



# LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL TERRITORY

2020–2021–2022–2023–2024

## MINUTES OF PROCEEDINGS

No 131

TUESDAY, 3 SEPTEMBER 2024

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- 1 The Assembly met at 10 am, pursuant to adjournment. The Speaker (Ms Burch) took the Chair and made the following acknowledgement of country in the Ngunnawal language:

Dhawura nguna, dhawura Ngunnawal.

Yanggu ngalawiri, dhunimanyin Ngunnawalwari dhawurawari.

Nginggada Dindi dhawura Ngunnaawalbun yindjumaralidjinyin.

*This is Ngunnawal Country.*

*Today we are gathering on Ngunnawal country.*

*We always pay respect to Elders, female and male, and Ngunnawal country.*

The Speaker asked Members to stand in silence and pray or reflect on their responsibilities to the people of the Australian Capital Territory.

2 **DISSENT FROM SPEAKER'S RULING MOTION—STATEMENT BY SPEAKER**

The Speaker made a statement concerning the dissent from Speaker's ruling motion that appears on the *Notice Paper* under Assembly Business. She advised Members of the decision of the Standing Committee on Administration and Procedure not to list the matter for this sitting week, and consequently the order of the day for the dissent motion would lapse at the end of the Tenth Assembly, unless the Assembly decided otherwise.

3 **SOCIAL MEDIA POST BY MINISTER—STATEMENT BY SPEAKER—SPEAKER'S RULING**

The Speaker made a statement concerning a social media post made by a Minister on 2 September 2024. Having considered the matter, the Speaker ruled that the post breached the broadcasting guidelines, standing order 55 and standing order 73. The Speaker asked the Minister to apologise and delete all references on the Minister's social media before the lunchtime adjournment today.

The Minister apologised and informed the Assembly that she had deleted the post.

#### **4 PETITIONS AND MINISTERIAL RESPONSES—PETITIONS AND RESPONSES NOTED**

##### **Petitions**

The Clerk announced that the following Members had lodged petitions for presentation:

Ms Lee, from 28 residents, requesting that the Assembly call on the ACT Government to install a safe pedestrian crossing at the intersection of Sturt Avenue and McMillan Crescent in Narrabundah (e-Pet 024-24).

Mr Cain, from 418 and 157 residents, requesting that the Assembly call on the ACT Government to provide support funding for the construction of an inclusive play space at the Charnwood-Dunlop School (e-Pet 028-24 and Pet 039-24).

Pursuant to standing order 99A, this petition stands referred to the Standing Committee on Education and Community Inclusion.

Mr Pettersson, from 461 residents, requesting that the Assembly call on the ACT Government to implement a number of measures to address increasing crime in Giralang and Kaleen (e-Pet 032-24).

Miss Nuttall, from 107 residents, requesting that the Assembly call on the ACT Government to develop and maintain an online data base of sensory friendly venues (e-Pet 035-24).

Mrs Kikkert, from 13 residents, requesting that the Assembly call on the ACT Government to investigate matters relating to workers compensation for a workplace incident (Pet 040-24).

##### **Ministerial responses**

The Clerk announced that the following responses to petitions had been lodged:

Ms Cheyne (Minister for City Services), dated 1 September 2024—Response to e-petition No 011-24, lodged by Mr Cocks on 25 June 2024, concerning the duplication of Dalrymple Street in Red Hill.

Ms Cheyne (Minister for City Services), undated—Response to e-petition No 009-24 and Pet 023-24, lodged by Mr Cain on 4 June 2024, concerning the long-term car park at the Kippax Group Centre.

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The Speaker proposed—That the petitions and responses so lodged be noted.

Debate ensued.

Mrs Kikkert, by leave, was granted an extension of time.

Debate continued.

Question—put and passed.

#### **5 JUSTICE AND COMMUNITY SAFETY—STANDING COMMITTEE (LEGISLATIVE SCRUTINY ROLE)—SCRUTINY REPORT 45—STATEMENT BY CHAIR**

Mr Cain (Chair) presented the following report:

Justice and Community Safety—Standing Committee (Legislative Scrutiny Role)—Scrutiny Report 45, dated 2 September 2024, together with a copy of the extracts of the relevant minutes of proceedings—

and, by leave, made a statement in relation to the report.

**6 JUSTICE AND COMMUNITY SAFETY—STANDING COMMITTEE—REPORT 30—INQUIRY INTO THE ADMINISTRATION OF BAIL—REPORT NOTED**

Mr Cain (Chair) presented the following report:

Justice and Community Safety—Standing Committee—Report 30—*Inquiry into the administration of bail*, dated 21 August 2024, including a dissenting report (*Mr Cain*), together with a copy of the extracts of the relevant minutes of proceedings—

and moved—That the report be noted.

Question—put and passed.

**7 JUSTICE AND COMMUNITY SAFETY—STANDING COMMITTEE—DISCLOSURE OF COMMITTEE PROCEEDINGS—STATEMENT BY CHAIR**

Mr Cain (Chair), pursuant to standing order 246A, informed the Assembly that the Standing Committee on Justice and Community Safety had resolved to accept an apology from a Member for making statements during a debate in the Assembly last week which were a disclosure of committee proceedings, noting that the disclosure did not have a tendency to substantially interfere with the work of the Committee.

**8 APPROPRIATION BILL 2024-2025**

The Assembly, according to order, resumed further consideration at the detail stage—

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*Detail Stage*

Schedule 1—Appropriations—Proposed expenditure—

Consideration resumed on Part 1.5—Chief Minister, Treasury and Economic Development Directorate—

Debate continued.

Proposed expenditure agreed to.

Part 1.6—Transport Canberra and City Services Directorate—debated and agreed to.

Part 1.7—Justice and Community Safety Directorate—

Debate interrupted in accordance with standing order 74 and the resumption of the debate made an order of the day for a later hour this day.

**9 MINISTERIAL ARRANGEMENTS**

Mr Barr (Chief Minister) informed the Assembly of the absence of Minister Cheyne and advised the Assembly that questions without notice normally directed to the Minister for City Services could be directed to Mr Steel (Minister for Transport), while those normally directed to the Minister for the Arts, Culture and the Creative Economy, the Minister for Government Services and Regulatory Reform and the Minister for Human Rights could be directed to Mr Barr.

**10 QUESTIONS**

Questions without notice were asked.

**11 PRESENTATION OF PAPERS**

The Speaker presented the following papers:

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

Bills—Not inquired into—

Crimes (Anti-Consorting) Amendment Bill 2024—Copy of letter to the Speaker from the Chair, Standing Committee on Justice and Community Safety, dated 2 September 2024.

Evidence (Miscellaneous Provisions) Amendment Bill 2024—Copy of letter to the Speaker from the Chair, the Standing Committee on Justice and Community Safety, dated 2 September 2024.

Estimates 2024-2025—Select Committee, pursuant to standing order 253A—

Answers to Question Taken on Notice—

No 178, dated 28 August 2024.

No 184, dated 30 August 2024.

Schedule of questions answered after the dissolution of the Select Committee on Estimates 2024-2025, dated 3 September 2024.

Government Agencies (Campaign Advertising) Act, pursuant to section 20—Independent Reviewer—Report for the period 1 January to 30 June 2024, dated 25 August 2024, prepared by Bill Campbell AO KC.

**12 PRESENTATION OF PAPERS**

Mr Gentleman (Manager of Government Business), pursuant to standing order 211, presented the following papers:

Public Sector Management Standards, pursuant to section 56—Engagements of Long-term Senior Executive Service Members—1 March to 31 August 2024, dated September 2024.

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

Legislation Act, pursuant to section 64—

Cemeteries and Crematoria Act—

Cemeteries and Crematoria (Governing Board) Appointment 2024 (No 1)—Disallowable Instrument DI2024-256 (LR, 19 August 2024).

Cemeteries and Crematoria (Governing Board) Appointment 2024 (No 2)—Disallowable Instrument DI2024-257 (LR, 19 August 2024).

Cemeteries and Crematoria (Governing Board) Appointment 2024 (No 3)—Disallowable Instrument DI2024-258 (LR, 19 August 2024).

Cemeteries and Crematoria (Governing Board) Appointment 2024 (No 4)—Disallowable Instrument DI2024-259 (LR, 19 August 2024).

Cemeteries and Crematoria (Governing Board) Appointment 2024 (No 5)—Disallowable Instrument DI2024-260 (LR, 19 August 2024).

Cemeteries and Crematoria (Governing Board) Appointment 2024 (No 6)—Disallowable Instrument DI2024-261 (LR, 19 August 2024).

Cemeteries and Crematoria (Governing Board) Appointment 2024 (No 7)—Disallowable Instrument DI2024-262 (LR, 19 August 2024).

Cemeteries and Crematoria (Governing Board) Appointment 2024 (No 8)—Disallowable Instrument DI2024-263 (LR, 19 August 2024).

Crimes (Sentence Administration) Act—

Crimes (Sentence Administration) (Sentence Administration Board) Appointment 2024 (No 1)—Disallowable Instrument DI2024-265 (LR, 19 August 2024).

Crimes (Sentence Administration) (Sentence Administration Board) Appointment 2024 (No 2)—Disallowable Instrument DI2024-266 (LR, 19 August 2024).

Education Act—Education Amendment Regulation 2024 (No 2)—Subordinate Law SL2024-19 (LR, 26 August 2024).

Emergencies Act—Emergencies (Multi-Hazard Advisory Council Members) Appointment 2024 (No 1)—Disallowable Instrument DI2024-264 (LR, 19 August 2024).

Magistrates Court Act—Magistrates Court (Professional Engineers Infringement Notices) Regulation 2024—Subordinate Law SL2024-18 (LR, 26 August 2024).

Racing Act—Racing Appeals Tribunal Appointment 2024 (No 1)—Disallowable Instrument DI2024-252 (LR, 15 August 2024).

Road Transport (General) Act—Road Transport (General) Vehicle Registration and Related Fees Determination 2024 (No 2)—Disallowable Instrument DI2024-251 (LR, 15 August 2024).

University of Canberra Act—

University of Canberra Council Appointment 2024 (No 2)—Disallowable Instrument DI2024-253 (LR, 19 August 2024).

University of Canberra Council Appointment 2024 (No 3)—Disallowable Instrument DI2024-254 (LR, 19 August 2024).

University of Canberra Council Appointment 2024 (No 4)—Disallowable Instrument DI2024-255 (LR, 19 August 2024).

### **13 GAMBLING POLICY—CLUBSACT—REFORM AND INQUIRY**

Mr Braddock, pursuant to notice, moved—That this Assembly:

- (1) notes:
  - (a) the severe and debilitating effect that gambling has on the lives of its victims, particularly where derived from electronic gaming machines (poker machines);
  - (b) that gambling reform is a wicked problem and a divisive issue for ACT politics, over which a significant amount of lobbying occurs;
  - (c) the risks of new technologies involving big data and behavioural analytics, powered by artificial intelligence, which stand to exacerbate harm if left unregulated by the Government;
  - (d) the ACT Minister for Gaming recently said that “the ACT Labor Party has avoided, delayed, and ultimately rejected the best-practice [pokies harm reduction] reforms” that were presented to it in Government;

- (e) that the ACT Labor Party has a conflict of interest on gambling policy that is derived from its:
    - (i) associations with the Canberra Labor Club group, which operates for the express purpose of promoting the Australian Labor Party, and which operates 436 poker machines across four venues, representing 12 percent of all machines in the ACT;
    - (ii) historic financial arrangements whereby the profits from poker machine operations at the Canberra Labor Club were used to fund the operations of the ACT Labor Party;
    - (iii) current financial arrangements whereby the operations of the ACT Labor Party are funded from the investment returns of the 1973 Foundation, which according to disclosures to Elections ACT, was established using capital transfers from the Canberra Labor Club amounting to \$3,600,000 in 2011-2012 and \$2,500,000 in 2013-2014, totalling at least \$6,100,000. The ACT Labor Party have received over \$4,400,000 in funding from this investment vehicle since 2011-2012; and
    - (iv) governance arrangements over the Canberra Labor Club which see it nominate a majority of the Club's board of directors;
  - (f) that this conflict of interest results in the ACT Labor Party being impossibly compromised on gambling policy; and
  - (g) that the Canberra Labor Club, despite being the beneficiary of ACT Government revenue diversification grants, has become a property developer that has built a block of apartments in Braddon and a hotel at its Belconnen site, but still operates the same number of poker machines as in 2019; and
- (2) calls on the ACT Labor Party to:
- (a) sever all of its connections to the Canberra Labor Club to eliminate its conflict of interest; and
  - (b) donate \$6,100,000 to the Alliance for Gambling Reform – an amount equivalent to that derived from poker machines to establish the 1973 Foundation.

Debate ensued.

Mr Parton moved the following amendment: Omit all text after paragraph (1)(g), substitute:

- “(h) the Greens want to implement a Central Monitoring System funded by clubs;
- (i) Labor's machine reduction amendments would severely impact the sector; and
- (j) the reaction from clubs is that either one of these policy proposals will lead to the entire collapse of the sector;

- (2) further notes:
  - (a) the Government has made many commitments regarding club diversification yet failed to achieve any of them;
  - (b) the community clubs sector in the ACT supports hundreds of community organisations;
  - (c) there are 43 licensed clubs in the ACT employing over 1,700 staff and supporting huge local supply chains in food and beverage;
  - (d) clubs manage and maintain much sporting infrastructure including 400 hectares of greenspace for community use and support nearly 400 sporting groups;
  - (e) over the last decade clubs provided over \$150 million in community contributions;
  - (f) clubs contributed over \$300 million in gaming taxes in that same period; and
  - (g) during the Covid period, Canberrans flocked to Queanbeyan clubs during the 6-week period when ACT clubs were closed;
- (3) calls on the ACT Labor Party to:
  - (a) sever all of its connections to the Canberra Labor Club to eliminate its conflict of interest; and
  - (b) donate \$6,100,000 to the Alliance for Gambling Reform – an amount equivalent to that derived from poker machines to establish the 1973 Foundation; and
- (4) further calls on the ACT Government to establish an independent inquiry into the future of the ACT club industry. This inquiry would examine and make recommendations in relation to:
  - (a) potential changes to taxes, charges and regulations which are inhibiting the sector's ability to diversify businesses;
  - (b) skills requirements and training, including specific training support programs for employees who may need to exit the industry through industry rationalisation;
  - (c) practical options, timelines, and assistance measures for helping the sector significantly reduce its reliance on electronic gambling machine (EGM) revenue;
  - (d) adoption of evidence based, evaluated harm minimisation initiatives that are scale appropriate in terms of technology options and financial implications;
  - (e) the community contribution scheme and how its impact can be maximised;
  - (f) mechanisms for establishing an ongoing transitional funding model to support industry and related community activities over a 20-year period;

- (g) determining the real financial contribution the ACT licensed community club sector contributes to the ACT economy, Government, the community, and sporting sectors, especially with respect to facilities management;
- (h) the cross border economic relationship between the ACT and NSW jurisdictions in terms of the revenue generated by the clubs sector and any negative impacts to the ACT economy to the benefit of the ACT adjacent communities in NSW should regulations inhibit the viability of clubs in the ACT;
- (i) the value of harmonisation between NSW and ACT regulation on harm minimisation objectives and the role positive or otherwise the ACT club industry plays in minimising gambling harm;
- (j) examining the extent to which the ACT Government needs to focus on online and other forms of gambling;
- (k) review the extent to which ACT Government EGM gambling harm initiatives encourage a move to other gambling types rather than reduce the incidence of gambling harm; and
- (l) investigate any possible conflict of interest arising from the connection between the ACT Labor Party and the Labor Clubs in Canberra.”.

Debate continued.

Mr Braddock, by leave, moved the following amendments to Mr Parton’s proposed amendment, together:

1. Omit paragraph (1)(h), substitute: “the Greens want to implement a Central Monitoring System funded by the clubs in possible conjunction with the ACT Government;”.
2. In paragraph (1)(j), omit “clubs”, substitute “ClubsACT”.
3. In paragraph (2)(a), omit “any”, substitute “many”.

Debate continued.

Question—That Mr Braddock’s amendments to Mr Parton’s proposed amendment be agreed to—put.

The Assembly voted—

AYES, 15		NOES, 10	
Andrew Braddock	Nicole Lawder	Andrew Barr	Chris Steel
Peter Cain	Elizabeth Lee	Yvette Berry	Rachel Stephen-Smith
Leanne Castley	James Milligan	Joy Burch	
Jo Clay	Laura Nuttall	Tara Cheyne	
Ed Cocks	Mark Parton	Mick Gentleman	
Emma Davidson	Shane Rattenbury	Suzanne Orr	
Jeremy Hanson	Rebecca Vassarotti	Marisa Paterson	
Elizabeth Kikkert		Michael Pettersson	

And so it was resolved in the affirmative.

Question—That Mr Parton’s amendment, as amended, be agreed to—put.

The Assembly voted—

AYES, 15		NOES, 10	
Andrew Braddock	Nicole Lawder	Andrew Barr	Chris Steel
Peter Cain	Elizabeth Lee	Yvette Berry	Rachel Stephen-Smith
Leanne Castley	James Milligan	Joy Burch	
Jo Clay	Laura Nuttall	Tara Cheyne	
Ed Cocks	Mark Parton	Mick Gentleman	
Emma Davidson	Shane Rattenbury	Suzanne Orr	
Jeremy Hanson	Rebecca Vassarotti	Marisa Paterson	
Elizabeth Kikkert		Michael Pettersson	

And so it was resolved in the affirmative.

Question—That the motion, as amended, viz:

“That this Assembly:

- (1) notes:
  - (a) the severe and debilitating effect that gambling has on the lives of its victims, particularly where derived from electronic gaming machines (poker machines);
  - (b) that gambling reform is a wicked problem and a divisive issue for ACT politics, over which a significant amount of lobbying occurs;
  - (c) the risks of new technologies involving big data and behavioural analytics, powered by artificial intelligence, which stand to exacerbate harm if left unregulated by the Government;
  - (d) the ACT Minister for Gaming recently said that “the ACT Labor Party has avoided, delayed, and ultimately rejected the best-practice [pokies harm reduction] reforms” that were presented to it in Government;
  - (e) that the ACT Labor Party has a conflict of interest on gambling policy that is derived from its:
    - (i) associations with the Canberra Labor Club group, which operates for the express purpose of promoting the Australian Labor Party, and which operates 436 poker machines across four venues, representing 12 percent of all machines in the ACT;
    - (ii) historic financial arrangements whereby the profits from poker machine operations at the Canberra Labor Club were used to fund the operations of the ACT Labor Party;
    - (iii) current financial arrangements whereby the operations of the ACT Labor Party are funded from the investment returns of the 1973 Foundation, which according to disclosures to Elections ACT, was established using capital transfers from the Canberra Labor Club amounting to \$3,600,000 in 2011-2012 and \$2,500,000 in 2013-2014, totalling at least \$6,100,000. The ACT Labor Party have received over \$4,400,000 in funding from this investment vehicle since 2011-2012; and

- (iv) governance arrangements over the Canberra Labor Club which see it nominate a majority of the Club's board of directors;
  - (f) that this conflict of interest results in the ACT Labor Party being impossibly compromised on gambling policy; and
  - (g) that the Canberra Labor Club, despite being the beneficiary of ACT Government revenue diversification grants, has become a property developer that has built a block of apartments in Braddon and a hotel at its Belconnen site, but still operates the same number of poker machines as in 2019; and
  - (h) the Greens want to implement a Central Monitoring System funded by the clubs in possible conjunction with the ACT Government;
  - (i) Labor's machine reduction amendments would severely impact the sector; and
  - (j) the reaction from ClubsACT is that either one of these policy proposals will lead to the entire collapse of the sector;
- (2) further notes:
- (a) the Government has made many commitments regarding club diversification yet failed to achieve many of them;
  - (b) the community clubs sector in the ACT supports hundreds of community organisations;
  - (c) there are 43 licensed clubs in the ACT employing over 1,700 staff and supporting huge local supply chains in food and beverage;
  - (d) clubs manage and maintain much sporting infrastructure including 400 hectares of greenspace for community use and support nearly 400 sporting groups;
  - (e) over the last decade clubs provided over \$150 million in community contributions;
  - (f) clubs contributed over \$300 million in gaming taxes in that same period; and
  - (g) during the Covid period, Canberrans flocked to Queanbeyan clubs during the 6-week period when ACT clubs were closed;
- (3) calls on the ACT Labor Party to:
- (a) sever all of its connections to the Canberra Labor Club to eliminate its conflict of interest; and
  - (b) donate \$6,100,000 to the Alliance for Gambling Reform – an amount equivalent to that derived from poker machines to establish the 1973 Foundation; and
- (4) further calls on the ACT Government to establish an independent inquiry into the future of the ACT club industry. This inquiry would examine and make recommendations in relation to:
- (a) potential changes to taxes, charges and regulations which are inhibiting the sector's ability to diversify businesses;

- (b) skills requirements and training, including specific training support programs for employees who may need to exit the industry through industry rationalisation;
- (c) practical options, timelines, and assistance measures for helping the sector significantly reduce its reliance on electronic gambling machine (EGM) revenue;
- (d) adoption of evidence based, evaluated harm minimisation initiatives that are scale appropriate in terms of technology options and financial implications;
- (e) the community contribution scheme and how its impact can be maximised;
- (f) mechanisms for establishing an ongoing transitional funding model to support industry and related community activities over a 20-year period;
- (g) determining the real financial contribution the ACT licensed community club sector contributes to the ACT economy, Government, the community, and sporting sectors, especially with respect to facilities management;
- (h) the cross border economic relationship between the ACT and NSW jurisdictions in terms of the revenue generated by the clubs sector and any negative impacts to the ACT economy to the benefit of the ACT adjacent communities in NSW should regulations inhibit the viability of clubs in the ACT;
- (i) the value of harmonisation between NSW and ACT regulation on harm minimisation objectives and the role positive or otherwise the ACT club industry plays in minimising gambling harm;
- (j) examining the extent to which the ACT Government needs to focus on online and other forms of gambling;
- (k) review the extent to which ACT Government EGM gambling harm initiatives encourage a move to other gambling types rather than reduce the incidence of gambling harm; and
- (l) investigate any possible conflict of interest arising from the connection between the ACT Labor Party and the Labor Clubs in Canberra.”—

be agreed to—put and passed.

#### **14 FUEL PRICES IN THE TERRITORY**

Ms Lee (Leader of the Opposition), pursuant to notice, moved—That this Assembly:

- (1) notes:
  - (a) Canberra is in a cost-of-living crisis, with the cost of basic goods and services, including petrol, becoming increasingly expensive;
  - (b) the most recent Australian Competition and Consumer Commission report on the Australian petrol market, from March 2024, shows that Canberra had the highest average quarterly retail petrol price of any capital city in Australia;

- (c) the report found that throughout 2023, Canberra had the highest average retail petrol price of any capital city in the country;
  - (d) according to the FuelPrice Australia website, Canberra's retail petrol price, over the last week, is the highest out of all the capital cities in Australia; and
  - (e) according to FuelCheck, petrol prices in Canberra are, on average, 13 cents per litre higher than in Queanbeyan;
- (2) further notes:
- (a) on 14 February 2019, the Legislative Assembly established the Select Committee on Fuel Pricing which would, among other things, consider reasons for significant pricing discrepancies within the ACT when compared to other Australian communities and capital cities;
  - (b) the Select Committee's report, which was tabled in September 2019, found:
    - (i) annual average petrol prices in Canberra were higher than prices in the five largest capital cities between 2012-13 and 2018-19;
    - (ii) Canberra petrol prices were consistently higher than those in Sydney and in other surrounding towns between 2012-13 and 2018-19; and
    - (iii) that it is apparent that the ACT fuel market is not meeting consumer expectations;
  - (c) the Select Committee recommended, inter alia, that the Assembly establish a standing committee to monitor fuel pricing and competition in the ACT;
  - (d) in its response to the Select Committee report, the ACT Government said "the Government considers the Independent Competition and Regulatory Commission (ICRC) is the most appropriate body to undertake this role in the Territory";
  - (e) in February 2020, the Chief Minister announced the establishment of a fuel price watchdog which the ACT Government would commission to undertake ongoing analysis and reporting on the ACT fuel market to increase transparency and place a continuing eye on fuel prices in the Territory;
  - (f) that the ACT Government failed to task the ICRC with the role of monitoring, reporting and analysis of the ACT fuel market;
  - (g) that the ACT Government failed to establish a fuel price watchdog; and
  - (h) as a result of its inaction, Canberrans continue to pay higher petrol prices than those of any other capital city in Australia; and
- (3) calls on the ACT Government to:
- (a) report back to the Assembly on 5 September 2024 on the progress of establishing a fuel price watchdog, and the commissioning of the ICRC to undertake ongoing monitoring, reporting and analysis of the ACT fuel market; and

- (b) apologise to Canberrans for failing to implement measures in the Territory that would have likely led to lower petrol prices for Canberrans, particularly during this worsening cost-of-living crisis.

Mr Barr (Chief Minister) moved the following amendment: Omit all text after “That this Assembly”, substitute:

“(1) notes:

- (a) Australia is experiencing a cost-of-living crisis, with the cost of basic goods and services, including petrol, becoming more expensive;
- (b) this is due to exogenous shocks and a period of high inflation;
- (c) the Australian Competition and Consumer Commission’s (ACCC) March quarter 2024 *Report on the Australian petroleum market* found Canberra’s average retail petrol prices to be 202.0 cents per litre;
- (d) petrol prices increase and decrease in regular patterns in our largest capital cities due to pricing policies, not changes in the wholesale cost of fuel – this cycle does not occur in Canberra, Hobart or Darwin;
- (e) the Australian Institute of Petroleum’s Weekly Petrol Prices Report for the week ending 1 September highlights a Metropolitan Average Price of 189.2 cents per litre in Canberra – over 8 cents lower than Sydney’s at 197.3, and over 10 cents lower than Brisbane’s at 199.6; and
- (f) before the Government’s intervention, Canberrans were unfairly paying up to 25 cents per litre more than Sydney motorists;

(2) further notes:

- (a) on 14 February 2019, the Assembly established the Select Committee on Fuel Pricing which considered reasons for significant pricing discrepancies within the ACT when compared to other capital cities;
- (b) the Select Committee’s report found:
  - (i) annual average petrol prices in Canberra were higher than prices in the five largest capital cities between 2012-2013 and 2018-2019;
  - (ii) Canberra petrol prices were consistently higher than those in Sydney and in other surrounding towns between 2012-2013;
  - (iii) the ACT fuel market was not meeting consumer expectations;
- (c) on 22 February 2019 the Chief Minister made a referral to the Independent Competition and Regulatory Commission to undertake a factual analysis of petrol prices and competition in the ACT;
- (d) prior to the Chief Minister’s intervention, the March quarter 2020 ACCC Report showed on average Canberrans were paying 14.2 cents per litre more than Sydney motorists;
- (e) the Chief Minister wrote to major fuel operators on 20 April 2020 highlighting unnecessarily high retail margins and indicating the Government was willing to introduce price regulations if the issue was not addressed;

- (f) the Chief Minister subsequently wrote to major fuel operators on several occasions to remind retailers of the Government’s position and their responsibility to bring pricing in line with other metropolitan centres; and
  - (g) following the intervention, the June quarter 2022 ACCC report revealed that in 2021-2022 Canberrans were paying prices comparable to Sydney;
- (3) acknowledges:
- (a) on 4 November 2022, the Government announced the introduction of the FuelCheck scheme for a 6-month pilot, at no cost to the ACT;
  - (b) during the pilot, consumers enjoyed savings on average of 11 cents per litre on standard unleaded; and
  - (c) in October 2023 the Government committed to the continuation of the scheme, given the fuel price benefits accruing to ACT motorists; and
- (4) calls on the Government to:
- (a) recommit to the continuation of the FuelCheck scheme at no cost to ACT taxpayers; and
  - (b) continue to monitor petrol pricing to ensure retailers do not reinstate unnecessarily high retail margins.”.

Debate continued.

Question—That the amendment be agreed to—put.

The Assembly voted—

AYES, 16		NOES, 9
Andrew Barr	Suzanne Orr	Peter Cain
Yvette Berry	Marisa Paterson	Leanne Castley
Andrew Braddock	Michael Pettersson	Ed Cocks
Joy Burch	Shane Rattenbury	Jeremy Hanson
Tara Cheyne	Chris Steel	Elizabeth Kikkert
Jo Clay	Rachel Stephen-Smith	Nicole Lawder
Emma Davidson	Rebecca Vassarotti	Elizabeth Lee
Mick Gentleman		James Milligan
Laura Nuttall		Mark Parton

And so it was resolved in the affirmative.

Question—That the motion, as amended, viz:

“That this Assembly:

- (1) notes:
- (a) Australia is experiencing a cost-of-living crisis, with the cost of basic goods and services, including petrol, becoming more expensive;
  - (b) this is due to exogenous shocks and a period of high inflation;
  - (c) the Australian Competition and Consumer Commission’s (ACCC) March quarter 2024 *Report on the Australian petroleum market* found Canberra’s average retail petrol prices to be 202.0 cents per litre;

- (d) petrol prices increase and decrease in regular patterns in our largest capital cities due to pricing policies, not changes in the wholesale cost of fuel – this cycle does not occur in Canberra, Hobart or Darwin;
  - (e) the Australian Institute of Petroleum’s Weekly Petrol Prices Report for the week ending 1 September highlights a Metropolitan Average Price of 189.2 cents per litre in Canberra – over 8 cents lower than Sydney’s at 197.3, and over 10 cents lower than Brisbane’s at 199.6; and
  - (f) before the Government’s intervention, Canberrans were unfairly paying up to 25 cents per litre more than Sydney motorists;
- (2) further notes:
- (a) on 14 February 2019, the Assembly established the Select Committee on Fuel Pricing which considered reasons for significant pricing discrepancies within the ACT when compared to other capital cities;
  - (b) the Select Committee’s report found:
    - (i) annual average petrol prices in Canberra were higher than prices in the five largest capital cities between 2012-2013 and 2018-2019;
    - (ii) Canberra petrol prices were consistently higher than those in Sydney and in other surrounding towns between 2012-2013;
    - (iii) the ACT fuel market was not meeting consumer expectations;
  - (c) on 22 February 2019 the Chief Minister made a referral to the Independent Competition and Regulatory Commission to undertake a factual analysis of petrol prices and competition in the ACT;
  - (d) prior to the Chief Minister’s intervention, the March quarter 2020 ACCC Report showed on average Canberrans were paying 14.2 cents per litre more than Sydney motorists;
  - (e) the Chief Minister wrote to major fuel operators on 20 April 2020 highlighting unnecessarily high retail margins and indicating the Government was willing to introduce price regulations if the issue was not addressed;
  - (f) the Chief Minister subsequently wrote to major fuel operators on several occasions to remind retailers of the Government’s position and their responsibility to bring pricing in line with other metropolitan centres; and
  - (g) following the intervention, the June quarter 2022 ACCC report revealed that in 2021-2022 Canberrans were paying prices comparable to Sydney;
- (3) acknowledges:
- (a) on 4 November 2022, the Government announced the introduction of the FuelCheck scheme for a 6-month pilot, at no cost to the ACT;
  - (b) during the pilot, consumers enjoyed savings on average of 11 cents per litre on standard unleaded; and
  - (c) in October 2023 the Government committed to the continuation of the scheme, given the fuel price benefits accruing to ACT motorists; and

- (4) calls on the Government to:
- (a) recommit to the continuation of the FuelCheck scheme at no cost to ACT taxpayers; and
  - (b) continue to monitor petrol pricing to ensure retailers do not reinstate unnecessarily high retail margins.”—
- be agreed to—put and passed.

## 15 PAPERS PRESENTED ON 3 SEPTEMBER 2024—PAPERS NOTED

The Speaker, pursuant to standing order 211A, proposed—That the papers presented under standing order 211 during the presentation of papers in the routine of business today be noted.

Question—put and passed.

## 16 APPROPRIATION BILL 2024-2025

The Assembly, according to order, resumed further consideration at the detail stage—

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### *Detail Stage*

Schedule 1—Appropriations—Proposed expenditure—

Consideration resumed on Part 1.7—Justice and Community Safety Directorate—  
Debate continued.

Ms Clay moved her amendment No 2 (see [Schedule 1](#)).

Debate continued.

Question—put.

The Assembly voted—

AYES, 6		NOES, 19
Andrew Braddock		Andrew Barr
Jo Clay		Nicole Lawder
Emma Davidson		Yvette Berry
Laura Nuttall		Elizabeth Lee
Shane Rattenbury		Joy Burch
Rebecca Vassarotti		James Milligan
		Peter Cain
		Suzanne Orr
		Leanne Castley
		Mark Parton
		Tara Cheyne
		Marisa Paterson
		Ed Cocks
		Michael Pettersson
		Mick Gentleman
		Chris Steel
		Jeremy Hanson
		Rachel Stephen-Smith
		Elizabeth Kikkert

And so it was negated.

Debate continued.

Proposed expenditure agreed to.

Part 1.8—Community Services Directorate—

Debate adjourned (Ms Orr) and the resumption of the debate made an order of the day for the next sitting.

**17 MEMBERS' STATEMENTS**

Members' statements were made.

**18 ADJOURNMENT**

Mr Gentleman (Manager of Government Business) moved—That the Assembly do now adjourn.

Debate ensued.

Ms Cheyne (Minister for Human Rights), by leave, was granted an extension of time.

Question—put and passed.

And then the Assembly, at 6.30 pm, adjourned until tomorrow at 10 am.

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**MEMBERS' ATTENDANCE:** All Members were present at some time during the sitting.

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**Tom Duncan**  
Clerk of the Legislative Assembly

## SCHEDULE OF AMENDMENTS

### Schedule 1

#### APPROPRIATION BILL 2024-2025

Amendments circulated by Ms Clay

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**1**

**Clause 6 heading**  
**Page 2, line 15—**

*omit the heading, substitute*

**6 Appropriations of \$8 249 048 256**

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**2**

**Schedule 1, part 1.7**  
**Page 5—**

*omit part 1.7, substitute*

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<b>Part 1.7</b>	461 465 000	51 867 000	266 384 256	779 716 256
Justice and Community Safety Directorate				

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**3**

**Schedule 1**  
**Page 7—**

*omit*

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<i>Total appropriated to territory entities</i>	4 926 133 000	1 939 265 000	1 024 273 000	7 889 671 000
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*substitute*

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<i>Total appropriated to territory entities</i>	4 926 133 000	1 939 265 000	1 019 264 256	7 884 662 256
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**4**

**Schedule 1**  
**Page 7—**

*omit*

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<i>Total appropriations</i>	4 926 133 000	2 224 265 000	1 024 273 000	8 254 057 000
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*substitute*

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<i>Total appropriations</i>	4 926 133 000	2 224 265 000	1 019 264 256	8 249 048 256
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