passionate about early childhood education and care, as both of her motions today are deeply rooted in care for that sector. I in no way wish to undermine the work that she is doing, but, as stated in my speech to her previous motion, I do wish that I was seeing more of the Labor party's policy in the form of bold and ambitious action from the minister as well. When we have offered our own suggestions to her on how the early childhood sector could be improved or prioritised, we have often been met with just a bit of pushback from the Labor government about things like the cost and staffing, and sometimes a vibe that we should just let them get on with it. I do appreciate it.

I am glad to see some pressure from within their own party for change. However, yet again, I would have loved to have seen this initiative championed by the minister herself, without the need for Ms Tough to spend one of her valuable handfuls of motions to pass it through. With that all said, if this is what we need to get a more flexible, inclusive and available preschool system in the ACT, it has my full support.

Just briefly, the Greens will be supporting Mr Hanson's amendments today and Ms Carrick's amendment to one of Mr Hanson's amendments. We would like to thank Mr Hanson for his constructive engagement on the matter. When it comes to early childhood education and care, we need to take our out-of-hours care offerings in the context of the whole sector and properly account for the challenges the sector has faced.

Affordability is a problem. That is one issue I heard from a lot of parents and educators on the campaign trail. Good quality early childhood education and care providers want to support staff and keep the costs down. They work bloody hard to do this. I have spoken to so many brilliant not-for-profit providers who do everything they can to make sure children, their parents and their educators are all as supported as humanly possible.

The increase in serious incidents in this sector is alarming and deeply frustrating to the vast majority of providers, who are at pains to do the right thing by their communities. Ms Tough made this point earlier very well. We saw on *Four Corners* just yesterday how serious some of those incidents are. Fixing our national law to manage those risks is a whole other conversation. But, if we want to understand how to manage that risk of serious incidents when we expand our out-of-hours care offerings in and around preschools, we need to understand why these incidents occur and what government can do to stop them.

Like I and other members have mentioned previously, we also need to look at why uptake of the early childhood educator retention grants are not being taken up. The last thing we want to see is an excellent not-for-profit provider, who would otherwise be really well-positioned to expand out-of-hours offerings at a preschool, not being able to access a grant that would support them to sustainably pay their staff well.

All of that being the case, I would like to reiterate that the ACT Greens are firmly supportive of Ms Tough's intent—that the ACT government expand offerings for out-of-hours care and that they should work very closely with the early childhood education and care sector to make sure that this rollout is smooth, affordable and meets the needs of students, parents and educators. I commend Ms Tough for her motion.

MS BERRY (Ginninderra—Deputy Chief Minister, Minister for Education and Early Childhood, Minister for Homes and New Suburbs and Minister for Sport and Recreation) (3.28): I thank Ms Tough for bringing this motion to the Assembly today. Early childhood education is a matter close to my heart, and I am really happy that we have the chance to talk about it in the chamber today. Most people in this place will know I have spent most of my working life advocating for decent wages and quality and accessible early childhood education and care. So having another opportunity to talk about early childhood education and care services in the ACT is something that I have been grateful for. So I again thank Ms Tough for bringing this into the Assembly.

It is nice to have other people who are as passionate about this subject as I am advocating for even better services for families and for educators in the ACT. It is why I was so proud in 2020 to launch our early childhood strategy, Set up for Success. It is a nation-leading plan, and it is founded on the ACT government's commitment to ensuring that every child has a fair start to life.

High quality early childhood education plays a critical role in supporting children to learn and grow. It is brain building on a mammoth scale, when you consider that 90 per cent of a child's brain development occurs in the first five years. Under Set up for Success, the ACT early childhood strategy, the ACT government has a longstanding policy to increase access to out-of-school hours care for public preschoolers

I note Ms Carrick's amendment to the motion. She might be interested to learn that, in 2020, the ACT government delivered an OSHC for preschoolers trial for the first time in the ACT. We did it because we know it matters for families and it makes a difference to children.

I have been listening carefully to this sector, preschoolers and families about how we could expand this even further. Based on the feedback, the government last year published a guide to support public schools and OSHC providers to deliver a great OSHC program for preschoolers. When considering a new OSHC service for public preschool, the service and the school need to identify an environment that complies with the National Quality Framework; establish communication and information-sharing processes; and establish arrangements for space-sharing between the school and the OSHC provider. ACT Labor is committed—and we committed at the election—to expanding the number of public schools where OSHC is delivered to preschoolers during this term of government. I am looking forward to continuing this work with the sector to see this happen.

None of this, of course, would be possible without the dedication and skill of early childhood educators. I know some will be having mixed feelings following the reporting over recent days of incidents in some early childhood education and care services. These were appalling, absolutely, but they are by no means the norm, because I know that every day educators are working with and alongside children to support their learning, development and growth, and they do this with great passion and care. The work that educators do sets up children for lifelong learning and success. I welcome the support of everybody in this chamber in this ambition to expand OSCH for preschool, and again thank Ms Tough for championing this important issue.

Mr Hanson, I have good news for you. I can address some of the contents of your amendments to the motion right now and will not need to report back at a later date. They do not relate to OSHC for preschoolers, but rather the cost and quality of early childhood education and care more broadly. For the benefit of the Assembly and Mr Hanson, I will provide that report-back right now.

Early childhood education and care service in Australia is part of a market-based system. We have marketised the early childhood education of our youngest citizens. The relatively high cost of services in the ACT is driven by a number of factors: primarily, the ACT's high employment rates and incomes and relatively high property costs, as well as the geography of the ACT, which is unique in that we do not have low-fee regional services. We are one big city, if you like.

An additional factor attributing to the cost of services in the ACT is the way that the high cost of education and care for infants and toddlers is offset by the lower cost for four-year-olds. The ACT has significantly higher rates of infants and toddlers attending services. This impacts the centre's fee structure because of the educator-to-child ratio requirements and the impact that this has on staffing costs. The ratios are one educator to 11 four-year-olds, one educator to every five toddlers and one educator to every four babies. Can you believe that it used to be one per eight babies? It is unbelievable that anybody could have been able to manage that. In the ACT, four-year-old children have access to free public preschool for at least 15 hours per week, leading to a lower number of four-year-olds in the ACT non-government early childhood and education and care sector. This, in turn, impacts the fee structure of ACT early childhood education and care services.

In terms of incident reporting in the ACT, I can confirm that 886 serious incidents were reported in ACT services in 2023-24. These represent 235 notifications per 100 services, compared to a national average of 148 per 100 services. Although notifications are high, relatively few incidents are as a result of a breach of the national law. All notifications by services are assessed and triaged by the ACT regulatory authority, Children's Education and Care Service Assurance, CECA. CECA encourages ACT services to adopt a proactive reporting approach for serious incidents. While reporting of a serious incident is high, the vast majority of cases have been managed appropriately by providers. The high rate of reporting reflects the ACT sector's high level of awareness and compliance with the notification requirements. We want to see a culture of continuous improvement here in the ACT, and the stats are a promising sign of this.

I also wanted to briefly address Mr Hanson's concerns about the commonwealth government worker retention payment. When the worker retention payment was established by the commonwealth government, they tied payments to the childcare subsidy, which is not applied to children in the ACT government's three-year-old preschool system. This created concern among providers of three-year-old preschool in the ACT that they could not access the worker retention payment. The commonwealth government has subsequently clarified that, while the early childhood education and care service needs to be a childcare subsidy-approved service, the childcare subsidy does not need to be applied to the specific hours for that child, meaning the worker retention payment can be applied to three-year-old preschool. I also need to clarify to the Assembly that I cannot report on the number of services that are receiving the worker retention payment because it is a commonwealth government program, not an ACT one.

Thank you again to everyone who has engaged on this important debate. To return briefly to the topic of Ms Tough's motion, I am excited to see the continued expansion of OSHC for preschoolers, not only because it is more convenient for families but, critically, it also helps to build brains and our future. I will finish my speech today by saying thank you to Canberra's early childhood educators. I see you and I recognise your expertise.

MR WERNER-GIBBINGS (Brindabella) (3.36): I rise in wholehearted support of the motion put forward by Ms Tough, my esteemed colleague and fellow member for Brindabella. I thank very much the minister for her contribution, which really enlightened the Assembly, and also acknowledge the collegiate work that has been undertaken to get this motion to where it is.

Even though the Werner-Gibbings family is now one public school year plus half a public school term beyond relying on the critical importance of early childhood education in free public preschools—so helpfully outlined for the Assembly in this motion—I am nonetheless in special admiration of how clearly it makes the case for the steps we must take to support our youngest learners and their families.

The first five years of a child's life is crucial. We know this. We know this because we can feel it. We know this because we can see it. But, even more persuasively, we know this because we can measure it. The evidence is vast. The human brain is the only organ not fully developed at birth. At birth, the average baby's brain is about a quarter of the size of the average adult brain. It doubles in size in the first year and keeps growing to about 80 per cent of adult size by age three, and then, as the minister noted, 90 per cent by five. This is a period of breathtakingly rapid development. Brains develop more and more rapidly in this first half-decade than at any other time in our lives. At least one million new synaptic neural connections form every second, putting in place the framework for everything after—future learning, future behaviour, future health.

High quality early childhood education and care play a pivotal role in fostering this development. It is during these formative years that children develop essential skills such as language, thinking, physical coordination, social interaction, self-regulation and problem-solving. As noted in Ms Tough's motion, research consistently shows that children who participate in quality preschool programs are more likely to be ready for school. They exhibit high levels of educational success, better employment prospects

and enhanced social skills later in life. Speaking from a frustrated experience, it appears that these enhanced social skills sometimes take quite a bit longer to manifest than one would have hoped. But, regardless, it is imperative that we continue to invest in early childhood education and ensure that every child has access to high quality preschool programs.

I am delighted to be part of an ACT government that has made significant progress in supporting and expanding access to early childhood education. We provide Canberra's three-year-olds with up to 300 hours of free public preschool. Additionally, the ACT government offers 30 hours a fortnight of free public preschool to all four-year-olds in the year before they start school. These initiatives are commendable in every respect. They demonstrate the government's commitment to giving every child the best possible start in life.

We do, however, acknowledge that families often find it challenging to balance the hours of preschool with work and other responsibilities. Many children, including both my youngest son and daughter, attended a public preschool, as well as an early childhood education and care service that opened much earlier and closed much later than the preschool. Other children attend a non government-run early learning centre with extended hours as parents drag-race between work and care responsibilities while ensuring their children have access to high quality preschool programs. To make a guess, but I think an educated one, there would not be one parent in the ACT who would cavil at more options being available for out-of-hours care for their young children.

Investing in early childhood education is an investment in today and tomorrow. It is an investment that makes sense and will pay off in the short, medium and long term. By supporting this motion, we are maintaining a momentum towards ensuring every child in the ACT has access to high-quality early childhood education and care. We are also supporting families in balancing work and care responsibilities and, ultimately, contributing to a stronger and more resilient community.

MS TOUGH (Brindabella) (3.41): In closing, I want to thank everyone for supporting this motion and for such a productive debate around the amendments. It is really important for families and children to have access to high quality preschool and early childhood education and care. Thank you, Mr Hanson, Ms Carrick, Miss Nuttall and Mr Werner-Gibbins; and thank you, Minister Berry, for your and your office's engagement on this and for all the work you do in ensuring that ACT is always working towards ensuring access and quality in early childhood education and preschool.

I want to touch on a couple of things Miss Nuttall mentioned. As someone with a background in workplace relations, where I spent my career before joining the Assembly, I think it is really important to recognise that early childhood education and preschool staff are predominantly women. This means that they are usually award-reliant, because they are working in the care sector, which has lower bargaining power than many male-dominated industries and trade industries and even primary and high school teaching. So it is an area where workers are often more vulnerable, which leaves the sector and families more vulnerable, too, to market forces and what is going on around them.

I would also like to add that, although the wording in my motion says “start engaging”, I understand that the minister and the government are engaging. That was just me being really excited about the motion. I know that the government is engaging and knows how valuable preschool is and how important out-of-hours care is around preschool. So thank you, Minister, for talking about this and taking the lead on it.

I appreciate that the needs of early childhood education are different to school-based care—and thank you, Ms Carrick, for mentioning this when moving your amendment. It is why engaging with the sector, so that we can get the settings right, is so important, knowing that in early childhood education and care you have issues around nappies, food and things like that, whereas in preschool it is more of a school-based setting. So getting the mix of that and the support around it right is crucial for our kids, their families and for the broader community. By having access to high quality education at a young age—as I previously said and like Mr Werner-Gibbings touched on—we are setting up our youngest members of society for a bright future, but we are also reducing the stress faced by their families now. So, to me, that is a win-win for everyone—for children, for families and for society as a whole.

I thank you, Mr Hanson, for talking about your own experience in accessing early childhood education and preschool in your family and the decisions you made as a family in what was best to do. I am really proud that we are part of a parliament where we can openly talk about the struggles we all have in the real world and things that are happening in our lives outside this building, and take those struggles and what we have learnt to try to make it better and easier for the broader ACT community. I think it is really important that we are actually able to take what we go through and work together to make it better for everyone else.

I am delighted to see my motion supported. Thank you for everyone’s engagement from across the chamber, and thank you, Minister, for your continued support for Canberra’s children. I commend the motion.

Ms Carrick’s amendment agreed to.

Mr Hanson’s amendments, as amended, agreed to.

Original question, as amended, resolved in the affirmative.

Building and construction—regulation

MR CAIN (Ginninderra) (3.45): I move:

That this Assembly:

(1) notes that:

- (a) the ACT building and construction industry faces significant challenges, largely due to the regulatory burden imposed by the ACT Government;
- (b) building approval lead times have skyrocketed, with approvals now consuming 30 percent of some projects’ total budget;
- (c) the ACT planning system consistently frustrates and delays the building and construction industry, public servants, and the public, significantly

- driving up construction costs at all levels in the ACT;
- (d) the current workload for ACT building certifiers is unmanageable, leading to extensive project delays and cascading effects on project timelines and cost overruns;
 - (e) there are delays in the approval process by the Tree Protection Unit, with a standard seven-week turnaround time for projects with minimal impact on tree cover being unsustainable;
 - (f) the recent introduction of new pool fencing standards has caused widespread confusion among industry players as the standards are unclear, and there is insufficient guidance available to ensure compliance; and
 - (g) there are currently approximately 600 development applications, or amendments to development applications, being considered or under assessment by the Territory Planning Authority and awaiting decisions; and
- (2) calls on the ACT Government to:
- (a) engage in extensive consultations with ACT building and construction business owners and workers to reduce regulatory burdens, streamline approval processes, and rebuild trust in the regulatory system;
 - (b) introduce amendments to the regulatory framework for pool fencing to allow certification by licenced builders within this calendar year;
 - (c) commit to maintaining the current National Construction Code in the ACT without further changes for the remainder of the 11th Assembly;
 - (d) table a ministerial statement on the feasibility of automatically approving building approvals and development applications that are not responded to within statutory timeframes by the end of the financial year; and
 - (e) undertake an internal review of referral entities to address delays in providing decisions on building approvals and development applications and report back to the Assembly by the end of the calendar year.

I rise to speak to the motion circulated in my name calling for urgent reforms to the building and construction regulatory framework in the ACT. It is so important that we, as an Assembly, discuss this issue, which is crucial to the future of our building and development industry in the ACT.

The current approval process for building projects is lengthy and cumbersome. The current system not only delays the completion of important projects but also increases costs and creates uncertainty for builders, developers and the community at large. To quote local builder and leader of the Rally for Construction Reform, Mr Xavier Duffy: “The red tape is just killing us.”

Mr Duffy has been incredible in his recent advocacy for a streamlining of regulations in this space, highlighted by his Rally for Construction Reform in the ACT this morning outside the Assembly. The rally was held outside the members entrance and attended by a number of MLAs from across the chamber. I estimated about 50 people were in attendance—most of them trade, tradies, workers in the building industry, architects and those who had an interest in streamlining our regulatory scheme to make development happen faster in the ACT. His petition, titled Fix the ACT’s Broken

Construction Approval System, sponsored and presented by Mr Parton this morning, garnered 545 signatures, guaranteeing its referral to the Standing Committee on Economics.

Builders are clearly crying out for reform to streamline approval processes for things like building certifications, tree protections and pool fencing; yet are not being appropriately engaged by the ACT Labor government. Unfortunately, the building and construction industry has been treated with contempt by ACT Labor. Builders and workers are fed up with Labor's delays; they are fed up with the difficulties created by Labor's regulatory scheme; and they are fed up with not being listened to.

Here are some statistics to help emphasise the frustrating point that local builders have to experience every day. The number of building approvals in the ACT halved between 2023 and 24, according to ABS data reported in early this year. The median processing time for significant development applications has increased to 117 working days, which is 95 per cent higher than the target of 60 working days. The longest significant development application in 2024 took 192 working days. Nearly a third of all development application decisions are made outside of statutory timeframes in the ACT. Yet, despite all this, there are currently around 600 development applications or amendments to development applications awaiting decisions as of today—579 to be precise, according to the directorate's website. That is an unbelievable and despicable statistic.

It is almost like ACT Labor have forgotten that we are in the midst of a critical housing crisis, a crisis of housing affordability and supply, which is not helped by the delays, difficulties and deaf ears of this government. I quote the Executive Director of the Property Council ACT, Ashlee Berry, who was reported as saying in early 2025:

The current development approvals process, particularly delays at ACAT and within referral agencies, remains a significant roadblock to housing delivery.

Recent reforms are a welcome step forward, but they must be accompanied by clear accountability, streamlined processes, and ambitious timeframes so the system works for Canberrans—not against them.

That was the Executive Director of the Property Council ACT, Ms Ashlee Berry.

If these are the outcomes that were intended by the new outcome-focused planning system, then we have been sent up the garden path—and it is just not working. The regulatory scheme burdens builders and public servants alike. Excessive and unsustainable workloads for planning officials and building certifiers lead to inefficiencies, delayed approvals and cost overruns. ACT building certifiers, who are doing their best considering the heavy workloads they are encumbered with, inevitably delay projects and cause cost overruns.

TCCS, Evoenergy and Icon Water are notorious amongst those in the industry for holding up builds for extended periods of time. The lead times that these three vital agencies require cause significant delays to projects. TCCS requires a 15-day lead time for service adjustments or site inspections. Evoenergy requires a 30-day lead time for relocation of power or work near an easement. Icon Water requires a 30-day lead time for projects requiring asset location confirmation for things like water mains,

stormwater and sewer infrastructure. The Tree Protection Unit, while well-intentioned, requires 35 working days to provide approval for works near protected trees.

All in all, it has been reported to me that the absolute best-case scenario for a builder performing small to medium building works is to achieve a timeframe of between eight to 10 weeks from initial planning to building approval issuance. Realistically, factoring in delays, particularly for referrals, it is more likely to be 12 to 16 weeks. That is three to four months just to get the building approval—not project completion; just building approval. There is clearly something wrong with the ACT construction framework.

I am proud to be presenting this motion on behalf of these workers, business owners, subcontractors and families whose livelihoods are attached to the building and construction industry, particularly those small and medium operators, who are unlikely to be developers and are not as well-resourced with the people to do all of this processing. They are often doing this themselves while trying to be on the job with their tools.

Today, we are making enough noise to ensure that this ACT Labor government can no longer ignore them. On behalf of many concerned Canberrans—over 500, in fact—who want to see construction reform, this motion is calling on some simple changes to improve efficiency and effectiveness. We are calling for genuine consultation with the ACT building industry, which is essential to reduce regulatory burdens, streamline approval procedures and restore industry and public trust in the system.

We are calling on the government to develop amendments for licensed builders to be allowed to certify pool fencing, to address delays and provide commonsense outcomes. We are calling for a commitment to no changes to the National Construction Code as applied in the ACT unless these changes are significant and absolutely essential for the remainder of this term, providing relative stability and predictability for builders. And we are calling for a report by the minister on the feasibility of automatic approvals for development applications or at least a class of those not responded to within statutory timeframes. We are calling on a review of referral entities to ensure that they provide timely advice on applications.

I want to thank the various members that have engaged with me over the past few days in discussing this motion, particularly officers from Mr Steel's office, Ms Clay and her team, Mr Emerson and his team, and more recently Ms Carrick as well. I get the feeling that there is strong potential here for good, positive outcomes to come from this motion.

I want to thank Mr Duffy and Mr Parton for their community advocacy in this space over the past few weeks. By streamlining approvals and addressing the specific concerns of the building industry outlined in this motion, we can accelerate the completion of important projects, reduce costs and foster greater trust between the government, builders and the community. The sentiment behind this is obvious, and I encourage all my colleagues in this place to come together to help fix the ACT's broken construction system—no more delays, no more unnecessary difficulties, no more deaf ears.

As a result of extensive consultation over the past few days, I have reached a point where now I would seek leave to move an amendment, as circulated, to my motion.

Leave granted.

MR CAIN: As circulated, members will see that I am seeking to amend 2(c) to recognise something that I think is important—and, upon reflection, have come to see that as important. Obviously, changes to the National Construction Code are sometimes very much needed. They are merited in circumstances where perhaps there is a product issue arising or where there is a procedure or a technique being undertaken that might be risky to those doing that work. My amendment is to my own 2(c), which currently says to leave the current National Construction Code alone for the remainder of the term. My amendment—and, upon reflection, I certainly endorse my amendment to this—is that the changes to the code would need to be justified and absolutely necessary, because just changing the code a lot of the times for not really great reasons means that builders, developers and architects have to keep readjusting all their instructions, all their paperwork and all their approaches.

If a change is really important, then I support the change being made to the National Construction Code in the ACT. My commitment in 2(c) would now read: “Commit to making no amendments to the current National Construction Code in the ACT, which unnecessarily and unjustifiably increase costs or complexities to building and planning processes, to promote regulatory stability and confidence for the remainder of the Eleventh Assembly.” I move:

Omit paragraph (2)(c), substitute:

“(c) commit to making no amendments to the current National Construction Code in the ACT, which unnecessarily and unjustifiably increase costs or complexities to building and planning processes, to promote regulatory stability and confidence for the remainder of the 11th Assembly;”.

MS CLAY (Ginninderra) (3.58): I would like to speak to the amendment to 2(c) that Mr Cain has moved. I do thank Mr Cain for bringing this matter to the Assembly today. The Greens have carefully considered the issues raised in both the original 2(c) and the amendment as circulated and, unfortunately, we cannot support it.

It is really important that we make sure that any regulatory changes are carefully considered, well consulted on, based on good industry information and only brought forward when they need to be. I think amendments to the National Construction Code are run in that manner already, and we are very uncomfortable with starting to put regulatory burdens on when that code can be changed. That code regulates things like core sustainability requirements. We had some changes in the last term about climate adaptation and livability. We had changes about accessibility, and there are a lot of people in our society that need accessible homes. They were very important. It is also the code that regulates things like asbestos, silica dust and silica worktops. There are a lot of really core issues about consumer safety and the safety of homes. There are also a lot of really important issues in there about worker safety.

I think it is unwise, with something as complex as a federated national construction code that is already very difficult to put together, to start putting in state-by-state layers of when you can and when you cannot amend things and what provisos we need. So,

unfortunately, the Greens will not be able to support today 2(c) restrictions on when the national code can be changed. We, of course, always want to make sure that that code is based on excellent industry and community information and that those changes are always very well considered and thought through.

MR STEEL (Murrumbidgee—Treasurer, Minister for Planning and Sustainable Development, Minister for Heritage and Minister for Transport) (4.00): I will speak again on the substantive motion, but I will provide my remarks now in relation to the National Construction Code. Perhaps it is because I outlined some of the benefits of the National Construction Code at my Press Club address earlier today and the evolution of the national code that has resulted in Mr Cain making an amendment to his own motion, rather than anything that came from consultation, which was what he said to the Assembly. I suggest that he has realised that the National Construction Code is an important piece of work for national harmonisation and efficiency of the construction sector nationally, where we have firms that work in multiple jurisdictions and manufacturers of construction material that work across and supply multiple jurisdictions. We want to make sure that that is as efficient as possible.

We know a lot about the National Construction Code from the recent Productivity Commission report, which is titled *Housing construction productivity: Can we fix it?* One of the key points that the Productivity Commission made in the report is that the National Construction Code is sound in principle and it has a number of important strengths. One of those strengths is that the National Construction Code aims to ensure that they provide adequate health and safety. It is a national code that, when implemented consistently across all jurisdictions, encourages scale, efficiency and transferability.

I would have thought that, if you were interested in efficiency, you would not be trying to stop the national code from its evolution over time. The last thing that we want is for the ACT government to have a different set of construction standards for buildings that are built in the ACT compared with other jurisdictions. This is exactly the point that the Productivity Commission made in their research paper, where they have pointed out that local governments may override the National Construction Code, and it provided some information about where particular jurisdictions have overwritten the National Construction Code, which of course creates inconsistency and it creates inefficiency where that has occurred.

That is the reason that it is important that we do not pre-empt future discussions about the National Construction Code. There may absolutely be genuine reasons for the National Construction Code being amended from time to time, and those changes are expected by building ministers to be subject to a full regulation impact statement. That is the process that is actually currently underway for the NCC 2025, the most recent proposed change to the National Construction Code, which Mr Cain's motion sought our government to basically stop and withdraw from. I think that would be a mistake. I think we need to consider those changes.

Those are the changes that were consulted on with the sector in May of last year by the National Construction Code Board, and that building ministers will need to consider—we expect later this year—for implementation, based on the advice of the board and, of course, based on the advice of consultation with industry. Already as a building minister

since the election, I have engaged with business in relation to the NCC 2025 through a round table that was hosted for all building ministers.

So we are taking feedback as we go forward and we are looking at what the impacts of particular changes to the NCC are. But the last thing that we want to do is to be inconsistent. We will consider all changes that are brought forward by the board based on their merits. We are not going to rule out pre-emptively, through this motion, reasonable changes to the NCC that will have the benefit of continued harmonisation of construction standards in this country, which is critical to delivering efficiency, which I would have thought was the intention of Mr Cain's motion and the petition this morning. So we will not be supporting Mr Cain's amendment on principle but also because it is going to be amended. The amendment has been foreshadowed by Ms Clay and the Greens—an amendment which we support. I will speak again in relation to Ms Clay's amendment.

MS CASTLEY (Yerrabi—Leader of the Opposition) (4.05): I rise to speak on Mr Cain's motion and his amendment. I would like to thank Mr Xavier Duffy for organising this morning's rally. We have all discussed that at length. I think it is remarkable that a young business owner has done what he did today out of pure frustration. I think it was a good move and very brave. I would also like to thank Mr Cain. It did inform and help get this motion underway today. I know that Mr Cain has consulted widely with industry, and I would like to thank him for the good work that he has done with the business community and with many, many people who are affected by the problems that we are seeing in the construction industry. I cannot emphasise how important it is to have a bright light shining on the challenges in construction. There is no doubt that the industry is in trouble.

I have been opposition leader now for five months—or around that—and have been visiting communities and families in the ACT. The one thing that sticks out is definitely cost of living. That is a message that I have heard more than anything. Too many Canberrans simply feel that this government does not care about their cost-of-living pressures and particularly the cost of housing. If you are someone who is already stressed about making ends meet when you are a renter, home ownership will seem like an impossible dream. That is something that I hear from young people all the time. But I also hear it regularly from parents and grandparents. They might be homeowners themselves, but they worry about their children and grandchildren. They want them to have a home of their own. They want the security and stability that it brings, which gives many young people the confidence to have families of their own.

I know when I bought my first house—I was 20—it was not a question of whether I could or could not. That was never a question we asked ourselves back in, I think it was, 1995. Yes, it was cheaper. It was only \$97,000. It was like a tiny, tiny little doll's house there in Charnwood, but it did for me and my family. As I say, it was not a question as to whether my husband and I could afford a home. Well, it was, but it was not a question of will the home be available. That is the point that I am trying to make. That is what our kids are facing now. My kids are facing it. They are 27.

It is one of the biggest issues, and the community feel let down by the government. They feel that the government talks a lot about improving home ownership and housing affordability, but they do not see the tangible outcomes. Housing has not become any

more affordable and it does not seem like an achievable dream. That is the point for me. It was achievable for me, and I worry that it is not now, and our kids feel deflated. They do not feel that they are ever going to be able to have a home of their own. It is a fundamental failure of this Labor government.

On our side of the chamber, we know that there are no easy answers or silver bullets. To address the housing crisis, we need a whole suite of reforms that will fit together and drive the transformation in housing affordability. Part of that suite of reforms must be addressing the red tape in the construction sector, which Mr Cain's motion directly talks to. Mr Duffy is also right: the approval system is broken. The amount of red tape and just the loads of regulators is stifling the construction and development of the housing we desperately need if we want to restore the dream of home ownership. We have let down the next generation of Canberrans for too long. We cannot afford to let that continue. So I commend Mr Cain's motion.

MR COCKS (Murrumbidgee) (4.09): I want to speak for a minute on the amendment, because this is an amendment brought in good faith to try to improve part of the motion. The National Construction Code is integral, as the minister has pointed out, to the way that we work across the country. But what the minister touched on, sort of but not quite, is that it is not a uniform approach in each jurisdiction. It also does not impact in a uniform way across each jurisdiction.

One of the key controversial parts of the current NCC was around the introduction of seven-star energy ratings. Seven-star energy ratings, whether you support them or not, have a disproportionate impact on the ACT when it comes to the cost of complying with that seven-star rating. A seven-star rating in the ACT means that you have to do far more than if you are in New South Wales. So it is very easy for other jurisdictions—for New South Wales, for WA and for Queensland—to stand there and say, “We think this is the way to go with this.” We should really be thinking about the impact on the ACT—on ACT businesses and on ACT consumers.

When you are setting out to try to purchase a house, the fact that we are in the ACT does not mean that you have suddenly, magically, got more money to be able to double glaze your entire building. You have to be able to consider these things. That is why, when Mr Cain and I were talking about this part of the motion quite recently, we looked at it, and Mr Cain went, “We do not want to get rid of the entire NCC.” But we cannot afford to keep on loading up ACT businesses in a way that does not apply to the rest of the country. We cannot disadvantage our own economy, our own businesses, because someone wants to make a political statement. At its heart, that is the risk you run with any one of these pieces of legislation. New South Wales would have found it easier than the ACT to comply with those seven-star green-star ratings much earlier. Yet the ACT went on day one; New South Wales did not.

The National Construction Code is not uniform now. The minister cannot pretend it is. He already knows that it is not. We must be able to take an intelligent approach. If there is an unreasonable burden on ACT businesses that is not the same as for other jurisdictions, we have to be able to take an intelligent approach and say, “No; we will not impose an unreasonable burden on ACT businesses and ACT builders, who have been dealing with the ongoing cumulative impact of regulation after regulation and additional requirements building up over many years.”

When the previous minister responsible sat down with builders and with subcontractors, they said: “We are struggling here. We cannot keep on dealing with the number of regulations you are applying to us. The amount of change and complexity that you are applying and imposing on our sector is not sustainable.” When they sat down and gave the previous minister that message, the response, I am told, that came back was, “Get ready for more.” The sector cannot deal with a constant flood of more and more costs and more and more regulation, without something giving. Too often, the people who are bearing the cost of that are small businesses and people who just want to be able to afford a home.

It is also very strange to me that the minister has decided not to vote for an amendment that makes it better, that gets it closer to where he would like to be. It is very strange to me that, because maybe a future amendment is going to get rid of this section, he is not going to touch something that improves it and makes it better. That is not the approach that I want to see. I want to see a government that takes things seriously, that does not politically posture on these things and that actually moves ahead in a sensible way and takes this small step to make this better—and then we can have the debate around the Greens amendment.

This amendment is important. It provides the flexibility that the minister wants. It provides the recognition of the national approach to construction that the minister wants. But it also acknowledges that sometimes that national approach can be detrimental to the people here in the ACT.

MR CAIN (Ginninderra) (4.14), by leave: Just very quickly for Mr Steel, and I think Mr Cocks has made the point well, my amendment to 2(c), my fresh 2(c), is not getting rid of the NCC, as you are trying to typify it. That is just ridiculous. I am not even sure if you read it. It is just ridiculous; the things you were saying do not line up with reality. You are just saying these things because you like hearing your own voice saying things that make you sound high and mighty. I do not know why you said what you said. It just does not make sense.

The drive to harmonisation is, yes, a factor to consider, but particularly harmonisation with our neighbour, New South Wales. Minister, you would know that there are builders who work across both jurisdictions. How about making their life a bit easier by trying, where possible, to align with the New South Wales scheme? How about that as a harmonisation agenda? Do you really have a care for the small and medium business operators who have so much to do and are often doing it themselves when they would rather be on the job with their tools, with their teams, getting the jobs done, as you like to say? You have mischaracterised my amendment. I believe that is just a cynical, political exercise—and shame on you for that.

Ms Clay, I have appreciated the exchanges we have had over the last couple of days, and I really urge you to understand that I am certainly not abandoning the NCC, as Minister Steel was suggesting. To give our building operators, particularly our small and medium building operators, fewer things to have to adjust to, in a way, makes sense for them because they are just going under. They are going under in paperwork. It takes them time. It takes them out of the work. It slows down the project. But, of course, if the change is absolutely justified and necessary, which is what my amendment is, then

of course the NCC should be adjusted in the ACT. I really just put it back to you, Ms Clay, and your team that I think my change does recognise the importance of the NCC and the importance of recognising absolutely important changes that need to be made to the ACT part of that.

I would encourage you as well to have a care for the small and medium business operators who have to cope with all of these changes while they are managing teams while on the tools themselves very often, trying to make a living for their workers and for their families and to get great outcomes for the people who hire them. I remain committed to my amendment to 2(c), and I really would urge members to support it.

Question put:

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

The Assembly voted—

Ayes 8

Chiaka Barry
Peter Cain
Leanne Castley
Ed Cocks
Jeremy Hanson
James Milligan
Deborah Morris
Mark Parton

Noes 15

Yvette Berry
Andrew Braddock
Fiona Carrick
Tara Cheyne
Jo Clay
Thomas Emerson
Laura Nuttall
Suzanne Orr
Marisa Paterson
Michael Pettersson
Shane Rattenbury
Chris Steel
Rachel Stephen-Smith
Caitlin Tough
Taimus Werner-Gibbings

Question resolved in the negative.

Amendment negatived.

MS CLAY (Ginninderra) (4.22): I move the amendment circulated in my name:

Omit all text after “That this Assembly”, substitute:

“(1) notes that:

- (a) the ACT building and construction industry faces significant challenges with the current development approvals process a significant roadblock to housing delivery;
- (b) building approval times have skyrocketed, with approvals now consuming 30 percent of some projects' total budget;
- (c) the ACT planning system consistently frustrates and delays the building and construction industry, public servants, and the public, which impact on construction timeframes and costs at all levels in the ACT;
- (d) some members of industry have reported that the current workload for ACT Building Certifiers is unmanageable, leading to extensive project delays and cascading effects on project timelines and cost overruns;
- (e) the Urban Tree Act is being reviewed and there are delays in the approval process by the Tree Protection Unit, with some members of industry

- reporting a standard seven-week turnaround time for projects with minimal impact on tree cover or habitat trees;
- (f) the recent introduction of new pool fencing standards has caused widespread confusion among industry players as the standards are unclear, and there is insufficient guidance available to ensure compliance; and
 - (g) there are approximately 600 development applications, or amendments to development applications, being considered or under assessment by the Territory Planning Authority and awaiting decisions; and
- (2) calls on the ACT Government to:
- (a) engage in extensive consultations with ACT building and construction business owners and workers to reduce regulatory burdens, streamlined approval processes, and rebuild trust in the regulatory system;
 - (b) table a ministerial statement on a review of the documentation of the new pool fencing standards to improve understanding of the new regulatory framework including the use of authorised persons and licensed building surveyors to issue compliance certificates for pool fencing and ensuring there are enough certifiers to do the work, and the system is operating smoothly, by the end of the calendar year;
 - (c) undertake an internal review of the assessment of development applications, exempt declarations and staffing requirements in the DA processing team to identify additional streamlined changes to meet its performance targets on the processing of development applications and exempt declarations and report back to the Assembly by the end of the calendar year; and
 - (d) undertake an internal review of referral entities to address delays in providing decisions on building approvals and development applications and report back to, the Assembly by the end of the calendar year.”.

Firstly, I would like to thank Mr Cain for bringing this motion to the Assembly and for the genuinely cohesive way in which he has worked with my office on the amendments. We have had some really good parliamentary dealings with everyone here on this motion and the amendments. They were complex. We received a lot of advice from the Clerk. I thank Minister Steel, Ms Carrick and Mr Emerson for the way that they have all contributed to this. I flag that I will be speaking to the proposed changes. I will speak through the changes to explain why the Greens have put up the amendments that we have.

Mr Cain and I, along with many members and the minister here in the Assembly, were closely involved in the planning system and review project. Commencing in 2019, this project sought to deliver a system that is clear, easy to use and provides improved spatial and built outcomes across the territory. The planning system was going to be simplified. This would facilitate residential development and housing supply, and it would improve community confidence through system clarity. I can remember the Chief Planner at the time talking about a new system on a page. That sounded glorious but pretty unlikely. Planning is complex, and we certainly do not have a system on a page.

The aims and objectives were tested during committee inquiries that were conducted into the new Planning Act and Territory Plan. The committee, as well as many

community members and organisations who provided submissions and appeared, was concerned that the new planning system would not be clear, that it might be difficult to navigate, and that it might have made planning harder and more obscure. The committee made 49 recommendations designed to encourage government to set accountability indicators and report against whether the new planning system is delivering better outcomes, and government agreed with about half of those recommendations.

It was important to know at an early stage how well the new system was working so that steps could be put in place to improve its operation and deliver better outcomes. For instance, everybody wants a development application to be processed efficiently through the assessment process. It helps the developer or builder get a decision quickly and it helps us to have our new homes built quickly, and that is essential during a housing crisis. It ensures the community gets the facilities they need in a timely manner. A good decision made with good information within quick time frames is good for everyone. We still need to make sure that decisions take into account all of the relevant information and that our developments are of a high quality. There has been a history of quality concerns in the ACT. It was never the intent that speed takes precedence over quality but that assessments are thorough and also efficient.

In response to suggested accountability measures, the government announced that it had developed an ACT planning system evaluation framework with performance indicators that reflect the outcome-focused nature of the new system. I have been concerned about the evaluation framework from a number of perspectives, including that it would be the directorate evaluating what the directorate is doing and that we do not have outside consideration of the planning system. I have asked a lot of questions of the minister and directorate officials about the evaluation framework on a number of occasions, and I will continue to do that. A lot of time and money has been expended through the planning system review. We need to know that we have the system right and that it will deliver the outcomes that government has said it will deliver.

This motion clearly highlights some areas where the new planning system has made the process of obtaining development approval more difficult. I note that I recognise the petition which was the driver for this motion was tabled. That will come through the Assembly and the committee chain shortly. That petition has its own process. I would encourage the government to seriously consider the issues raised and see what changes can be made to make sure that our development application assessment process is really clear and efficient and that good fast decisions are made.

I have put together a number of suggested changes to Mr Cain's motion. I have circulated those to all members in the chamber. I am very much hopeful that those amendments are agreeable. I have also seen Ms Carrick's amendment that was circulated, and the Greens are happy to support that.

When we make amendments to somebody else's motion, we tend to try to stick with the original intent and wording as far as possible, so we stuck with the framing that the Liberals put together—that this is about the construction industry—but we absolutely think the community should also be included and consulted at every step of the way. That would certainly have been the Greens' framing had we put this motion together.

In part, the motion suggested changes that would require amending the Planning Act. We think that a lot of those changes need to be considered after the legislation has been operating for some time. And, in part, the motion calls on amendments to look at other ways of improving the DA application system.

We have gone through the notes section, and we recognised that this is information that has come to us from some members of the industry. It is clearly what some people are experiencing, and some of that information is certainly backed up by some solid data. Regarding other pieces of information, I do not know how universal the experiences are, but we certainly want to honour and acknowledge them. I have certainly heard a number of complaints in my office. I am certain that every member has.

When it comes to the “calls on” section, we absolutely agree that we want the ACT government to engage in extensive consultations with the industry and with the community to make sure that we are reducing regulatory burdens where we can, that we are streamlining DA approval processes, and that we are rebuilding trust. That was part of the original goal of the planning review, and we need to make sure that we do that.

We look forward to the ministerial statement that will show us how the new pool fencing standards are working, whether we have sufficient certifiers in place, and whether there are any improvements to be made. We look forward to the internal review of the assessment of DA applications and exempt declarations, and particularly whether staffing is set at the right levels. We could not support an amendment that gave automatic approvals to DAs where the directorate did not meet the statutory time frame. Often, it is the complex DAs that are not decided in time, but we certainly want the government to make sure they have a sufficient number of FTEs, staff and well-trained people to make those DA assessments so that they meet their statutory time frames. To us, that looks like a better way to deal with that problem. We also look forward to making sure that we get really good reports back to the Assembly about how this system is working, to see if we are actually getting what we intended to get when we set out to make these reforms.

I commend the amendments to the Assembly.

MR STEEL (Murrumbidgee—Treasurer, Minister for Planning and Sustainable Development, Minister for Heritage and Minister for Transport) (4.28): The ACT government has an ambitious plan to enable 30,000 new homes to be built, bought and rented by 2030, and our focus during this term will be achieving practical outcomes towards this goal. That means working in partnership with the construction industry. They are ultimately the ones who will be building the new homes that we will enable through a range of planning reforms that we are putting in place to continue the Growing and Renewing program for public housing. They are going to be key partners in helping us to deliver that outcome for the community.

Mr Cain’s motion calls on the government to do a range of things with industry. They are largely similar but not exactly the same as in the petition that was tabled in the Assembly this morning, which the ACT government will be responding to in some more detail.

We will be supporting the Greens' amendment that has been put forward to Mr Cain's motion. It amends the section that we just had a division on, in relation to the National Construction Code—hence, the reason that vote was not particularly consequential. Consultation with the building industry is important and something that the government values. If we can find ways to improve regulation without compromising on the quality and safety of buildings, then, of course, we will continue to consider practical changes to the planning systems, the Building Act and regulations, licensing, and so forth.

It is important in these debates to be as specific as possible about the changes that are on the table. That is why the petition was quite useful in raising some particular issues for us to consider. We will certainly consider some of those things. I will talk about some of those matters today.

There were specific items mentioned in the petition and they have been reflected in some extent in the motion, although there is a slight difference in that the petition was particularly focused on building approvals, not necessarily planning approvals. I will talk to each of these. The ACT government is committed to avoiding deaths and serious injuries from incidents in home swimming pools and spas in the ACT. The most common location in the ACT for drowning deaths and injuries to children aged under five is home swimming pools. That is one of the reasons regulatory reforms were implemented by the government last term, to help make sure that people are safe around home swimming pools by making it mandatory for all home swimming pools to comply with modern safety standards.

Pool designs and safety standards have changed. Pools that were installed many years ago may not comply with these important modern standards, so requiring pools and spas to be up to modern safety standards rather than when they were constructed will reduce the risk of people drowning or suffering serious injury. To ease the pressure on property owners to comply with modern safety standards, the reform began on 1 May 2024 and has a four-year transition period. These reforms brought the ACT in line with other jurisdictions that have already introduced swimming pool barrier reforms in recent years.

It is important to note that the thrust of the petition in relation to this was around the surveyors and certifiers for this work. Under the regulations, licensed building surveyors—that is, certifiers in the ACT—are automatically deemed authorised persons as they currently certify swimming pools or spas that are built to the prescribed safety standards. As I own a pool that I think was built in the 1970s—certainly prior to 1998—I have gone through the process of finding a certifier to come and assess whether I currently meet the new standards that the previous minister, Minister Vassarotti, put in place. It took me about five minutes to go to the ACT government website and find a certifier to come to my place in around a month from the point of the call. They are coming next week. It was a very simple process to find a surveyor to come and assess the pool.

If there are other matters that we need to look into in relation to this, we are happy to consider them. The process has been set out to be as easy as possible, and we will, of course, consider suggestions from industry as we continue to move through the transition period for the pools that are retrospectively being brought to modern safety standards.

Information on the ACT Planning website currently identifies 15 businesses in Canberra with persons authorised to certify that swimming pools and spas are built to the safety standards. We will need to consider any changes that are proposed against the goal of ensuring that swimming pools are safe. The amendments that we see promoted by Ms Clay address this by asking the government to look at the current system as well. Ms Clay's amendments also go to the National Construction Code. We have had a bit of a discussion about that. One of the reasons we support the National Construction Code is that national uniformity is important. While the ACT engages in discussions about the code and provides information to the community, we cannot agree to a policy that would make our construction code out of step with the rest of the country.

Mr Cain's amendment to his own motion, which was embarrassingly defeated, did not actually achieve that goal. One of the reasons in particular that I did not support it is that I do not trust the opposition when it comes to the National Construction Code. I was recently looking at the Canberra Liberals' website to try to find their skills policy. Guess what? I could not find it. It does not exist. By the way, the whole website has been changed. All their policies from the ACT election have been taken off. We know, from Mr Cain's comments on this matter, that all of their policies no longer exist, in terms of commitments that the Liberals have on an ongoing basis for this term.

I did find a smiling photo of Michaelia Cash and Peter Dutton transplanted on the Canberra Liberals' website under "Our Plan", and what did I find? It says that the coalition will freeze any further changes to the National Construction Code for 10 years. It is actually Liberal policy to freeze it for 10 years. That is why I do not believe the amendment that the opposition put forward here today—that they would be willing to consider changes which are justified. I just do not believe it, because their policy says something different on their website.

We are willing to consider reasonable changes to the NCC—because we support uniformity—that provide an efficient process for builders here in the ACT. We understand more broadly the recent challenges to the industry's stability, and we recognise the critical role of local builders and subcontractors in delivering quality housing and infrastructure for our community. Nationwide, the building and construction sector is experiencing significant challenges. Supply chain disruptions, labour shortages, higher interest rates and the impact of fixed price contracts have all contributed to financial instability across the sector. However, since the start of the calendar year, we have actually seen a modest increase in development applications lodged with the Territory Planning Authority, and that indicates that there is a pipeline of projects that could proceed once more favourable market conditions return.

The authority is processing DAs and exempt declarations more quickly. Mr Cain is cherry-picking from the data on development applications. In fact, in February the proportion of DAs determined to be on time was 80 per cent, with the median processing time being 30 working days for most DAs.

Mr Cain: That is one month versus a year of stats.

MR STEEL: This compares to over 100 calendar days in other local government areas.

Mr Cain: You are cherry-picking.

MR STEEL: I will go through some of the other stats for Mr Cain's benefit, because it is also reflected in the half-yearly targets—

Mr Cain: I don't need education from you, Mr Steel.

MR DEPUTY SPEAKER: Mr Cain I ask you to listen to others in respectful silence, just as others listened to your speech. Mr Steel, please continue.

MR STEEL: Thank you, Mr Deputy Speaker. If I could have an extension of time, that would be appreciated. Exempt declarations had a target of 80 per cent, and the authority determined 93 per cent within the 10-day time frame. In the half-yearly report, the median processing time for DAs was 30 working days. The TPA is assessing a range of development applications and exemption declarations within a reasonable time frame, and that compares very favourably with New South Wales, where often the assessments range from 54 to 160 calendar days. That is a different assessment. We have working days rather than calendar days, but it is still very much within time for most DAs, which is very promising as well.

The original petition referred to building approvals. Building approvals are issued by private sector building certifiers. The ACT government is not aware of concerns with delays in the issuing of building approvals, but we are happy to hear from the sector about that.

Mr Deputy Speaker, I seek leave for an extension of time. (*Extension of time not granted.*)

MR PARTON (Brindabella) (4.39): When members stand and say, "I wasn't planning on speaking to this," I would love to know how many of them actually were! I was not planning on speaking to this; I just rise to speak as the local member who sponsored the petition which has ultimately led to this motion. I cannot speak on behalf of Mr Duffy and his band of merry hardworking men and women, but Mr Duffy and his supporters, and those in the construction industry, launched a protest today and launched the petition because they are desperately trying to change what they see as a very convoluted system that adds to cost and delays. I think they have been extremely successful in raising the issues.

Potentially, their biggest success has come through in speeches that have been made today by the other side of the chamber. Contributions to this debate, both this morning and at the petition stage, and today by Mr Steel and Ms Cheyne, have certainly acknowledged their frustration, but I do not think that those who are responsible for the petition and the protest will be happy with the outcome. They sought to move the dial about two metres and they have got about 15 centimetres. That is probably what has happened. But they got some movement in acknowledgment. Some of the language that has come from the ministers that have spoken is encouraging with regard to the way we move forward, but, ultimately, the outcome will be extremely disappointing.

Mr Steel spoke about the target of 30,000 homes. You have Buckley's, mate. You have

got as much chance of building 30,000 dwellings as Adam Bandt has of becoming the Prime Minister at the upcoming federal election! Despite the passion of Ms Clay and Miss Nuttall, there is no chance whatsoever. This is one of the big reasons you will not nail it and one of the reasons we believe that it is so important to push this barrow: it is not about the whinging and whining from people in the construction industry; it is about the outcome; it is about the people who want to build homes. On her social media today, Ms Morris paraphrased it perfectly in one sentence: it is about the fairness to people who should be able to build a home, and this is holding it up. We are going to get a win of sorts, and I certainly appreciate everyone who has participated today on this.

MS CARRICK (Murrumbidgee) (4.42): I move the following amendment circulated in my name:

Omit paragraph (2)(a), substitute:

“(a) engage in extensive consultations with ACT building and construction business owners, workers and the community to reduce regulatory burden, streamlined approval processes, and rebuild trust in the regulatory system;”.

I support efficient and effective processes to support development, but we can do that at the same time as we protect people’s rights. I believe in meaningful community consultation, and this amendment in my name simply includes the community in the consultation that is proposed to be undertaken with ACT building and construction business owners and workers to reduce regulatory burden, streamline approval processes and rebuild trust in the regulatory system.

MR DEPUTY SPEAKER: The question now is that Ms Carrick’s amendment to Ms Clay’s proposed amendment be agreed to.

MR EMERSON (Kurrajong) (4.43): I did plan to speak today, so I will take this opportunity to speak once on the motion and all the amendments. I rise in support of Mr Cain’s motion and add my support to what I see as a sensible amendment brought forward by Ms Clay. I believe it retains the intent of the motion.

In relation to the amendment brought earlier by Mr Cain, and not knowing what might occur in the next 3½ years, I cannot support a commitment to avoid changes to the way the National Construction Code is applied in the ACT. I would hope that unnecessary and unjustifiable changes to our construction and planning system would be avoided, nonetheless.

What we heard at this morning’s rally is that the ACT’s construction industry is fed up. This industry has been beset by a range of unforeseeable and huge challenges in recent years. This is a sector that has faced steadily rising material costs, workforce labour and skill shortages, and industrial reforms. We have seen a steady increase, year on year, in the number of construction businesses failing. As a former small business owner and operator, I understand the pervasive and unrelenting knowledge of the risks to one’s livelihood that can arise at any time from a range of factors beyond one’s control.

Despite the significant global challenges facing the construction industry, it is a different issue that brought builders, architects and subbies to the Assembly earlier

today. We had a strong 500-signature petition and a rally on the one factor we should be able to improve and the hurdles we can lower for the sector.

I have met with builders who have tried to work within the current system of obtaining the necessary approvals to get to work on large construction and, more often, quite small construction. I hear no complaint or resistance from business owners about the obvious need for approvals. I have visited countries with poorly regulated building industries. It is terrifying. The frustration is with the lengthy delays for approvals. I am wholeheartedly supportive of a development and building approval process that ensures building quality, supports important environmental considerations and protects our city's heritage.

I am not supportive of unnecessary complexity that adds no value to the quality or standards of a build and, ultimately, only adds costs that need to be absorbed by the end clients—the Canberrans that the projects are intended to serve. That is why I am also supporting Ms Carrick's amendment to include community members in consultation about this issue.

On the matter of heritage, the close-to-derelict heritage listed Coggan's Bakery building in Braddon has an interesting tale to tell. The Coggan's Bakery building was recently sold by owners that ultimately gave up on the struggle to wade through the process of long waits for approvals while trying to remain financially afloat. After acquiring the site in 2019 and developing a plan to reactivate the site while restoring the heritage listed building, the owners spent five years trying to get their plans approved. More than a million dollars in rates and planning were spent along the way, and, despite community support for the project, the owners ultimately gave up when the DA came through in September last year with further alterations required. The consequence for the heritage building that is celebrating its 100th anniversary this year is its seriously concerning condition. Many members of our community are distressed by this building sitting vacant. They worry that the damage might be becoming irreversible. In this case, a system that is supposed to protect heritage listed buildings seems to have achieved the opposite. It is doing more harm than good, with a unique building being left to deteriorate as a consequence.

The point I am trying to make is that we all seem to agree on the goal. We want high-quality buildings that help us tackle the housing crisis while supporting environmental and conservation efforts and retaining the beauty of our city. What we are really debating today is whether the approval system that we have in place is actually achieving that goal. We are all hearing from the industry—builders, planners, subbies and architects—and from community members that it is not. Change is needed to match agreed policy objectives with actual policy outcomes, to create a system that allows good work to happen in our community in good time.

For these reasons, I thank Mr Cain for bringing this motion forward today and re-state my backing for the community's calls—voiced loudly outside the Assembly this morning—for government to address the unnecessary hurdles placed in the way of Canberra's construction industry.

MS CHEYNE (Ginninderra—Manager of Government Business, Attorney-General, Minister for Human Rights, Minister for City and Government Services and Minister

for the Night-Time Economy) (4.47): I am pleased to speak to the amendment moved by Ms Clay. I will try not to repeat the contribution I made in this place this morning, but there are some points that I do want to underline, if not expand on.

As I flagged this morning, I am hosting a second roundtable with the construction industry next Tuesday, 25 March. Its purpose is for the people of the ACT government who are engaged on development of construction policy and regulation to speak to those who are subject to the required policy and regulation. I recognise that the construction industry thrives on certainty and predictability and that the pace of recent reform and then navigating that reform has been difficult for a sector which I know is seeking to understand the rules and to comply. I understand the need for consolidation, together with a fresh lens on particular pain points which have been inadvertently created recently or have perhaps been in existence for some time but not yet addressed. It is through these structured discussions, like the one that we had in July last year, that we will gather invaluable firsthand feedback on regulatory changes, project timelines and cost impacts. Our goal is to ensure that changes are transparent, well communicated and workable for businesses.

As mentioned earlier today, I have brought forward the review into the Urban Forest Act, and I have undertaken further regulatory amendments in the meantime. Again, these actions were driven by what was heard loud and clear in feedback from the community generally but especially at that roundtable in July, which made clear to me the extent of the impact of some of the changes which, when drafted, appeared very reasonable but in practice have created complexity and, in some cases, have been at odds with other government objectives.

The recent introduction of new criteria for tree removal on public land is about supporting a more practical and consistent decision-making framework. As I explained earlier, under these provisions, tree removal will be permitted where necessary to facilitate access for construction equipment and to ensure compliance with essential infrastructure upgrades, provided that all practical alternatives have been carefully considered. This is a goal to ensure that the urban forest protections that we have in place complement rather than obstruct sustainable urban development.

Mr Deputy Speaker, I appreciate that you have been briefed on this, I believe, and you would know that this is a disallowable instrument. I would reflect that it does achieve much of what we have been on a unity ticket about today. That is not surprising because it was stakeholder feedback that has been instrumental in shaping these refinements. We continue to work closely with industry representatives, peak bodies and directorates to ensure that the legislative changes for the broader review will be effective and workable. Our approach is guided by evidence-based reforms that prevent unintended regulatory inconsistencies and premature tree removals, while maintaining our commitment to Canberra's urban forest.

Additionally, we are reviewing the Public Unleased Land Act, and I will speak about it later this week. This is an act which regulates various aspects of public land used by the construction industry, including work permits, signage placement, temporary road closures and more. This review aims to create a more equitable and transparent framework for managing public land access while balancing competing objectives. A clearer framework means we will have clearer decision-making processes, and that in

turn will make the system easier to navigate, more efficient and ultimately more beneficial for both businesses and the community.

Further, as Minister Steel touched on earlier today, one of the main drivers of the machinery of government changes, again announced ahead of the election—and the review of that is underway now—is to ensure greater consistency and coordination in planning policies, environmental regulations and infrastructure priorities. Streamlining the coordination of development approvals and environmental assessments and the necessary enabling functions across ACT government is about aiming to reduce delays, lower costs and improve certainty for the construction industry. This integration is intended to foster better communication and collaboration between different regulatory functions to allow for faster problem-solving and, ultimately, a more responsive system.

Through structured industry engagement, meaningful legislative reform and strategic organisational improvements, I trust that we can achieve the outcomes that have been sought in this morning's petition, the intent of the original motion and in what I expect will be this amended motion—but, at the very least, is clearly the intent of this amendment, and I commend it to the chamber.

MR COCKS (Murrumbidgee) (4.53): Just on the amendment, I would like to thank Ms Clay for the engagement with Mr Cain around this matter. Certainly I was trying to work with Ms Clay as well to try and find a way that the Canberra Liberals might be able to support some of what the Greens were trying to achieve in terms of intent without sacrificing one of the core elements of this motion. Clearly, the Greens came to the conclusion that they could not support including something that would maintain the stability of regulation for the construction sector. By the same token, we cannot support something which eradicates that core.

I would say to Ms Clay—just reflecting on one of the comments that she made when presenting her amendment—that, no matter how clear the regulations around planning, constantly changing regulations do not in any way result in homes becoming available more quickly or at a lower price. Fundamentally, that is the challenge that we are trying to address here.

I note Ms Clay's comment that the Greens try not to change wording and style and try to address things in the same context as a motion that has been brought by another party. At the same time, a number of the changes which have been presented as basically a rewrite, are stylistic in nature. To get to the heart of the changes that the Greens were looking for we did not need to have a complete rewrite. So I hope that, in future debates, we can debate the substantive matters where we disagree—just those substantive matters.

I think most of us agree we want more homes built in Canberra. We want to see the government get past the construction crisis that we are currently facing. We want to see subbies, builders, contractors and engineers able to get on with their job and deliver the great value that they do. So I am sorry that we could not come to agreement on this amendment, but I look forward to continuing the debate after this vote.

MR CAIN (Ginninderra) (4.55): I want to touch on one other aspect of Ms Clay's amendment, and that is that she has obviously omitted my 2(d), which talks about doing

a feasibility study of automatically approving building approvals and development applications that are not responded to within statutory timeframes. That has been omitted by Ms Clay in her redraft.

The briefing that I had with Minister Steel's advisers yesterday indicated an openness to consider that as one thing that they would be happy to recommend be reviewed. Certainly, there is an opportunity for certain categories of building applications and development applications that are not responded to within acceptable timeframes to be automatically approved. There are schemes in the ACT where, if something is not decided within a certain time, it is automatically declined. I actually appreciated the minister's advisers, who really indicated, "It is something that we could actually look at." So, on that front—as well as what Mr Cocks has said is being omitted by Ms Clay's amendment—once we get to Ms Clay's likely amended amendment, we will not be supporting that.

MR STEEL (Murrumbidgee—Treasurer, Minister for Planning and Sustainable Development, Minister for Heritage and Minister for Transport) (4.57): The government supports Ms Carrick's amendment to Ms Clay's proposed amendment to Mr Cain's original motion. To continue my previous comments, there seems to be a bit of misunderstanding about the building approval system and the planning approval system—and I can understand that. It is a complex system and one that we want to streamline as much as we can, while of course meeting other objectives as well.

Building approvals are issued by private sector building certifiers. The government, at this point, is not aware of any concerns with delays in the issuing of building approvals. If there are concerns, we are happy to hear about them. The petitioners today may be able to provide some further detail that we can consider through the arrangements that I will talk about shortly.

It is the ACT's understanding that the private certifying industry currently has excess capacity to certify buildings; however, broad economic constraints are causing a downturn in the building and construction industry across the country. We know from the Australian Bureau of Statistics publication on building activity for the final quarter of 2024 that there were 1,155 dwellings in the ACT that had received building approval but had not commenced construction. This is a 10.2 per cent increase on the same period in 2023 and supports the view that broad economic constraints are the predominant issue at the moment, not the privately administered building approval process. But, of course, if there are reasonable suggestions to put forward, we are happy to consider them.

Last year, all relevant ministers associated with the planning and building construction industry met with the industry to discuss the issues being experienced in the sector. That was triggered mainly by some of the collapses of some of the private building companies. As part of that, the industry raised a number of local issues that we could take on. I certainly am of the view that I want to continue these conversations, as Minister Cheyne has, hearing from business owners directly about what matters to them and how the ACT government can improve processes to support small and medium businesses.

We also want to hear from industry about how we can boost productivity in the ACT in

the construction sector. We know from the Productivity Commission's report that there is an opportunity to do that. That is about looking at ACT government regulations and is also about the construction industry themselves and their practices. So I want to hear from the industry about what they have been doing there based on some of the findings of the report, which I am sure they are considering at the moment, as we are.

Earlier today, I announced that the ACT government will be working on a new construction industry productivity agenda to work together on a range of agreed practical measures to support the aims of the National Housing Accord. The first meeting to develop the productivity agenda will occur next month as part of a PACICERG meeting. I will also be inviting to that representatives from Evoenergy and Icon Water, which have been identified by the petitioners today as agencies that often provide comment and support for development, whether it be exempt development or, indeed, development that comes through the planning system, through a development application.

Similar to the red tape reduction taskforce, or rather the Better Regulation Taskforce, work will identify specific, targeted and agreed reforms to inform future regulatory change, with the aim of supporting the supply and affordability of housing but also with benefits for other projects. The government will be clear about the things that we are not prepared to change. We have a very principled view that we want to protect consumers from poor building practices. It is why we have ruled out changes to the Property Developer Licensing Scheme. Having said that, there is implementation going on with regulations that are currently being drafted to support the implementation, and we will, of course, update industry on that as well.

But we have heard that there is a range of other regulatory reforms that we can agree to work on, and I am looking forward to identifying those with the industry, being specific about what they are and then working through a process to look at how we can improve those processes. That does not necessarily mean a change to regulation. It could mean a change to business processes and engagement of agencies who are involved in the planning and building systems.

Minister Cheyne is already, of course, leading separate work to bring forward a review of the Urban Forest Act, which is one of the key issues identified by the petition earlier today. It will draw on community and sector feedback and ensure the act aligns with government priorities and community expectations. The government is also progressing with the structural changes as part of the machinery of government changes, looking at bringing Transport Canberra and City Services together with the Environment, Planning and Sustainable Development Directorate. We hope that that will also support the efficiency of government in managing these types of building approvals.

I look forward to working with the industry to ensure that our systems and the entities that are involved in them are delivering efficient outcomes that support the productivity of the construction sector. It is equally important to ensure that, in the process of improving regulation, safety and quality are not compromised. That is absolutely critical, and it is one of the justifications for many of the regulations that we have in place. But that is not to say we cannot look at streamlining those in a way that does not compromise those important outcomes.

The government is happy to support the amendment by Ms Carrick and the Greens' amendment to continue to engage with the community and industry to deliver more housing in places that Canberrans want to live in. I look forward to the continued work that we have been doing to engage with industry on practical measures to improve the supply and affordability of housing in the ACT. We will, of course, come back to the Assembly, based on this motion, with some further information about, particularly, how the Territory Planning Authority is assessing development applications and exemption declarations. I look forward to providing some further information before the end of the year around those matters as we continue to work with the sector.

While the “calls on” in the amendment talks about an internal process, I do expect it will have some external elements—engagement with the construction sector and engagement with the community, particularly if we talking about regulatory changes. We would always do that to support new legislation, for example, if that results from this piece of work. But I think it is good to be able to work with this sector, and I look forward to the engagement ahead.

Ms Carrick's amendment to Ms Clay's proposed amendment agreed to.

MR DEPUTY SPEAKER: The question now is that Ms Clay's amendment, as amended, be agreed to.

Question put:

That **Ms Clay's** amendment, as amended, be agreed to.

The Assembly voted—

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

Question resolved in the affirmative.

Ms Clay's amendment, as amended, agreed to.

MR COCKS (Murrumbidgee) (5.09): I will keep my comments short. I had planned to speak on the motion as a whole today. I think it is very important for the Assembly to understand that we do not just face a housing crisis in the ACT; we also face a construction crisis. As delays mount in building homes, it becomes increasingly difficult for Canberrans to pursue the future that they dream.

Far too many young Canberrans have given up hope of ever owning their own home.

You heard it from Ms Castley earlier. Everyone should be able to have the same dream of home ownership that I had when I was 18. When I finished school, I wanted to secure my future by buying a home. I could not have done that if we faced the sort of crisis that we do today. I was an APS 2 on a pretty low salary, but I could put away money, I could save, and I managed to buy a home. That is a dream that is too far out of reach for people today.

To put it really simply: a core part of that problem is that there are not enough homes in Canberra for people to buy. The amount of competition that you face if you go to an auction is astounding. The only way we can start to offset that is if we can get homes built faster. As I understand, it is not just a land supply issue, because we are hearing stories of blocks being handed back. People who have bought land cannot afford to build now and they are handing the blocks back.

There is a genuine barrier in the construction system that means that the homes we need are not being built. If you go out and you speak to the people who know what is happening—the subbies, the contractors, the builders—they will tell you that the problems are because they are contending with this ridiculously complex approval system. Even the minister was talking about the complexity of building approvals, development approvals, planning system and the construction regulations. This is a really complicated place, and it has seen years and years of regulatory complexity and changes—a constantly changing burden of regulation.

Every time the government decides that it is going to make a change to a regulation, that burden is borne by the construction sector. I said it this morning. Every time that the government decides to add a new regulation, someone is paying the price. It does not make it easier, because suddenly a small business has to get their mind across a new regulation. Suddenly someone sitting somewhere in an office needs to change a process. Every time it happens, it hurts the productivity of the construction sector in the ACT. That is why this is so important. All of these things are connected. That has to be why so many people have come together in furious agreement on 90 per cent of this motion today. We have to get a system that works for our small businesses to be able to provide the houses that Canberrans want at a price that they can afford, and we have to start making a move on it really soon.

It is also really important to understand this issue of building quality that has come up today. Time and again you will hear the concern about building quality raised across the community, but I am not sure that we are always talking about the same thing. When I talk about quality, I mean I do not want anyone to face the problems I am facing in my home now. I do not want them to walk into their house and see cracks in the ceiling because their house was not built suitably from a structural point of view or because someone has made changes and taken out loadbearing walls. I want to see quality meaning that, when you sign up to a house, you get the type of construction quality that you asked for.

That does not mean that we keep on adding more and more requirements; that means that we police the requirements we have now and we make sure that, when someone says that a building is to code, it is to code. That seems straightforward. It does not mean constantly changing and shifting the goalposts. That makes it more difficult for well-intentioned people to do the right thing and makes it more difficult for small

businesses who deliver those homes to actually give us what we need. That is really at the heart of this call: a construction sector, a building sector, that is tired of the amount of change in the regulations imposed by the government.

I have to reflect on Mr Parton's efforts over a considerable time in this space. Mr Parton pulled together a bunch of subcontractors and builders last year so that we could actually understand, from the opposition's point of view, what the issues are that are affecting the builders and everyone involved in the construction industry. Mr Parton, your advocacy and your work in that space meant that we could hear very clearly that message that I conveyed earlier: that the sector just needs a break.

It is time to settle things down when it comes to construction regulation. Surely by now, after so many years of constant change and constantly new regulations, we can take the pressure off. They want to do the right thing; they just need the right thing to be the same next week as it is this week. That is why I will support this motion, regardless of the changes that we have seen today—because the 90 per cent is far better than not getting any change at all for this critical sector of our economy.

Original question, as amended, resolved in the affirmative.

Papers

Motion to take note of papers

MR SPEAKER: Pursuant to standing order 211A, I propose the question:

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

Question resolved in the affirmative.

Statements by members

International Day to Combat Islamophobia

MR CAIN (Ginninderra) (5.17): I wish to speak to mark International Day to Combat Islamophobia, which was observed last Saturday, on 15 March. In 2022, the United Nations General Assembly adopted a resolution designating 15 March as the International Day to Combat Islamophobia. This date commemorates the tragic Christchurch mosque attacks, the deadliest act of terrorism against Muslims in our region. This year, the anniversary also coincides with the holy month of Ramadan, a period of deep spiritual reflection and heightened communal activity for our Muslim community. The impact of complex geopolitical conflicts around the world on the Australian Muslim community has been saddening and, at times, alarming.

In my time as an MLA I have had the great privilege and pleasure of engaging with our various Muslim communities in the ACT. I was pleased recently to join Ms Chiaka Barry, shadow minister for multicultural affairs, in my case for part of the UnitingCare Kippax community Iftar dinner in Holt. I am proud to stand with our Canberrans, especially our Canberran Muslim community, against any hatred or Islamophobia they feel in our city and certainly will do all I can to make sure that they feel part of this

wonderful multicultural community.

Chief Minister's Gold Awards

MS TOUGH (Brindabella) (5.19): I rise today to talk about last week's Canberra Gold Awards, which I had the pleasure of attending with Mr Milligan. The Canberra Gold Awards are held each year to recognise those people and groups who for the past 50 years have made active contributions to the city that has been their long-term home. It was an honour to celebrate these incredible residents who have witnessed over the past half century Canberra grow into the vibrant community it is today and have helped shape the wonderful city we have now.

The Chief Minister's Gold Awards are held each year as part of Canberra's birthday celebrations, with individual winners receiving a pin and a certificate and groups receiving a certificate. The event started with remarks from ABC's Ross Sully as MC, and then recipients from each region of Canberra had the opportunity to receive their award and take a photo with the Chief Minister, followed by a short morning tea.

I would like to make a special shoutout to Glen, a local Canberra historian and ParkCare legend who received his Gold Award last week., Mr Werner-Gibbins and I had the pleasure last month of receiving a tour from Glen around Kambah, having the opportunity to explore the rich history of the area and seeing the remains that are still there of the old homestead and some of the other things that were part of Kambah's rich history.

Glen also took Minister Cheyne and I for a walk up Urambi Hills earlier this year and, true to his word, the path was stable enough for me to walk up and down without tripping over—

Ms Cheyne: —And me.

MS TOUGH: And for Minister Cheyne to not trip over as well. The views at the top across the Tuggeranong and Lanyon valleys over to the Murrumbidgee River and up to the Cotter were spectacular.

Congratulations to all the award winners.

Pedal Power—Fancy Women's Bicycle Ride

MISS NUTTALL (Brindabella) (5.20): The Saturday before last, on International Women's Day, I had the delightful opportunity to attend the Fancy Women's Bike Ride, hosted by Pedal Power as part of their 50th anniversary celebrations. It is a really cool concept. It was brought into being by two women in Izmir, Türkiye— Sema Gur and Pinar Pinzuti—back in 2013, to get more women riding and better bike infrastructure. Since then, women and people of all genders across the world have embraced this event as a way to show cycling can be awesome—and awesome it was.

I got serious costume envy from all of the folk who dressed up. We had handsome bonnet helmets, wheels laced with vines, Super Woman, a literal unicorn with love hearts on her wheels, and some fantastic “frockery” from the men who turned up in

solidarity. It was a tough field for Ms Barry, Ms Carrick, Ms Clay and I, who got to judge the fanciest dress categories, but what a privilege to see everyone's handiwork. A special thank you to my colleague Ms Clay for providing snacks and a PA system and for not laughing at me when I got on my bike for the first time in three years and tried to drop a kerb.

The ride itself was so well run by Pedal Power and so well received by the community. I have never felt cooler about riding around in a fancy vest flanked by fancy people in high spirits. It made me want to ride more—and that is the point. I have heard from folk since then that they were keen to ride more or, indeed, learn how to ride. I would really like to thank Pedal Power and everyone who attended for reigniting my joy for active travel.

Burrangiri Aged Care Respite Centre—Save Burrangiri Action Group

MS CARRICK (Murrumbidgee) (5.22): In light of a discussion today, I would like to acknowledge the Save Burrangiri Action Group and all the carers in our community. I thought it was quite contradictory that the Minister for Disability, Carers and Community Services chose to update the Assembly on the ACT Carer Strategy, emphasising how challenging it is for carers to find respite in the middle of a carers advocacy to save a respite facility. In a submission to the inquiry into loneliness and social isolation, Carers ACT found that carers in the capital are the least likely in the country to access respite care. Closing 4,500 annual bed nights while the demand for services is so high is not progressive.

The Save Burrangiri Action Group has almost 1,000 petition signatures in the last few weeks. It is a shame that the minister responsible for carers policy did not acknowledge the closure of Burrangiri in her ministerial statement this morning, nor did she acknowledge the efforts of the Save Burrangiri Action Group. Congratulations to the carers and community for your advocacy. We will continue to hold the government to account for better outcomes for carers and the people they care for.

Discussion concluded.

Adjournment

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

That the Assembly do now adjourn.

Health—lymphoedema

MR RATTENBURY (Kurrajong) (5.23): March is Lymphoedema Awareness Month, and I want to speak about it because our awareness of lymphoedema is not as high as it should be. It is estimated that around 70,000 people in Australia are living with lymphoedema and, because there is a lack of awareness around the condition, this is likely to be a significant undercount. Even when medical attention is sought, doctors can miss the signs or misdiagnose lymphoedema as something else. Why does all of this matter? Because, once it develops—and it can be present from birth—

lymphoedema is a lifelong condition without a cure.

When the condition is correctly diagnosed, there is a lot that can be done to improve outcomes and alleviate symptoms. These symptoms include pain, swelling, body image challenges, decreased mobility, increased risk of certain infections and increased likelihood of falls. Management techniques include massage, exercise, compression garments and laser therapy. You will notice that this list does not include medication. That is because there are currently no approved medications in Australia to treat lymphoedema. These do not currently exist for lymphoedema and so we need different strategies—ones that are better tailored to individual challenges and provide support for those living with this chronic condition.

In June 2023, the Australian Institute of Health and Welfare released a report that found that those with lymphoedema often are misdiagnosed or missing diagnosis, delaying their treatment. Chronic conditions like lymphoedema once again highlight the importance of having greater access and affordability to primary healthcare providers in Canberra.

I would like to finish my remarks by paying tribute to the Lymphoedema Association of Australia for everything they do to raise awareness, provide support and connection, and help people with practical strategies for managing their lymphoedema so that their quality of life is enhanced and maintained over their lifetime.

Canberra Day—community events

MR CAIN (Ginninderra) (5.25): I rise today to reflect on our great city, Canberra, and the recent celebrations of Canberra Day. Last week, we celebrated 112 years since the founding of our nation's capital. It is a wonderful reflection on our community that there are so many celebrations held across Canberra to commemorate our city's birthday.

On Canberra Day, I had the privilege of joining many from our faith communities at the Multifaith Commonwealth Day Celebration at the Australian Centre for Christianity and Culture. This event was a beautiful reflection of Canberra's diversity, with prayers and readings by faith leaders along with performances from different cultural groups. It was also an honour to be in the presence of Her Excellency, the Honourable Sam Mostyn AC, the Governor-General of Australia, who gave a wonderful and inspiring speech and also passed on greetings from his Majesty, King Charles III.

As part of the Enlighten Festival, my wife and I attended performances on the lawns of Parliament House from the Chorus of Women, the ACT Chorale, the Canberra Qwire and the Australian Girls Choir. They were some of the highlights and showcased the talent within our community. I also joined a number of MLAs at the John McGrath Auto Group Black Opal Day at Thoroughbred Park, where we enjoyed a day at the races and some great company. My thanks to Darren Pearce and the Canberra Racing Club for hosting such a wonderful and well-attended event.

Canberra Day, however, is much more than a time for celebration; it is an opportunity to reflect on the rich history of our city. In 1930, Lady Denman announced the naming of our capital, a city envisaged as the very heart of our nation. From its humble

beginnings as a planned city for just 25,000 people, Canberra has grown into a vibrant and diverse city, now home to over 400,000 people. Canberra's uniqueness is not just in its role as the political heart of Australia but also in its distinctive character as the bush capital, with its stunning landscapes fetching from the Brindabellas to Ginninderra. The Canberra that I envisage as the bush capital has a wonderful blend of natural and man-made beauty—something that I do not think the current planning interjectory is delivering.

As the member for Ginninderra, my focus has been to represent my electorate and all Canberrans, ensuring they have access to the services, support and opportunities they deserve. However, I have also noticed some concerning trends under the Labor government, with the decline in basic services and a gradual erosion of the city's unique character, as we expand. As Canberra continues to grow, it is essential we do not lose sight of what makes this city so special, the capital of this wonderful country.

I entered politics with a commitment to preserving this city's unique character, particularly as the bush capital and garden city. I remain committed to preserving this unique character of Canberra, while ensuring we adapt to the evolving needs of our growing city. I am proud to serve the people of Canberra, especially my electorate of Ginninderra.

I do hope everyone enjoyed their public holiday and took the time to reflect on what makes our city great. It is my hope that Australians are proud to call Canberra the capital of this wonderful country and that Canberrans are prouder to live here. So, in closing: happy birthday Canberra, and many happy returns.

International Day to Combat Islamophobia

MR BRADDOCK (Yerrabi) (5.29): This past Saturday, 15 March, commemorated the International Day to Combat Islamophobia, marking six years since the tragic Christchurch mosque attacks, the deadliest act of terrorism against Muslims in our region. This should have been a turning point for our political leaders to address the decade-long threats to the safety of Muslims in our community. However, we are yet to see this issue being treated with the urgency it deserves.

The fifth *Islamophobia in Australia* report, released this year, highlighted the disturbing surge in anti-Muslim violence, with over 300 in-person attacks between 2023 and 2024—a 150 per cent increase. This trend is also reflected in online spaces, such as social media, where a 250 per cent increase was recorded. Three in four victims are women. This is clearly a gendered issue. The report notes an increase in violence against Palestinian women specifically. Experiencing such violence has grave long-term effects on the wellbeing and health of Muslims, with over 90 per cent reporting long-term impacts to their mental health and their daily lives. As we are over halfway through the holy month of Ramadan, it is worth reflecting on ways the ideas of belonging are unfortunately not applied to everyone in our community.

A decade after the Islamophobia Register Australia began documenting incidents of anti-Muslim violence, we must acknowledge that we cannot simultaneously boast about multiculturalism while such attacks continue and increase. Low reporting rates of Islamic-phobic incidents, with only 18 per cent of in-person incidents reported to police,

are reflective of a mistrust in our institutions to do anything that will make a difference and also a fear of backlash.

There is much that can be done, including mandatory Islamophobia awareness training in schools and workplaces; explicit inclusion of gendered Islamophobia in policies and funding decisions; psychological support for Muslims who have experienced and are at risk of violence; and holding media and public figures, including politicians such as ourselves, to account for promoting harmful narratives and disinformation contributing to anti-Muslim sentiments.

I, and I am sure many others in this place, have had the great privilege of attending Ramadan Iftars and other events by the Muslim community here in Canberra this month. I felt so welcomed by their hospitality and their generosity. It is only right that society does more for them.

The ACT Greens condemn hate and bigotry in all its forms. There is no place for Islamophobia in our society. An attack on the rights of one community is an attack on all of us. We remain committed to combating anti-Muslim attacks and ensuring the safety of our Muslim community members.

Domestic and family violence—gendered violence

DR PATERSON (Murrumbidgee—Minister for Police, Fire and Emergency Services, Minister for Women, Minister for the Prevention of Family and Domestic Violence, Minister for Corrections and Minister for Gaming Reform) (5.32): On Saturday, 15 March, the She Matters: Stop Killing Women rally was held nationwide, honouring, remembering and grieving for the more than 100 women who have died because of male violence since the beginning of 2024, and calling for an end to violence against women. I was unable to attend the rally but stand here in the chamber in solidarity with the calls for change. These lives should not have been lost. It is absolutely unacceptable that this violence permeates communities across our country.

Recent reports from the UN show that rates of femicide are rising around the world. We must do more to prevent the violence and support our community services sector, and we need to do more to hold perpetrators to account. One of the most concerning aspects of the ACT death review that took place in 2023 is that that most victims had little or no engagement with the domestic and family violence services system. This speaks to the broader factors that drive femicide: discrimination, unequal power relations, ingrained gender stereotypes and harmful social norms. Education and cultural change are critical, yet this seems to become an increasingly uphill battle as we see global narratives changing and misogynistic and violent voices, as well as online content, perpetuated and platformed through the algorithms. This has to change.

I express my gratitude for the domestic, family and sexual violence workforce in the ACT. Our workforce is dedicated, capable and highly skilled. Without their work, we would not have the quality services and supports for victim-survivors.

On Saturday, I was honoured to attend the 50th birthday dinner for Beryl Women. It was wonderful to celebrate Beryl's significant impact and to celebrate with many of the sector's workforce and advocates who attended. Beryl Women has spent 50 years

supporting victim-survivors of domestic and family violence. It is incredible to reflect on their beginnings, from 1975 as the first women's refuge in Canberra to now being the longest-running women's refuge in Australia. Guest speaker, Rosie Batty, a renowned advocate against domestic and family violence, spoke powerfully about her own tragic experience and highlighted the crucial role of services like Beryl in supporting victim-survivors.

The event also featured a panel discussion with some of the founders of Beryl Women and current CEO, Robyn Martin. The women noted how much of the landscape of support for women and children escaping violence had changed since 1975. We have come a long since then, and Beryl has established itself as a specialist service whose staff have extensive experience and knowledge of the complex needs of women and children affected by violence. Importantly, Beryl delivers culturally-safe services for Aboriginal and Torres Strait Islander women and their children, as well as women and children from culturally- and linguistically-diverse communities. I acknowledge the hard work and dedication of Beryl Women, which provides crucial support for women and children in our community.

Housing—affordability

MS CLAY (Ginninderra) (5.36): The Salvation Army recently released their Social Justice Stocktake. This showed that both across the nation and right here in the ACT, housing affordability and homelessness were the top issues of concern for our community. Thirty per cent of people identified it as a personal issue. It is not just those struggling to put a roof over their head who worry; 72 per cent of Canberrans say that this is also their top concern. Everyone is either struggling to put a roof over their head or they now somebody who is.

Rents are too high, and rents in Canberra are still rising. The cost of buying a home is out of reach for many. It is no longer the city I grew up in. We all know we are in a housing crisis, but we have different ways to fix it. The Greens want much more public and community housing. We want good city planning that gives everyone access to trees and green space, and upzoning for more missing middle housing. This is now progressing, but slowly. We had the opportunity to start the work needed to design, consult and upzone during the five-year planning review led by Labor, and I put up a motion in 2023 to do just that, but it was voted down. We will keep pushing for the reports to come out, for good consultation and for delivery on missing middle housing. The Greens also want to set city limits so people are not pushed into endless sprawl and forced into long and expensive car commutes they cannot afford. The Greens want the best use of land in our city, with new suburbs for homes, schools and shops in key places like Thoroughbred Park. We want stronger renter rights and affordable rent.

The Liberals have focused primarily on land release and ideas like bulldozing Kowen Forest for a new suburb on the outskirts. ACT Labor have primarily looked at market solutions. We hear a lot about the Labor commitment to ensure that there are 30,000 new homes added to Canberra's housing stock by 2030, and most of those homes will come from the private sector. It is not so much an ambitious policy goal aimed at addressing the housing crisis as it is a description of what has happened in the past. For over a decade, Canberra has added 4,000 or 5,000 new homes to its housing stock each year, so this target simply describes what has happened before and predicts business as

usual, except that we are meeting that target.

In 2023-24, DAs and new build starts dropped in half. The ABS says we went from 5,561 dwelling approvals in 2022 to 2,180 in 2024, and answers in recent hearings indicate that 2024-25 is not going to be much better. I asked the minister for housing policy and the Coordinator-General for Housing if those figures affected the 2030 target of 30,000 new homes by 2030. I did not really get any useful answers to that.

The other Labor commitment is to add 5,000 public, community and affordable homes by 2030, and that looks really promising until you look closer. Only 1,000 of those 5,000 homes will be public housing. That actually means we are going to go backwards on public housing stock. By 2030, even if Labor meet their goals, we will have less public housing as a proportion of all housing than we have right now. We will drop from 5.9 per cent of all homes being government housing to 5.7 per cent.

The commitments for community housing are a lot more promising, but our community housing providers are struggling to find land that they can afford. I very much hope they can deliver what we need to see. The bulk of the commitment comes from what Labor calls affordable housing. This is private sector housing offered at 75 per cent of market rent, and that is often not affordable. A Treasury document in one of the FOI documents that I obtained actually labelled some of the 75 per cent market rent housing as unaffordable for Canberrans. It is also time limited. It will only be offered at that rate for 15 years. The housing minister cannot tell us what will happen after that. I am really worried that the current goals will not address our housing crisis and I am even more worried that, in 10 or 15 years, we may be in an even worse housing situation than we are now.

I am pleased the federal Greens got an additional \$3 billion for public and community housing through the Housing Australia Future Fund. I am sad that the Labor government did not apply for a single dollar in round 1. I am glad they applied for 100 homes in round 2, but it would be good to see more public housing built from that money. Similarly, we welcome the recent announcement of rooftop solar for 7,500 Canberrans in public housing. That is certainly an advance on what we heard in hearings, where we heard that one per cent of our public housing would get solar panels. Again, that funding comes from the extra \$500 million that the Greens secured in negotiations on the Future Made in Australia Bill that passed last November.

It is really important that we get more of the homes that we need, but it is equally important that we set goals that are ambitious enough and have policies that are actually going to deliver on those goals.

Health—endometriosis treatment

MS TOUGH (Brindabella) (5.41): I rise today to welcome the addition of Ryeqo to the Pharmaceutical Benefits Scheme from 1 May 2025. This is a significant win for the one in seven women in Australia living with endometriosis. As someone who personally lives with endometriosis, I know how debilitating this disease can be. It affects every aspect of life: work, study and relationships. For too long, the treatment options have been limited. They have been either unaffordable or ineffective treatments.

Until now, Ryeqo cost around \$2,700 per year, putting it out of reach for many. With its PBS listing, patients will now pay just \$30 a month, or \$7 with a concession card—a change that will save patients thousands of dollars annually. Ryeqo is the first drug in 30 years to be approved for the treatment of endometriosis, and this happened about 12 months ago.

I thank Gedeon Richter, the manufacturer of Ryeqo, for their work in discovering that their fibroid treatment, which has been on the market for quite a while, could actually be used for endometriosis. It does the work of combining what puts a woman into menopause. It stops the endo treatment and puts the hormone replacement therapy in the same drug. It stops the need to take two drugs—two treatments—simultaneously, which can become costly, prohibitive and a really hard way to get treatment. It does not have some of the side effects of previous drugs that have been used for endometriosis. I met some people from Gedeon Richter last year at a Parliamentary Friends of Endometriosis Awareness event at Parliament House. They spoke about how exciting it was to actually find a treatment for endometriosis that can combat some of the side effects.

This listing is particularly important because it provides a non-surgical treatment option for those with moderate to severe pain that has not responded to other therapies. I have had one endometriosis surgery, but I know women who have had 10-plus surgeries for endometriosis. Surgeries are expensive, not just for the surgery but also for time off to recover and everything else that comes with that, including whether you need to pay for extra care for your family during that period.

Having non-surgical treatment options to use once diagnosed is really important for women with endo. It is great to see treatments being approved and now on the PBS. This drug is expected to benefit around 8½ thousand women a year. To me, it is only the start. We need more non-surgical treatment options. We need to better explore how physio works and what other things are out there so that the default is not just to have surgery, with which many more complications can arise and cause more pain, when you are trying to stop the pain.

For decades, endometriosis has been dismissed, misunderstood and underfunded. It is still taking an average of 6½ years in Australia to be diagnosed, leaving many to suffer alone in silence. This is taking a step forward, but we need better research, faster diagnosis and stronger workplace protections for those affected.

Given March is Endometriosis Awareness Month, it feels like a really great time to talk about endometriosis and see new treatments come onto the PBS.

To the advocates, researchers and endo warriors who fought for this, thank you. Your persistence is making this happen. And to those still struggling, I see you, I hear you, and I will continue to fight for you here in the chamber and in the wider world. It is progress, but our work is not done.

I commend the Albanese government for ensuring that drugs for IVF and some new contraceptive pills were also listed on the PBS this month. The ongoing commitment by the Albanese government to women's health is wonderful to see, and making women's health care more affordable is beneficial for all Australians.

To finish, I would like to make a shoutout for the endo expo that is on at Exhibition Park this Saturday. There will be a range of doctors, other health services and me talking about endo and treatment and what we can do next in the steps forward.

Disability—Women With Disabilities ACT

MISS NUTTALL (Brindabella) (5.45): Today I would like to briefly discuss the incredible work of Women With Disabilities ACT. The work of advocating for a diverse community with an equally diverse set of needs is not easy, but Women With Disabilities ACT do excellent work in ensuring that their community has a voice. To start, I appreciate them speaking with me about the work that they are doing and the top priorities of the community. Unsurprisingly, NDIS reforms are at the top of many people's agenda. The lack of clarity for people experiencing changes to their NDIS plans and supports is deeply concerning. They conveyed to me that there are Canberrans who are having major disruptive changes made to the kind of support that they receive and rely on, and that they are expected to challenge these changes in an extremely tight time frame.

How does someone living with a disability that could potentially take up a great deal of their time and energy be expected to fight the government, sometimes with only a fortnight's notice to dispute changes? The lack of transparency around changes in the NDIS is deeply harmful to all recipients. We have an entire section of the population in Canberra who live in fear that they might wake up to the government determining that their quality of life is too expensive to maintain, and then their only option would be to fight those changes through what seems to be a pretty opaque process. This is simply unacceptable.

Here in the ACT, we still do not have clarity about what foundational supports will look at and who is expected to provide or fund them. These are systems designed to complement NDIS plans. It has been put to us during annual reports that we need to wait for the federal government's foundational support strategy. In the meantime, disability advocacy groups and service providers will not really know what they will be supported with or expected to provide, and people with a disability might not have access to these services despite the NDIS pulling back. Frankly, this just is not fair. Whether it is the federal government or the territory government, frankly, governments, as a collective, need to come together to give people with a disability peace of mind.

To return to my main point today, Women With Disabilities ACT has been consistently advocating for their members and women with disabilities more broadly during this challenging period. They are doing essential work. I firmly believe that it is extremely important for all of us here, whether we identify as women with disabilities or not, to ensure that they are heard and that their ongoing advocacy is acknowledged.

With that in mind, I urge the government, and particularly the minister for disability, to continue to work closely with Women With Disabilities ACT, take their concerns seriously and take action to address those concerns. We need to ensure that, when people living with disabilities take the time to raise their voices, they are addressed, engaged and supported by government to do so. The alternative is that the community is no longer able to invest their time and energy to advocate to politicians. If we in the

Assembly are not actually hearing from the community and taking the time to make those connections, we cannot move forward with any policy and know that it has the support of the community. To put it simply, that is not how the democratic process should work.

I thank Women With Disabilities ACT for their time and engagement, and I look forward to continuing to see the work that they do.

Question resolved in the affirmative.

The Assembly adjourned at 5.48 pm.