



Debates

WEEKLY HANSARD

Legislative Assembly for the ACT

TENTH ASSEMBLY

5 SEPTEMBER 2024

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Thursday, 5 September 2024

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

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

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

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

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

Mr Terry Snow AM **Motion of condolence**

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

That this Assembly expresses its deep regret at the death of Mr Terry Snow AM, Canberra business person and philanthropist, and tenders its profound sympathy to his family, friends and colleagues in their bereavement.

I rise this morning on behalf of the ACT government to pay tribute to Terry Snow AM. Firstly, I acknowledge Terry's family in the gallery today: his wife, Ginette, daughter Scarlett and son Stephen, and his friends who have gathered with us this morning.

Terry was an integral figure in creating the Canberra that we all know and love. His passing is the end of an era for our city. He was a business and community leader with an innovative spirit, a willingness to take risks and a relentless pursuit of excellence. His contributions to Canberra's wellbeing and economic development came at a pivotal moment in our city's growth and will endure for generations to come.

Terry is perhaps best known for his work at Canberra Airport, a place that he once described as "a humble tin shed in a paddock". His vision to acquire that humble tin shed and, together with his team, transform it into the best small airport in the world paved the way for Canberra to become a viable economic hub, improving trade, investment, tourism and economic growth opportunities for our entire region.

I have a great interest in aviation, and it was a great pleasure to work with Terry over the years to secure more flights for Canberra, including the arrival of Canberra's first international flights in 2016. We have met with quite a few airline CEOs. They are a curious personality type. Terry and I would enjoy commentary before and after such meetings, saying, "What did we just experience?" on more than one occasion. It was

his courage to invest in the international capacity of the airport that will ensure that it can continue to realise its full potential well into the future.

In addition to driving investment and submitting Canberra Airport as the nation's most modern and secure facility, his vision has attracted leading multinational and local businesses to call the Brindabella Business Park home. Through the Capital Property Group, Terry led investment in projects that have contributed to shaping this city and, I think, making it an even better place to live.

His dedication to building outstanding developments, like the precinct we are in, Constitution Place and new suburbs like Denman Prospect, reflects a commitment to excellence and quality that will resonate for generations to come. Denman Prospect is the first Australian suburb to have a minimum requirement for solar power generation on every home. As part of that development, a share of the sale price of all properties was donated to projects that address the shortage of social and affordable housing in the ACT through the Homes for Homes charity.

Going back in time to the early 1990s, when Terry and his brother, George, established the Snow Foundation, its intent was to benefit the disadvantaged community in Canberra and beyond. In their words, the foundation goal was simple: "When you see someone struggling, give them a helping hand." In the early days the foundation focused on supporting other community groups, like St Vincent de Paul, Barnardos, the Smith Family and St John's Care, to provide grants for disadvantaged youth, people with disabilities, food programs and schools in need.

In recent years the foundation has grown to become one of the largest philanthropic organisations in Australia, funding more than 470 organisations and 620 individuals, and providing more than \$80 million in support since its inception. The foundation has supported major initiatives that are now part of the fabric of this city and the region, like HOME in Queanbeyan, Common Ground, Project Independence and, more recently, Clare Holland House. Terry also gave generously to his alma mater, Canberra Grammar School, with the Snow Centre for Education in the Asian Century and the Snow Concert Hall rating amongst the largest personal endowments to any school in Australian history.

The Snow Medical Research Foundation was established by the family and Terry's vision. It was founded to support the development of the next generation of exceptional visionary biomedical research leaders. Last year the family announced a donation of \$100 million to establish a world-leading immunology research centre in Melbourne to find answers to autoimmune diseases such as lupus and rheumatoid arthritis. The Snow Medical Research Foundation has played an instrumental role in bringing Tender Funerals to our region, to provide compassionate, affordable and personalised funeral services to the people of our region.

This is but a small snapshot of a remarkable life of accomplishment and generosity, and it is fitting that Terry's achievements have been recognised throughout his career. In 2006 he was awarded an Order of Australia for his contribution to the city of Canberra; for his service to the construction and building industry, and particularly the redevelopment of the airport; as well as for his considerable charitable work through the Snow Foundation.

In October of 2009 Terry was the inaugural recipient of the Business Council's Chairman's Award for his significant individual contribution to the economic development of Canberra and the capital region. He was an ACT Honour Walk recipient in 2010, in recognition of this significant and sustained contribution that helped shape our city as we know it.

In 2022 Terry and Ginette received the inaugural Chuck Feeney Award for Philanthropy from the Victor Chang Cardiac Research Institute. In April of this year Terry and Ginette were awarded the 2024 Leadership Award from Philanthropy Australia. When he announced his retirement, Terry himself said:

Some of my proudest moments are not just about the physical developments we have made, but about the team and culture we have built. The dedication, professionalism, and camaraderie of our staff will continue to uphold the high standards we have set. The legacy we have built together will continue to thrive and serve our community for years to come.

Terry Snow was a great Canberran, an amazing person who lived a remarkable life in our fantastic city. He leaves a legacy of kindness, of philanthropy and of business excellence. His spirit will continue to inspire us all and his contributions will forever be a strong thread through the fabric of Canberra.

MS LEE (Kurrajong—Leader of the Opposition): Today we acknowledge the passing of a great Canberran. I think it would not be a stretch to say that, more than any other person, Terry Snow AM can claim credit for forging Canberra into the wonderful, dynamic, prosperous city that it is today. Although not every Canberran will be aware of the impact his life has had on us, we should all be grateful for the legacy he has left.

Terry is the grandson of ER Snow, who ran the first general store in Canberra, Snow's, opening the same year as Old Parliament House. His father, Bob, worked at Snow's until he opened his own store in Kingston and later took over the Tooheys Hotel in Queanbeyan. This is when Terry was born, right here in Canberra, in 1943.

Although Canberra was bigger than it had been when his family arrived 15 years earlier, at that time the population was still less than 20,000, before Lake Burley Griffin became the centrepiece of our city, when it was the Molonglo River winding its way past fields and pastures. The Sydney and Melbourne buildings were still under construction and sheep still grazed the paddocks around Old Parliament House and what would become Civic. It was scarcely even a town then.

Not much had changed by the 1960s when Terry returned to Canberra from Melbourne, initially to work as an accountant—work he found, in his own words, “shockingly boring”—before shifting into real estate with his brother, George, and his father. Terry spent the 1980s and the 1990s in real estate, fighting to build and modernise Canberra. He was blunt about Canberra's challenges, calling it “boring” and “a city without heart”—criticisms that we hear all the time from those who have not necessarily experienced the wonderful aspects of Canberra life.

But, unlike most critics, he did not stop with just the criticisms. He did not just wish for change; he created the change, starting with the transformation of Canberra Airport

from what he described as “a humble tin shed in a sheep paddock” to what we can easily claim now to be the best airport in the country, which became a game changer for Canberra.

This is the legacy that he has left us, the changes that he has gifted to our city, to our economy and to our lifestyle. We can all see and feel the impact of Terry’s life’s work throughout the territory, in the east at Brindabella, Majura and the airport precinct; in the north at Denman Prospect; in the west at Molonglo Valley; and right here in the city, just opposite the Assembly, in Constitution Place, which the ACT public service calls home. His legacy will continue leaving further footprints in the city, with a future development on the other side of the Assembly breaking ground only a few weeks ago.

Terry’s contributions to Canberra were not simply to the development of Canberra’s physical environment. He created and endowed the Snow Foundation so that he could give Canberra the heart that he felt was missing. In his own words:

We started it to make a difference in people’s lives in the community of our origins. George and I had a pretty straightforward view; if you see someone struggling you give them a helping hand.

Through the foundation, Terry delivered as much impact to our social environment as to our physical environment. He started by backing community groups which were not eligible for government assistance, such as St Vincent de Paul, the Smith Family, Barnardos and St John’s Care. That extended to also supporting transformative local and national projects like Clare Holland House and HOME in Queanbeyan and vital work like eradicating rheumatic heart disease in Aboriginal and Torres Strait Islander communities.

Most recently, the Snow Foundation’s generosity extended to Tender Funerals, as already has been outlined by the Chief Minister, and to important research to cement in policymakers evidence-based approaches to teaching literacy and numeracy. On a personal level, it played a major part in the construction of the Canberra Liberals’ education policy, which has received positive responses from across the community. It is the seed that I know will give our children and their children the very best start in life, the start that they need and deserve. Terry’s commitment to education is unparalleled in Canberra. His generosity to his former school, Canberra Grammar, I think is a testament to Terry never forgetting where he came from and where he got his start in life, and his commitment to giving back so the next generation can have the same opportunities.

I came across Terry briefly at various community events. I have not had the pleasure of attending meetings with airline bosses, like Mr Barr has, and I did not have the fortune of knowing him personally. I do recall one year at a Canberra Airport open day—and I am sure every member in this place has been to one, because it is an amazingly fabulous day that connects community, business innovation and tourism—when I had the great pleasure of seeing Terry enjoying the day, surrounded by his grandchildren.

I think every Canberran knows Terry’s ferocious work ethic and has no doubts about his dedication to his profession and his community life, but perhaps not as many Canberrans had the chance to see him, I would say, probably in his happiest moments, being a grandfather. It really struck me that, despite his lifetime of service and

dedication to the Canberra community, he was, in his grandchildren's eyes, Granddad first and foremost. It was evident in those interactions at that open day.

Today we celebrate and pay respect and mourn the loss of a great businessman, a pioneer, an innovator, an entrepreneur, a community man for Canberra. His beloved family say goodbye to a husband, a father and grandfather. Terry Snow literally built Canberra. In his own words:

I love the place; it's been a big part of my life, a very happy life. I had a wonderful time growing up in Canberra, raising a family here, developing a business career ... It's a great little city.

What an incredible legacy he has left us in Canberra—a legacy that will stand the test of time and continue to benefit Canberrans for generations to come. On behalf of the Canberra Liberals, I acknowledge and share my condolences with Terry's wife, Ginette, his children Scarlett and Stephen who join us today, and Georgina and Tom and their own families. I thank them for sharing Terry with Canberra. Vale.

MR RATTENBURY (Kurrajong): I rise today to mark the passing of Canberra businessman and philanthropist Mr Terry Snow AM. Terry was a renowned community leader who had a passion for helping others and for making Canberra a better place. He will be missed by many.

As we have heard, Terry's dedication to Canberra spanned many decades, and his work influenced our city in many ways. We all know about his work to redevelop Canberra Airport, which has come a long way from the modest shed it was when Capital Airport Group acquired the site in 1998. The terminal is now a bright and soaring building from which to arrive or depart from our city. Terry backed Canberra and invested in achieving his vision for the city. He also backed innovation and sustainable building design.

The building at 8 Brindabella Circuit, in the Brindabella Business Park, was awarded a five-star Green Star rating in 2004 by the Green Building Council of Australia. This was the first Green Star rated building in Australia. It helped to demonstrate what was possible and paved the way for ongoing improvements in sustainable building design. This innovation was also demonstrated through the Denman Prospect development in the Molonglo Valley, which was the first suburb in Australia to introduce a minimum requirement for solar power generation for each home. It was innovations like this that pushed the boundaries and encouraged other developments across Australia to follow in requiring and promoting solar power. Without such innovation we would be likely less progressed on our solar power journey.

Terry's work to develop Canberra was not without controversy. Anyone who observes public discourse in this city would readily assume as much. One such example members may recall was the proposal to open up the heart of the city by building a tunnel under City Hill, removing the traffic flowing through the centre, making it a more pedestrian and business oriented precinct, and allowing for significant redevelopment opportunities to pay for the project. It was a bold and visionary proposal. It is interesting to imagine what the city might be like today if that proposal had proceeded. Not everyone agreed with this vision, but, to his credit, Terry remained committed to his vision for the city as

a whole and throughout his work continued to prioritise leadership in building design and philanthropic work to support those in our community who needed help.

As has been noted already, another of Terry's well-known achievements was the establishment of the Snow Foundation in 1991 with his brother, George. The foundation started with the simple goal of making a difference in people's lives in Canberra. It was based on their straightforward view that if you see someone struggling, you give them a helping hand. Initially working with organisations like St Vincent de Paul, Barnardos, the Smith Family and St John's Care, they provided grants, supported food programs and helped those who were falling between the cracks of government programs.

Over time the foundation grew and began to support a range of projects in Canberra, including: Common Ground, who provide permanent supported housing for people experiencing homelessness; Project Independence, who help people with intellectual disabilities achieve home ownership; and the well-known Clare Holland House. From an initial commitment of \$1 million, the foundation now holds \$180 million and supports initiatives not just here in the ACT but nationally.

I know Terry's family will continue to be change-makers and seek a better future for Canberrans. Members of the Assembly will no doubt have met with Terry's daughter Scarlett in the past year, who is an advocate for education and literacy and who was a major source of inspiration for the recent ACT inquiry into literacy and numeracy performance in the territory.

Terry's spirit and drive to make things happen is a legacy that will evidently live on. Terry's loss will be felt across the community, through those who have worked with him, those who have benefitted from his philanthropy and the many other ways he has impacted people's lives. On behalf of the ACT Greens, I offer my sincere condolences to Terry's family, particularly his wife, Ginette, and his children, Stephen, Georgina, Tom and Scarlett, and their families at this time of loss.

Question resolved in the affirmative, members standing in their places.

At 10.23 am, the sitting was suspended until the ringing of the bells.

The bells having been rung, Madam Speaker resumed the chair at 10.28 am.

Legislation—Gaming Machine (Compulsory Surrender) Amendment Bill 2024 Ruling by Speaker

MADAM SPEAKER: Members, before we get to petitions, I would like to make a statement with regard to the amendments proposed for the Gaming Machine (Compulsory Surrender) Amendment Bill 2024. The amendments were presented by Mr Braddock. Members, the long title of the bill is "A Bill for An Act to amend the Gaming Machine Act 2004, and for other purposes". The explanatory statement to the bill states that the purpose of the bill is to amend the act to establish a legislative framework for the compulsory surrender of gaming machines authorisations following the end of the voluntary surrender program.

Mr Braddock has circulated six amendments to the bill. The first three are technical and appear to be consequential to the last three amendments. Mr Braddock’s supplementary explanatory statement on the proposed amendments states:

These amendments introduce best-practice, evidence-based gambling harm protections to electronic gaming machines (EGMs) - also called “poker machines” - in the ACT.

Later, it states:

The measures introduced by the amendments are:

1. Universal account-based gambling, requiring anyone gambling on EGMs in the ACT to use an individual player card that will support cashless, account based gaming.

The explanatory statement also states:

In addition to these direct EGM protections, the amendments also change the operating hours of EGMs so that they must not operate during the hours that the most gambling harm occurs ...

The Legislative Assembly’s standing order 181 states:

An amendment may be moved to any part of the bill, provided it is within the long title and relevant to the subject matter of the bill, and otherwise conforms with the standing orders.

Companion to the Standing Orders of the Legislative Assembly for the Australian Capital Territory (Second Edition), at paragraph 12.104, gives some background to how this standing order operates. *House of Representatives Practice (Seventh Edition)*, at pages 375 to 376, also gives examples of amendments ruled out of order that were held not to be within the scope of the bill.

I have sought advice on this matter, and that advice is that the amendments are out of order as they stray quite considerably from the narrow purpose of the Gaming Machine (Compulsory Surrender) Amendment Bill 2024—that is, compulsory surrender of gaming machine authorisations following the end of the voluntary surrender program. Mr Braddock’s amendments concern themselves with an entirely different set of public policy prescriptions that cannot be located in the original bill. Accordingly, I rule those amendments out of order.

Petitions

The following petitions were lodged for presentation:

Children and young people—voting age—petition 15-24

By Mr Petterson, from 120 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 to the need to strengthen our democracy by expanding voting rights in the ACT to 16 and 17 year olds. Young people in the ACT want a say in their future. 16 and 17 year olds are politically engaged and want a say in decisions made by the ACT Government that affect their lives. Voting is a fundamental right.

Every voice deserves to be heard in the ACT electoral system. Voting is about people from different experiences coming together to create an accurate representation of the ACT community. Extending voting rights to 16 and 17 year olds will strengthen democracy, increase voter enrolment and turnout, and lead to higher political participation, helping the ACT Government to make better informed policy decisions.

The majority of 16 and 17 year olds already work and pay taxes, but don't get a say on how those taxes are spent. This is taxation without representation. 16 year olds can already legally undertake a lot of 'adult' actions. 16 and 17 year olds can drive, consent to sex and medical procedures, leave school or home, pay rent, join the armed forces, and work full time.

There is no reason to withhold from them the right to vote. Many other countries including Austria, Argentina, Brazil, Malta, Scotland, Germany and Wales have already lowered the voting age to 16. New Zealand and Canada may soon follow their lead.

It's Australia's turn - and the ACT, as the nation's capital, should be the first jurisdiction to take up the opportunity to extend the right to vote to its young people.

Your petitioners, therefore, request the Assembly to amend the Electoral Act 1992 in order to extend the right to vote to 16 and 17 year old citizens of the ACT in all future Territory elections.

Cook—playground—petition 43-24

By Mrs Kikkert, from 58 residents:

To the Speaker and Members of the Legislative Assembly for the Australian Capital Territory

This petition of certain residents of the Australian Capital Territory draws to the attention of the Assembly that:

- the Lyttleton Crescent and Teague Street Neighbourhood Playgrounds in Cook are both small, with each having only one double swing set; and
- there is space and community support for potential upgrades.

Your petitioners, therefore, request the Assembly to call upon the ACT Government to:

- work closely with the Cook community to determine what improvements should be made to the Lyttleton Crescent and Teague Street Neighbourhood Playgrounds and then implement those improvements.

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

Ministerial response

The following response to a petition has been lodged:

Phillip Avenue light rail stop—CCTV—petition 22-24

By Ms Cheyne, Minister for City Services, dated 4 September 2024, in response to e-petition No 022-24, lodged by Ms Stephen-Smith on 26 June 2024, concerning bike cage security improvements at the Phillip Avenue light rail stop in Watson.

The response read as follows:

Dear Mr Duncan

Thank you for your letter concerning petition E-PET-022-24, lodged by Ms Rachel Stephen-Smith MLA, regarding CCTV and secure bike parking at the Phillip Avenue light rail stop. It is disappointing to hear reports of repeated theft and vandalism of bicycles parked at this location.

Transport Canberra and City Services (TCCS) currently provides several ‘Bike & Ride’ options including six bike cages at light rail stops, bus interchanges and ‘Park & Rides’. These secure bike parking facilities are accessible using a MyWay Card and TCCS is working on the transition for this capability for MyWay+.

Since the opening of the light rail, TCCS has been monitoring the usage of bike parking at stops. In response to Ms Stephen-Smith’s petition, I have asked TCCS to specifically monitor and investigate bike parking and usage at the Phillip Avenue stop, which has many customers accessing the stop by bicycle. This information will be used to inform future Bike & Ride planning, including the possibility of constructing a new bike cage subject to competing priorities, and what improvements to safety can be made in the short term.

The ACT Government and ACT Policing are committed to ensuring Canberra remains a safe and secure city for residents and businesses. In the 2023-24 Budget Review, the ACT Government provided \$207,000 in capital funding and \$417,000 in expense funding over four years from 2023-24 to replace 10 existing solar-powered CCTV cameras within the Public Safety CCTV Network (CCTV Network) with new models that provide enhanced video quality. This investment will support community safety by assisting ACT Policing in the identification, investigation, and prosecution of criminal offences.

The CCTV Network is administered by the Justice and Community Safety Directorate (JACS) and has been established to support public safety, emergency response and for criminal investigation and prosecution purposes. CCTV network deployments across Canberra occur in consultation with ACT Policing accounting for public safety risk, crime trends and resource availability.

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

Motion to take note of petitions

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

That the petitions and response so lodged be noted.

Cook—playground—petition 43-24

MRS KIKKERT (Ginninderra) (10.32): I am pleased to present a petition calling on the ACT government to make much-needed improvements to the Lyttleton Circuit and Teague Street neighbourhood playground. I have spoken to many of the residents there and they would like to see an improvement in that playground. In total, 58 people signed the petition. This tired old playground's only piece of play equipment is a very old swing set with just two swings. Beyond asking for overdue improvements to this playground, the petitioners ask for the government to work closely with the Cook community to determine the improvements that are much needed.

Children and young people—voting age—petition 15-24

MR PETTERSSON (Yerrabi) (10.33): I rise to speak to the petition on lowering the voting age to 16, which I was very happy to facilitate as the sponsoring member. This petition was signed by 120 Canberrans who want young people to have a say in their own futures. I am pleased to see so many young people in the gallery today. It is not often we have an audience here, but for them to be young as well is wonderful and a good sign for our democracy.

Our democracy benefits from having more people participating in it, not fewer. I have heard compelling reasons that 16- and 17-year-olds can be trusted with the immense responsibility that is voting. I know this from my own experience as a young person who was politically active at a young age. I think I joined the Australian Labor Party at the age of 17. It might have been 16. I cannot quite remember.

Mr Parton: And it has never been the same!

MR PETTERSSON: It has never been the same, Mr Parton! I remember what it felt like to be a young person who was very politically active and enthusiastic and wanted to make an impact and change in my community but who was not regarded in the same way as those who were adults. It was only eight years after that that I actually entered this place as a member.

I truly believe there is an important role for young people in our democracy. We trust 16- and 17-year-olds to pay taxes, work full time and drive on our roads, and they can even join the armed forces with their parents' permission. Other countries around the world have done this, including Austria, Argentina, Brazil, Malta, Scotland and Germany. They have been able to lower the voting age to 16.

It should be noted that lowering the voting age has been debated in this place recently. There are legitimate concerns regarding how lowering the voting age would interact with the essential cornerstone of our democracy: compulsory voting. I believe these are fair concerns to have and that we should continue to seek a resolution. I hope that we can continue the conversation about the role of young people in our democracy and I hope to continue to be part of that conversation. Voting in elections is part of that, but there is more to our democracy than just election day.

I think that any and all opportunities to enhance youth representation and allow young people more ways to vote for their representatives would be good. Improving youth

consultation in whatever form will make sure that decisions that are made about young people are better, including everything that we can do to foster civic education to make sure that, when people do have the right to vote, they are exercising it in a responsible manner.

I wish to thank the principal petitioner, Parker. I also thank all of the activists surrounding the campaign for their work in organising this petition and all Canberrans who have signed it.

MR BRADDOCK (Yerrabi) (10.36): I too would like to speak to the petition that Mr Pettersson has sponsored to lower the voting age. I thank all the signatories who have contributed their voices to the petition calling for democratic rights for young people so that they can have a say at the ballot box about the future of Canberra and who shall run our great city.

By 16, young people can work full time, pay income tax, serve in the Army, drive a car, get married and be charged with criminal offences as an adult. Young people have the right and capacity to be heard, shape policies that affect their lives and be an integral part of our democracy, including, most particularly, at the ballot box. Young people make full use of government services, including the health system, the education system and public transport. They will live with the results of decisions made in this place for far longer than any other voting cohort. It is time they had a say. Lowering the voting age acknowledges that young people are experiencing and will inherit the planet that we have bequeathed to them, including the challenges from climate change to housing and education for young people. Young people are experiencing these challenges first and worst, so they deserve a say.

Democracies thrive with broader participation. The expansion of voting rights, from men without property to women, Indigenous people and those aged 18 to 21, has shown that the franchise is not fixed. It has changed over the past 100 years and it can change again. Granting voting rights to 16- and 17-year-olds will bring about a similar positive impact to our democracy. The change that Mr Pettersson has highlighted has been implemented in many jurisdictions overseas. I also note that UK Labour, as part of its manifesto before its successful election, was looking at reducing the voting age to 16 in the United Kingdom.

I thank Mr Pettersson for sponsoring this important petition to the Assembly and hope he will continue to support this cause and bring along his party to bring about this change in our democracy.

Phillip Avenue light rail stop—CCTV—petition 22-24

MS STEPHEN-SMITH (Kurrajong—Minister for Aboriginal and Torres Strait Islander Affairs, Minister for Children, Youth and Family Services, Minister for Disability and Minister for Health) (10.38): I rise very briefly to thank Ms Cheyne for her response as Minister for City Services to the petition that I sponsored in relation to bicycle parking at the Phillip Avenue light rail stop.

I look forward to TCCS undertaking monitoring and investigation into bicycle usage and parking at the Phillip Avenue stop. There are clearly a lot of consumers accessing

the stop by bicycle. If we are going to make our mass public transit successful, obviously last-mile solutions are very important. Bicycles are one of those last-mile solutions for people who can ride a bike, and secure bike storage is an important part of making sure that people feel safe and confident to do that, so I look forward to further work by City Services and the outcomes of that work.

Question resolved in the affirmative.

Crime—sexual assault prevention and response—government response

Ministerial statement

MS BERRY (Ginninderra—Deputy Chief Minister, Minister for Early Childhood Development, Minister for Education and Youth Affairs, Minister for Housing and Suburban Development, Minister for the Prevention of Domestic and Family Violence, Minister for Sport and Recreation and Minister for Women) (10.39): I rise today to table the government response to the *Sexual assault (police) review*. The review was established in May 2022 as a cross-agency taskforce to conduct an in-depth analysis of sexual offences reported to ACT Policing from 1 July 2020 to 31 December 2021 and did not progress to charge.

The aim of the review was to understand the reasons for the low number of sexual offence reports that proceeded to charge in the ACT. This was in response to recommendation 15 of the *Listen. Take action to prevent, believe and heal* report. This report found that sexual offences remain under-reported, under-charged and under-prosecuted in the ACT. We heard clearly from victim-survivors that criminal justice responses to sexual assault in the ACT were failing many and often left victim-survivors re-traumatised and disempowered. The *Sexual assault (police) review* was a nation-leading piece of work made possible by the bravery of victim-survivors, collaboration between all involved agencies, and the willingness of ACT Policing to be open to an independent review.

On 30 April this year, we released the review's comprehensive report. The review found the key reason so few reports had proceeded to charge was limited investigative activity. The review made 28 recommendations to address this, including improving the criminal justice response to sexual assault and violence and ensuring victim-survivors have access to intersectional trauma-informed and victim-survivor-centric responses. The report makes for difficult reading. It is clear the system has let down victim-survivors repeatedly. Interactions with our justice agencies should not be difficult to navigate, isolating or traumatic for victim-survivors. As a government, we are committed to responding to the voices of victim-survivors and improving our system.

I am pleased to table the government response to the report today which demonstrates this commitment. Of the 28 recommendations, the government has agreed to eight recommendations, agreed in principle to 19 recommendations and noted one recommendation. These recommendations include both immediate and long-term reforms to policies, practices and procedures. These reforms will embed a trauma-informed and multidisciplinary response to sexual assault in the ACT's criminal justice system.

Recognising the importance of being led by victim-survivors, the government has agreed to engage with victim-survivors in the development, review and monitoring of policy reform. This will centre on Aboriginal and Torres Strait Islander people. It will also centre on children and young people and others from priority groups. The implementation of all recommendations will also consider diverse lived experience and expertise, the need to ensure responses are intersectional, inclusive and accessible, and ways to embed trauma-informed practice.

We have agreed that cases identified by the review that require possible further action or reinvestigation will be properly assessed and potentially reinvestigated through a multidisciplinary best practice approach. This work is already underway, led by a specialist team in ACT Policing in ongoing close collaboration with Victim Support ACT. When the report was delivered to the government, we provided \$380,000 in immediate funding to both Victim Support ACT and the Canberra Rape Crisis Centre to support them to engage with victim-survivors whose matters were considered as part of the review.

We have also agreed to establish the new role of Sexual Assault Advocate, established within the ACT Human Rights Commission and co-located with the Sexual Assault and Child Abuse Team in ACT Policing. Advocates will provide specialist support and advocacy for victim-survivors throughout the investigative process to support them to engage with ACT Policing, understand the process and make informed and empowered decisions.

Recognising that systemic change takes time, the government will implement the recommendations in phases. We will continue to work with stakeholders to ensure that they can implement the changes effectively and make sure that victim-survivors are supported throughout the process. While the government response reinforces our shared commitment to preventing and responding to sexual violence, we know there is still more work to do. Today's government response is not the end of the story. Today is a step in improving the system response.

I thank the oversight committee and the supporting working group for their significant work in undertaking this review. In particular, I acknowledge the leadership of the two independent co-chairs, Professor Christine Nixon AO APM and Ms Karen Fryar AM, as well the participating agencies, Victim Support ACT, the Office of the Director of Public Prosecutions, ACT Policing, and the Domestic, Family and Sexual Violence Office. The collaborative approach of the review has been remarkable. I thank all agencies involved for their willingness to be innovative and to explore how we can improve the ACT system.

Building on these positive and collaborative relationships, the government has agreed to establish an action committee to manage the implementation of the recommendations and report on progress. This will provide critical oversight of our ongoing work.

I thank ACT Policing for participating in this nation-leading review. This review would not have been possible without the courage to reflect on how things are done and being committed to do things better.

Finally and most importantly, I acknowledge all victim-survivors of sexual violence, whether they have come forward to tell their story or feel they cannot. We recognise the pain and the trauma that they have experienced. We know that at times the system has failed them, and we are committed to changing this. All victim-survivors deserve a criminal justice system that treats them with empathy and respect, listens and supports them. We are committed to making the system response better. I am confident all agencies will continue to work together in a collaborative way to implement the necessary changes to achieve this.

I present the following paper:

Sexual Assault (Police) Review Report—Government response, dated September 2024.

I move:

That the Assembly take note of the paper.

Question resolved in the affirmative.

Parks and conservation—nature reserves—government response

Ministerial statement

MS VASSAROTTI (Kurrajong—Minister for the Environment, Parks and Land Management, Minister for Heritage, Minister for Homelessness and Housing Services and Minister for Sustainable Building and Construction) (10.47): I rise to present a copy of the government's response to the resolution of 31 October 2023 around nature preservation. In the interests of time I am not proposing to read my statement.

I present the following paper:

Nature preservation—Assembly resolution of 31 October 2023—Government response—Ministerial statement, 5 September 2024.

I move:

That the Assembly take note of the paper.

Question resolved in the affirmative.

Environment, Climate Change and Biodiversity—Standing Committee

Statement by chair

DR PATERSON (Murrumbidgee) (10.47): Pursuant to standing order 246A, I wish to make a statement on behalf of the Standing Committee on Environment, Climate Change and Biodiversity relating to statutory appointments in accordance with continuing resolution 5A. I wish to inform the Assembly that during the reporting period 1 January 2024 to 30 June 2024 the committee considered 15 statutory

appointments. I now table a schedule of the statutory appointments considered during this reporting period:

Environment, Climate Change and Biodiversity—Standing Committee—
Schedule of Statutory Appointments—10th Assembly—Period 1 January to
30 June 2024.

(Quorum formed.)

Planning, Transport and City Services—Standing Committee Statement by chair

MS CLAY (Ginninderra) (10.50): Pursuant to standing order 246A, I wish to make a statement on behalf of the Standing Committee on Planning, Transport and City Services relating to statutory appointments in accordance with continuing resolution 5A. During the reporting period 1 January 2024 to 30 June 2024 the committee considered a total of seven appointments and re-appointments to the City Renewal Authority Board and the Suburban Land Agency Board. I now table a schedule of the statutory appointments considered during this reporting period:

Planning, Transport and City Services—Standing Committee—Schedule of
Statutory Appointments—10th Assembly—Period 1 January to 30 June 2024.

Integrity Legislation Amendment Bill 2024

Debate resumed from 26 June 2024, on motion by **Mr Barr**:

That this bill be agreed to in principle.

MS LEE (Kurrajong—Leader of the Opposition) (10.51): I rise today to speak on the Integrity Amendment Bill 2024. This bill seeks to implement the first tranche of recommendations from the review of the Integrity Commission Act 2018 undertaken by Ian Govey AM. This bill implements 18 of the recommendations that mainly deal with administrative issues and issues around ensuring the wellbeing of those involved in the Integrity Commission framework.

The Canberra Liberals support the measures in this bill, but we are disappointed that the government has not addressed some of the other significant issues that have recently arisen. What we have seen in recent months is concerning. We saw revelations in the media back in May that the head of the Education Directorate, Ms Katy Haire, a key witness in the Integrity Commission's Kingfisher inquiry, has commenced legal action in the ACT Supreme Court to have the investigation shut down. To add insult to injury, it was also revealed—following questions by the Canberra Liberals, I might add—that the ACT taxpayers are footing the bill for her legal fees for this action.

Then back in June, we saw the disgraced former CEO of CIT, Leanne Cover, seek an injunction through the courts to have the Integrity Commission's report into her actions in awarding over \$8.5 million in contracts to Patrick Hollingworth's companies suppressed and the report not be made public. Literally days before the Integrity Commission was due to release the report and hand it over to you, Madam Speaker.

Thankfully, she was unsuccessful in that attempt and the report was handed over and publicly released—a report which found Ms Cover guilty of serious corrupt conduct and found her to have engaged in corrupt conduct by intentionally and deliberately concealing details of the contracts from the CIT board. No wonder she wanted to have the report suppressed.

Most recently, only a few weeks ago, we saw another key witness in the Kingfisher investigation seeking, through the courts, an injunction on the Integrity Commission's intention to hold public hearings into that investigation. Again, thankfully this was not granted.

These matters raise serious questions. When we have a system that allows, and indeed facilitates and encourages through the payment of legal fees with taxpayer funds, key witnesses in Integrity Commission investigations to try, through the courts, to interfere in the investigations and to stop the investigations, then something has gone very wrong. Whilst no one is questioning a person's right to take legal action, Canberrans are right to ask why they are footing the legal fees for legal actions seeking to interfere with and shut down serious corruption investigations. More than that, these court cases are costing the Integrity Commission itself not only the time and resources in being forced to defend them, but also the payment of its own legal fees.

What we heard during recent estimates hearings is that the Integrity Commission funds its own defence to these actions through its own budget. It does not receive any additional funding. Any moneys that are required to be spent defending these legal actions is money that could be used to continue its important work in uncovering serious and systemic corruption. In fact the Integrity Commissioner confirmed that the commission has spent almost \$100,000 in legal fees defending the actions to date. That cost, of course, is likely to increase as Ms Katy Haire's action is ongoing.

When the Integrity Commissioner was asked during estimates as to his thoughts on the public—that is, the ACT taxpayers—funding legal support for public servants for matters before the Integrity Commission he said:

The other problem is that the legal officers direction under which the Solicitor-General approves was not designed with this kind of problem in mind, and it needs to be reconsidered.

The Canberra Liberals tried to refer the issue of whether changes are required to the Law Officers Legal Services Directions 2023 to ensure it is being used as intended. We tried to refer that matter to an Assembly inquiry. Not a single member of Labor and the Greens supported that move, and in fact they sought to even shut down debate on the matter. So whilst the Canberra Liberals will be supporting this bill, there is much more work that needs to be done to ensure the Integrity Commission can continue with important work with the resourcing and funding that is required. Given the way this Labor-Greens government has handled the issue so far—either seeking to shut down debate or voting against every motion that the Canberra Liberals brought, as well as with the deflection and denial we normally see from this Labor-Greens government—it is clear that it is only a Canberra Liberals government that will make sure that the Integrity Commission has the support that it needs to stamp out corruption.

MR BARR (Kurrajong—Chief Minister, Treasurer, Minister for Climate Action, Minister for Tourism and Minister for Trade, Investment and Economic Development) (10.56), in reply: In closing the debate, I thank members for their support. As we have heard, the bill makes amendments to the Integrity Commission Act, the FOI Act and the Public Sector Management Act to implement 18 of the 66 recommendations made by Mr Ian Govey AM in his comprehensive review of the act. The government response to the review and also his review of the Public Interest Disclosure Act are publicly available. The government would like to again thank Mr Govey for his comprehensive reviews. Importantly for the Integrity Commission, the bill will remove the existing restriction on the commission from engaging staff who are, or were, in the previous five years of the proposed engagement, an ACT public servant. I commend this legislation to the Assembly.

Question resolved in the affirmative.

Bill agreed to in principle.

Leave granted to dispense with the detail stage.

Bill agreed to.

Public Sector Management Amendment Bill 2024

Debate resumed from 6 June 2024 on motion by **Mr Barr**:

That this bill be agreed to in principle.

MR BRADDOCK (Yerrabi) (10.57): The commonwealth government's Fair Work Legislation Amendment (Secure Jobs, Better Pay) Bill passed the senate in early December 2022 with the support of the Greens. Part 10 of the commonwealth legislation had the effect of outlawing rolling temporary contracts. This was a very welcome change. Unfortunately it had been a habit of public service organisations around the country to crutch on rolling temporary contracts as a way of managing short term budget cycles and engaging the capabilities from talented people who did not happen to have a citizenship eligibility requirement to work in the public service on an ongoing basis. The commonwealth legislation has prompted the ACT government to fix the latter problem, and I welcome that. The former problem will require a different type of attention but that can be a matter for another time. The Greens will be supporting this bill.

MS LEE (Kurrajong—Leader of the Opposition) (10.58): I make a very brief contribution to this bill on behalf of the Canberra Liberals. It is a remarkably simple bill, implementing three changes to the ACT public sector employment framework: allowing for the ACT government to employ visa holders in addition to Australian citizens and permanent residents; requiring the Head of Service to verify the qualifications of ACT public service applicants rather than just their educational qualifications, such as registrations and licenses; and introducing a note about the use of fixed term employment contracts following federal changes to the Fair Work Act.

These changes are fairly straightforward, and the Canberra Liberals have no particular concerns with what is being proposed, though we naturally expect that the ACT government and the Head of Service will exercise the appropriate due diligence in ensuring the suitability of any person employed by the ACT government, particularly those employed in more sensitive roles. I note that—despite the changes in eligibility in relation to citizenship, permanent residency or visa status—the eligibility and requirements for other requirements such as clearances or security clearances, must still be adhered to, and that is an important factor that has to remain robust. Although we will not be opposing this bill, we will, of course, keep an eye on the progress of its implementation.

MS BURCH (Brindabella) (11.00): I rise today to table an exposure draft of the Legislative Assembly Legislation Amendment Bill of 2024. I do so to generate a discussion for the next Assembly about how the Assembly might give greater expression to the guidelines contained in the Latimer House principles, that parliament should be serviced by a professional staff that is independent from the regular public service. I table:

Legislative Assembly Legislation Amendment Bill 2024—Exposure Draft by the Speaker, prepared by Parliamentary Counsel’s Office, together with an explanatory statement.

Members will be aware that, unlike commonwealth parliaments and a number of other state parliaments, we do not have a stand-alone parliamentary service with its own employment framework and a complete separation from the wider government. Instead, the OLA Act provides provisions for unique functions performed by the Clerk and the office on behalf of the Assembly, its committees and the members. While its staff are employed under the Public Sector Management Act, they are not subject to direction from ministers or the executive. They are not public servants, but instead public sector members whose job it is to advise and support this place.

The proposed amendments in the draft exposure draft are actually quite modest and represent a starting point for legislative reform. Firstly, there is provision in the bill that the Speaker must be consulted about the regulations made by the executive for the Legislative Members’ Staff Act and about the Legislative Assembly precincts. This is designed to ensure that the Speaker may express a view on behalf of the Assembly, particularly on behalf of the non-executive members here. Secondly, the bill proposes an amendment to the OLA Act so that the Clerk and the office staff are not subject to direction by the Speaker in relation to seeking or giving advice. But can I just say as an aside, if you ignore the advice of the Clerk, you may find yourself in a confused state.

Mr Barr: Except on football clubs!

MS BURCH: This provision is adopted from a similar one contained in the Commonwealth Parliamentary Services Act. Thirdly, the draft bill sets out a basis for the Clerk and the office not to comply with the whole of government strategy issued by the Head of Service under the PSM, if the Clerk considers it will prejudice the exercise of the office’s functions, or indeed its independence. Such provisions ensure that the office need not comply with certain administrative arrangements and provide clarity in that separation we have created in the employment offices of the Assembly. This simply

recognises that the Clerk and the offices provide advice to the Assembly as a whole, through the Speaker.

Finally, although not a matter that can be dealt with in this draft, I also see a need to clarify the operation of the PSM Code of Conduct which applies to all public sector members, including the Clerk. I note there is language in here that runs counter to the Latimer House Principles concerning the appropriate separation through the executive and the legislative arms of the Assembly. Members, in my view, there would be value in revising the PSM standards so that provisions of the whole of the public sector code apply appropriately where needed without inconsistency across the Clerk and the Assembly. With that, Members, it is an exposure draft, it will be dealt with by those that return in November and by the 11th Assembly, and I hope it is considered well. It is a tidy piece of amendment.

MR BARR (Kurrajong—Chief Minister, Treasurer, Minister for Climate Action, Minister for Tourism and Minister for Trade, Investment and Economic Development) (11.03), in reply: I thank members for their support of the legislation, and the Speaker for raising those important issues for the next Assembly. In closing on this bill, it is necessary to ensure the government remains a model employer that complies with commonwealth workplace legislation. I think it will also support our desire to promote the ACT as a destination of choice for migrants looking to Australia for employment opportunities. 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.

Justice and Community Safety Legislation Amendment Bill 2024

Debate resumed from 15 May 2024 on motion by **Mr Rattenbury**:

That this bill be agreed to in principle.

MR CAIN (Ginninderra) (11.05): The Justice and Community Safety Legislation Amendment Bill 2024 is an omnibus bill that makes minor and ethical amendments to multiple pieces of legislation under the remit of the Attorney-General. The bill will make amendments to the following: the Civil Law (Wrongs) Act 2002 and the Civil Law (Wrongs) Regulations 2003. This bill will remove existing time limits in sections 7(1) and 8(1) of the regulations when certain parties can be included in a proceeding. The existing regulation provided that the point where the parties could be added in proceedings was the point at which a certificate of readiness was filed, but this provision was removed in 2015. As such, sections 7(1) and 8(1) are redundant, as there are no time limits, and will therefore be removed for regulatory efficiency.

The Court Procedures Act 2004 will be amended to clarify that the commissioner is entitled to appear, be heard and call witnesses for a court proceeding that relates to an

Aboriginal or Torres Strait Islander child or young person, as well as proceedings against a defendant who is an Aboriginal or Torres Strait Islander young person, clarifying section 74C(2)(e). This follows the creation of the statutory ATSI children's commission and commissioner in 2022 and ongoing updates to smooth out kinks in the commission's administration.

The bill will also extend the deadline for the statutory review of the death review under the Domestic Violence Agencies Act 1986. In 2021, the ACT government established a review mechanism for deaths related to family and domestic violence: the death review. This review included a domestic and family violence coordinator and is considered to be a comprehensive review scheme to evaluate deaths related to domestic and family violence in the ACT and the system-wide response of the government. A statutory review was intended for three years following the commencement of the review mechanism in 2021, though, given COVID delays, the review was not operational until early last year. This delay meant that the legislative review timeframe was effectively whittled down from four years to one. The bill will include a provision to extend the timeframe for the deadline to deliver the death review until 31 March 2027.

The bill clarifies, in the Human Rights Act 2004 and the Human Rights Commission Act 2005, that the mechanism for community members to make complaints to the Human Rights Commission about alleged breaches of section 40B does not apply to individual police officers. The Standing Committee on Justice and Community Safety found, in its inquiry into petition 32-21—"No Rights Without Remedy"—that the existing scheme for dealing with complaints about ACT Policing officers is sufficient and that the introduction of an additional mechanism would have effects on interjurisdictional legal arrangements. It is another clarifying amendment.

The Security Industry Act 2003 will now have introduced a new strict liability offence for individuals who fail to disclose a conviction or finding of guilt to the Commissioner for Fair Trading. The act requires the Commissioner for Fair Trading to cancel a person's security industry licence if they are convicted or found guilty of specified offences during the term of the licence. Licensees who hold this type of licence will be required to give notice to the Commissioner for Fair Trading within 14 days upon receiving a conviction.

The bill will also make minor amendments to the Urban Forest Act 2023 to correct a drafting error to section 21 of the Urban Forest Act 2023. The term "leased" under section 21 is prohibitive for a legislative mechanism to process an application to remove trees on public land outside of a development application. The bill will also amend section 34 to correct the definition of a decision-maker, exchanging "conservator" with "planning authority". The bill will also amend section 35(4)(b) to provide greater clarity in relation to the circumstance in which a person need not enter into a canopy contribution agreement.

Finally, the Discrimination Act 1991 will be amended to correct a drafting error introduced in the Justice and Community Safety Legislation Amendment Act 2023 (No 3). The Justice and Community Safety Legislation Amendment Act 2023 (No 3) added section 32(1)(e)(A) into the Discrimination Amendment Act 2023 to ensure that the special measure exemption from discrimination law for religious bodies that provide accommodation for members of a relevant class of people is subject to the qualification

in section 32(3)—that it does not apply to religious bodies whose sole or main purpose is commercial. In making this amendment to move the accommodation exception to sit under section 32(1), the accommodation exception in section 32(4) should have been omitted, but this corresponding amendment was not made in the Justice and Community Safety Legislation Amendment Act 2023 (No 3). This bill will rectify the drafting oversight in the Justice and Community Safety Legislation Amendment Act 2023 (No 3) by omitting the duplicate provision in section 32(4).

The Canberra Liberals will support these minor and technical amendments that clarify the legislation across various regimes and correct drafting errors.

DR PATERSON (Murrumbidgee) (11.11): I stand to just say that ACT Labor will support this bill today.

MR RATTENBURY (Kurrajong—Attorney-General, Minister for Consumer Affairs, Minister for Gaming and Minister for Water, Energy and Emissions Reduction) (11.11), in reply: I am pleased to speak today in support of the legislation. I welcome the support of colleagues across the chamber to the Justice and Community Safety Legislation Amendment Bill 2024 (No 1), which was introduced to the Assembly in May. As has been noted, this bill makes minor and technical but important amendments to eight pieces of legislation and one regulation. I foreshadow that I will also move government amendments to the bill to make minor changes to the Parentage Act 2004 and the Crimes Act 1900, and an amendment to the Corrections Management Act 2007.

The Parentage (Surrogacy) Amendment Act 2024 was passed by the Legislative Assembly on 25 June 2024 and made a number of reforms to remove barriers to altruistic surrogacy and improve protections for surrogates and children born through these arrangements. Following passage of these reforms and discussion with key stakeholders in the counselling field, it became clear that the requirements for counselling would benefit from further refining to accord with best practice for counselling in this specialist area.

With the support of the Minister for Human Rights, I will move a government amendment to remove the prohibition on a single counsellor providing counselling for birth parents and intended parents under a surrogacy arrangement, while retaining the safeguard where a potential surrogate is under 25 years old. This amendment will allow for more flexibility for parties to choose counselling arrangements that suit their needs, noting the benefits of a joined and collaborative approach where a single counsellor sees all parties to a surrogacy agreement. This can have positive consequences for the parties and the babies born through surrogacy.

The Crimes Legislation Amendment Act 2024 was passed in the Legislative Assembly on 10 April 2024 and included reforms to introduce a majority verdict scheme under the Juries Act 1967. The majority verdict scheme was intended to apply to all territory offences without exceptions, as is the case in New South Wales and the Northern Territory. Following the passage of those amendments, the government became aware that section 56(3) of the Crimes Act 1900—persistent sexual abuse of a child or young person under special care—requires the trier of fact, which may be a jury, to be unanimously satisfied of one element of the offence. Requiring all 12 jurors to be satisfied beyond reasonable doubt that a relationship existed, as defined in section

56(1)(b), when determining whether the offence was committed is not consistent with the policy intention of majority verdicts and would understandably be viewed negatively by victim-survivors.

The amendment in this bill will remove the requirement for unanimity of a jury to be satisfied beyond reasonable doubt that the unlawful sexual relationship existed and permit 11 of 12 jurors to make this finding of fact in the majority verdict scheme if the majority verdict scheme is available under the Juries Act. This amendment would commence on 19 October 2024, concurrently with the majority verdicts amendments.

The Corrections Management Act 2007 provides for the government's administration of the Alexander Maconochie Centre. The purpose of the amendment to section 44 of the act is to promote the safety and wellbeing of people held in this facility and to ensure the best interests of a non-convicted detainee are considered when determining accommodation requirements. The Minister for Corrections and Justice Health will speak to this amendment in more detail during the detail stage of today's discussion.

The bill amends the Civil Law (Wrongs) Act 2002 and the Civil Law (Wrongs) Regulation 2003 to remove outdated references in relation to court procedures for certain claims and to enhance the clarity and readability of the legislation. Currently, the Civil Law (Wrongs) Act provides that the time limit for a party to add another party to litigation in personal injuries claims may be prescribed by regulation. The Civil Law (Wrongs) Regulation prescribes this time limit as the point when a certificate of readiness is filed. However, the requirement to file a certificate of readiness in personal injuries claims was removed in 2015. Consequential amendments were not made at that time, rendering the remaining reference obsolete and potentially confusing.

This bill also makes a minor amendment to the Court Procedures Act to confirm that the Aboriginal and Torres Strait Islander Children and Young People Commissioner is entitled to appear, be heard and call witnesses in proceedings related to and against First Nations children and young people.

The bill makes a technical amendment to the Discrimination Act 2001 by omitting a duplicative provision. The amendment concerns the special measures exception from discrimination law for religious bodies to provide accommodation for protected classes of people. The amendment will ensure that the special measures exception does not apply to religious bodies whose sole or main purpose is commercial.

The bill makes a minor amendment to the Domestic Violence Agencies Act 1986 so that the timeframe for the statutory review of the Domestic and Family Violence Review will align with when the review became operational. The Domestic and Family Violence Review examines domestic and family violence related deaths in the ACT to assess service system responses and their effectiveness and to identify any gaps in service system responses. The review became operational in early 2023 due to delays from COVID-19.

Under the current provision, the statutory review would commence only one year after the review became operational, which does not provide sufficient time for a review to meaningfully assess operations and make useful findings. To remedy this and achieve the original intent of this provision, this amendment will delay the commencement of

the statutory review so that it starts three years from the point the death review became operational, on 31 March 2026. The bill also makes a consequential amendment to the sunset clause so that it will expire on 31 March 2027.

The bill clarifies that the mechanism for community members to make complaints to the Human Rights Commission about breaches of public authority obligations under the Human Rights Act does not apply to complaints against police officers. The clarification seeks to avoid confusion, given the limitations on the power of the ACT Legislative Assembly to bind the Australian Federal Police as a Commonwealth entity. It will also ensure that complainants do not lose an enforceable avenue for redress to the Australian Human Rights Commission in relation to a police complaint relating to discrimination. This amendment aligns with the view of the Standing Committee on Justice and Community Safety that they communicated in their 2022 report on the inquiry into the No Rights Without Remedy petition.

The bill amends the Security Industry Act 2004 by inserting a positive disclosure obligation on people who are licensed to undertake security activities. Presently, the only time a licensee must provide information to the Commissioner for Fair Trading about their suitability to hold a licence under the act is at the time they apply for a licence or seek a renewal of their licence. There is no ongoing obligation for licensees to notify the commissioner of information which would change their suitability to hold a licence during their licence period. The bill will create an ongoing disclosure obligation so that licensees who have been convicted of or found guilty of an offence during the term of their licence must notify the commissioner promptly so that the commissioner can take appropriate regulatory action.

Failure to disclose this information within 14 days of a conviction or a finding of guilt is a strict liability offence which carries a maximum penalty of 20 penalty units. This offence will ensure there is an appropriate disincentive for licensees failing to disclose relevant offending to the commissioner. This change will provide better regulatory oversight and community safety outcomes. It will also strengthen the integrity of the security industry by providing for the cancellation of a licence when more serious offences are committed during the term of a licence.

The bill makes a minor amendment to the Urban Forest Act 2023 to correct a drafting error. The act was introduced to protect trees on private and public land in the ACT under a single piece of legislation as part of our efforts to achieve a 30 per cent canopy cover. The act intends that all trees that meet certain criteria are protected but that a person can apply to remove a tree. The inclusion of the word “leased” in section 21 inadvertently resulted in there being no legislative mechanism to process an application to remove trees on public land other than as part of a development application under the Planning Act 2023. The amendment in this bill ensures the original intent of the act is achieved. The bill also makes other minor amendments to the act, including to provide greater clarity in relation to the circumstances in which a person does not need to enter into a canopy contribution agreement.

In conclusion, the amendments in this bill debated today were identified following ongoing and open consultation and recommendations from key stakeholders, including ACT government directorates and agencies, community advocates and the legal profession. All amendments contained in the bill are being made to improve the

administration and operation of territory laws. I take this opportunity to thank all those who take the time to bring amendments such as these to the government's attention.

I commend the bill to the Assembly.

Question resolved in the affirmative.

Bill agreed to in principle.

Detail stage

Clause 1 agreed to.

Clause 2.

MR RATTENBURY (Kurrajong—Attorney-General, Minister for Consumer Affairs, Minister for Gaming and Minister for Water, Energy and Emissions Reduction) (11.22): I move amendment No 1 circulated in my name [*see schedule 1 at page 2676*] and table a supplementary explanatory statement to the amendments.

Amendment agreed to.

Clause 2, as amended, agreed to.

Clause 3.

MR RATTENBURY (Kurrajong—Attorney-General, Minister for Consumer Affairs, Minister for Gaming and Minister for Water, Energy and Emissions Reduction) (11.22): Pursuant to standing order 182A(b), I seek leave to move an amendment to this clause that is minor and technical in nature.

Leave granted.

MR RATTENBURY: Thank you, colleagues. I move amendment No 2 circulated in my name [*see schedule 1 at page 2676*].

Amendment agreed to.

Clause 3, as amended, agreed to.

Clauses 4 to 10, by leave, taken together and agreed to.

Proposed new part 3A, including new clause 10A.

MR RATTENBURY (Kurrajong—Attorney-General, Minister for Consumer Affairs, Minister for Gaming and Minister for Water, Energy and Emissions Reduction) (11.24): I seek leave to move an amendment that has not been considered by the scrutiny committee.

Leave not granted.

Standing orders—suspension

MR RATTENBURY (Kurrajong—Attorney-General, Minister for Consumer Affairs, Minister for Gaming and Minister for Water, Energy and Emissions Reduction) (11.24): I move:

That so much of the standing orders be suspended as would prevent Mr Rattenbury from moving his amendment that had not been considered or reported on by the Scrutiny Committee.

These amendments have been circulated to all members of the chamber in advance. Briefings have been provided and they were provided to the scrutiny committee in advance of the hearing. I acknowledge that is not the usual 14-day timeframe that the scrutiny committee asks for. I think it was more in the order of seven days. So they have been provided to the scrutiny committee. I am forthright in saying that it was not done in the usual timeframe, but these amendments are not a surprise to anybody in the chamber today. These are important amendments that the government seeks to move in light of recent judicial decisions and in order to ensure there is better clarity in the legislation to reflect those.

Minister Davidson will speak more to the intent of them. I simply speak to the purpose of them in the context of a discussion about suspending standing orders.

MR PARTON (Brindabella) (11.25): We are not of the mind to allow leave for this amendment. We see it as a relatively significant change to the Corrections Management Act that has been rushed through with minimal consultation. The agreed process for amendments to bills has not been followed, as has been conceded by the minister.

Minister Davidson's office conducted a briefing with my office on Tuesday last week and flagged that this amendment was coming. They were unable to share the actual amendment with us in written form. After numerous requests from my office, we received the amendment on Friday, and that is less than a week ago.

This amendment has not gone to the scrutiny committee in the agreed form, and certainly conversations that I have had with stakeholders in the area of this portfolio indicate that there has been little or no consultation with those who are likely to be impacted by this legislative change. This is just not how government works, particularly in such an important area like corrections. As a consequence, we are not of a mind to allow leave for the government to rush through the changes in such a careless way.

The standing orders allow amendments to be brought forward in this circumstance when they are considered urgent. I note that the issues that this amendment is dealing with have been issues for this territory for 20 years. We believe that deciding that these changes are now urgent and must be dealt with in the final sitting week of the term is just ludicrous.

MS DAVIDSON (Murrumbidgee—Minister for Community Services, Seniors and Veterans, Minister for Corrections and Justice Health, Minister for Mental Health and Minister for Population Health) (11.27): In support of the suspension of standing orders in order to debate this amendment, I note that separation in the AMC of people

remanded and sentenced is an important principle of human rights, and we do not bring this amendment to the Assembly today without having carefully considered every option that is available to us at this moment.

From the time the Alexander Maconochie Centre opened, the intention was to be able to accommodate people of varying security classifications, offence types, gender, health needs and protection status, but, as the population inside the AMC grew to as high as 544 people in custody in July 2020, within a centre that has a capacity of 424 people—

MR ASSISTANT SPEAKER (Mr Cain): Ms Davidson, take your seat for a moment. Just as a reminder, we are actually debating whether standing orders should be suspended, not necessarily the merits of the amendment.

MS DAVIDSON: Yes. Thank you. What I would like to say goes to the urgency—why we are bringing this amendment forward today and why the time period that Mr Parton was speaking about is why we need to actually go ahead with debating this amendment today.

As I was saying, it became necessary to balance the protection and safety of the individual with the principle of separating convicted and non-convicted people in the centre. This means that, for many years, it has not been possible at a practical level to separate people for that reason without there being a safety risk for the people involved, both remanded and sentenced. During the detail stage of the bill, I will discuss in more detail the work that is already underway to address the practical barriers to separation.

Major infrastructure works to build more accommodation and change the way traffic flows through the centre to enable access to education programs and health facilities are still in the planning stage and will take years to complete if a future government decides to go ahead with that work. Even if we decided to appropriate the money for major infrastructure works today, it would take years to complete the design and construction to make more beds available and we would have to deal with the world as it is while continuing to work towards the world we want it to be, so we need to do what is possible within the space we have to meet everyone's needs as best we can while also maintaining safety in the community.

There is real urgency to this debate. Three decisions have been made in ACT courts—two in May this year and one in July this year—that considered this principle and section 44 of the Corrections Management Act. Were it not for these court decisions, this matter would not have been raised with this level of urgency and we would have continued the work already underway to plan for practical solutions to these issues.

MR GENTLEMAN (Brindabella—Manager of Government Business, Minister for Business, Minister for Fire and Emergency Services, Minister for Industrial Relations and Workplace Safety, Minister for Multicultural Affairs and Minister for Police and Crime Prevention) (11.30): The government will be supporting the suspension of standing orders. This goes to a matter of greater safety at the AMC, and it is very important that we deal with it.

MR RATTENBURY (Kurrajong—Attorney-General, Minister for Consumer Affairs, Minister for Gaming and Minister for Water, Energy and Emissions Reduction) (11.30), in reply: Just briefly to Mr Parton's comments, he observed that this is not urgent and

that it can be left to some later time. Part of the consideration here is that we are about to enter into both the caretaker period and then a substantial period of time in which the Assembly potentially will not sit—and certainly will not sit in order to pass legislation. Given the recent judicial developments, the government has formed the view that it is important to deal with these matters for the reasons that Ministers Davidson and Gentleman have outlined. That is the reason for the timing. The impending long break before there is another opportunity to legislate also makes this a pressing matter.

Question put:

That so much of the standing orders be suspended as would prevent Mr Rattenbury from moving his amendment that had not been considered or reported on by the Scrutiny Committee.

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

Question resolved in the affirmative, with the concurrence of an absolute majority.

Proposed new part 3A, including new clause 10A.

MR RATTENBURY (Kurrajong—Attorney-General, Minister for Consumer Affairs, Minister for Gaming and Minister for Water, Energy and Emissions Reduction) (10.35): I move amendment No 3 circulated in my name, which inserts a new part 3A, including new clause 10A [*see schedule 1 at page 2676*].

MS DAVIDSON (Murrumbidgee—Minister for Community Services, Seniors and Veterans, Minister for Corrections and Justice Health, Minister for Mental Health and Minister for Population Health) (11.35): The amendments to section 44 of the Corrections Management Act are part of a combined legislative and operational effort to elevate the ACT's compliance with our human rights framework within the Alexander Maconochie Centre. Differential treatment between convicted and non-convicted persons is protected in human rights law both internationally and in the ACT's Human Rights Act. Under section 19(2) of the Human Rights Act, a non-convicted person must be segregated from convicted people. This right is connected to a fundamental right of our justice system: the right to be presumed innocent until proven guilty.

Section 19 of the Human Rights Act 2004 sets out the right to humane treatment when deprived of liberty. Section 19(2) requires that non-convicted persons be segregated from convicted persons, except in exceptional circumstances. Section 44 of the

Corrections Management Act encapsulates section 19(2) of the Human Rights Act by requiring the director-general to accommodate non-convicted persons separately from convicted persons.

The need for exceptions to the right is also recognised in our ACT laws. When a person is incarcerated, that person has a range of rights that need to be upheld. This includes the right to humane treatment and the right to security of person whilst they are in custody. As a one-prison jurisdiction, total separation will not always be possible in the ACT. It is necessary to balance these rights to ensure the safety and wellbeing of people when making accommodation decisions at the AMC.

This necessitates that the director-general has the power to make directions for different accommodation for non-convicted persons in certain situations, and this power is set out in section 44 of the Corrections Management Act. The amendments to section 44 that have been moved today as part of the JACS bill clarify the circumstances in which the director-general can make such a direction.

Section 44(2) requires that the director-general ensure that a convicted person is accommodated separately from non-convicted people. This will remain both the general rule and the starting point for accommodation decisions within the AMC. This requirement has not been amended and remains of primary importance in section 44. Rather, the proposed amendments replace the existing section 44(4), which sets out the circumstances where a direction for different accommodation can be made.

In keeping with the importance of separation wherever possible, the new section 44(4) provides for only two circumstances where the director-general can accommodate a person differently. The first circumstance promotes the right to security of a person, as it allows for the director-general to accommodate a non-convicted person differently if it is reasonably necessary to do so to protect the safety of the person or anyone else. Whether convicted or non-convicted, people in custody are an at-risk population group and governments bear a duty of care to ensure the safety of those who are deprived of their liberty. Secondly, the new section 44(4) provides that the director-general may accommodate a non-convicted person differently where it is reasonably necessary to do so for the person's best interests. This is an expansion of the current limitation on section 44(2), which previously only considered safety.

In both these circumstances, it may be reasonable and proportionate to limit a person's right to segregation in accordance with section 28 of the Human Rights Act. This new consideration promotes the right to be treated humanely when deprived of liberty because it will allow the director-general to make an individualised assessment of the appropriate accommodation requirements.

The amendment recognises that there are circumstances where, in a one-prison jurisdiction, a decision not to segregate a non-convicted person from convicted people may be in their best interests and promote their basic and essential needs. This amendment will allow the director-general to adopt a more person-centred approach to accommodation decisions to ensure that the needs of each and every person are met and that safety is paramount.

Many people come into custody with complex physical and mental health issues or disabilities. The AMC has a dedicated high-care unit equipped with support staff and

healthcare professionals. The AMC does not have the capacity to facilitate two of these units; however, this amendment will allow for a non-convicted person who requires this level of care to be accommodated in this unit with convicted people, ensuring that their best interests are met.

The amendments are not blanket exceptions to the right to separate accommodation for people on remand. Rather, they are reasonable and proportionate limitations available to improve the lives of non-convicted people in custody. Decisions about the different accommodation of a non-convicted person are to be made on a case-by-case basis after there has been an individualised assessment of that specific individual and their circumstances. Segregation will remain the general rule. These amendments will provide guidance to ACT Corrective Services as they implement greater separation of accommodation in the AMC. They provide a framework for how the competing circumstances may be evaluated and prioritised to ensure that accommodation outcomes promote the human rights of non-convicted persons.

It might be helpful if I provide some further detail about the operational constraints that we are working within at the AMC. This facility has the capacity to house 424 people across both men's and women's accommodation units, excluding the 20-bed transition centre. There are around 416 people in the AMC right now, which means there are only a handful of available beds to move people around the centre. Every time people are moved around for accommodation, the disruption can result in a period of unsettled behaviour that, in itself, can increase risk. We do try to provide stability for people in accommodation that is working well for them.

The Alexander Maconochie Centre provides accommodation for convicted and non-convicted people in custody; minimum to maximum security classifications; people of all genders; people with non-associations with other individuals; people under protective custody; and people with complex physical or mental health support needs. Accommodating this diversity of needs on a single site does mean we are dealing with unique flexibility constraints. When a person is inducted into the AMC and decisions are made about where they will be accommodated, a safety risk assessment is conducted that takes into consideration sex, self-harm risks, disability, the nature of the offence and associations.

Canberra is, in some ways, still just a big country town where lots of people know each other through various circles. That can be a good thing when someone comes into custody and there is someone they know and trust, perhaps a friend or family member, already there who can help them settle in and provide a sense of social or cultural connection. I think about some of the situations I have seen over the years. I am talking about situations that I knew about from my work in the community sector, not just in this place, such as a young pregnant woman going into accommodation. Her aunty was already there and could help her prepare. Someone who has been in and out on remand multiple times would find it easier to be in an accommodation unit with people they already know and feel safe with from previous periods in custody.

On the other hand, people might find they are going into a facility where there is someone they know who might be a risk to their safety, due to previous interactions they have had or relationships with other associates in the community. It is also worth considering that half the population in the AMC right now are on remand. That does

not mean all those people on remand are experiencing incarceration for the first time in their life. Half the population in the AMC now also have a prior sentence custodial episode and some of those will be people currently on remand.

Some of the recent incidents that have occurred in the AMC involving individual safety have been allegedly caused by a person on remand. What I find particularly troubling about the proportion of people currently on remand is that this is having a major impact on flexibility around how to accommodate people. I have asked JACS to provide some detail on why we have so many people on remand. Is there an increase in remand orders because of an increase in a particular type of offence or a lack of appropriate housing for people seeking bail, for instance?

If it is a lack of appropriate community support programs, we could achieve better outcomes for the individuals involved, for community safety and for the ACT budget, by addressing those needs in the community. If it is an increase in a particular offence type, we could achieve better outcomes for community safety and reduce numbers on remand by engaging in evidence-based prevention work for that harmful behaviour. It takes time to gather that data from multiple sources and we do not have all the information yet. Even when we do have that information, it takes time to seek approval and resourcing through the budget process before we see the impact in reduced numbers on remand. None of that can be achieved before February or March 2025, which is the Assembly's next available opportunity to address this human rights and community safety problem. I commend this amendment to the Corrections Management Act to the Assembly.

MR PARTON (Brindabella) (11.44): In a parallel universe, if there were a Liberal corrections minister who brought forward this amendment, the Greens would go to town on us. The Greens would absolutely go to town. They would probably hold protests out in the square. What I sense is that, for the Greens, human rights are really, really important if you are standing on a university campus with a bullhorn, under a Palestinian flag. But when it comes to matters that are within the control of your ministerial responsibilities, they are not important at all.

This amendment seeks to further remove the onus from the government to separate convicted and non-convicted detainees. It is not quite a get-out-of-jail-free card; it is a go-to-jail-free card, and it flies in the face of the Corrections Management Act 2007 as it stands now. Obviously, it is seeking to change that act. It also flies in the face of the Human Rights Act 2004. The reality is that, as we all know, the ACT government has not successfully followed these acts, due to a number of reasons, with the principal reason being space issues at the Alexander Maconochie Centre. This has been flagged on so many occasions as matter of urgency, with recommendations being made in so many forms and so many hearings and so many reports, to ensure that the separation occurs.

The amendment to the Corrections Management Act 2007 gives effect to the right in section 19(2) of the Human Rights Act 2004, which requires that "an accused person must be segregated from convicted people, except in exceptional circumstances". I guess we are standing up and opposing this today because the Canberra Liberals cannot subscribe to the view that we have had exceptional circumstances for 20 years.

I refer members to annual and financial reports 2019-2020 and the Standing Committee on Justice and Community Safety report from March of 2021, which highlighted that section 44 of the Corrections Management Act requires the Director-General of the JACS Directorate to ensure that convicted detainees are accommodated separately from non-convicted detainees. It said:

The Committee is concerned that ACT Corrective Services is not meeting the obligation expressed in this provision.

Recommendation 2 said:

The Committee recommends that:

ACT Government urgently address the problem of remandees being accommodated with sentenced prisoners at Alexander Maconochie Centre.

The warnings and recommendations have come year after year. I am extremely hesitant to even mention it as an example, and I will try to do it as respectfully as I possibly can, Mr Assistant Speaker, but I just cannot remove myself from the consistent warnings that were made about those cell doors that were not acted upon because of budget constraints. That ended in tragedy.

I refer members to the *Report of a Review of a Correctional Service* by the Inspector of Correctional Services, subtitled *The care and management of remandees at the Alexander Maconochie Centre 2018*. Section 2.3 is headed “Separation of remandees from convicted persons”. Under “Basic principle”, 2.3.1 says:

Remandees must be presumed innocent of the charge(s) for which they are detained. This basic principle requires remandees to be held separately from detainees serving a current sentence for a criminal offence barring exceptional circumstances. This principle is reflected in section 44 of the CM [Corrections Management] Act and section 19(2) of the HR [Human Rights] Act 2004.

That is from the Inspector of Correctional Services, who went on to say:

In October of 2018 I advised the Assembly that the Moss Review Implementation Steering Committee had found that recommendation 6 of the Moss review could not be met until the Government committed to make changes at AMC.

I refer members to the government response to the Standing Committee on Justice and Community Safety report No 5 of 2019. Recommendation 17 was:

The Committee recommends that, as a matter of urgency, accommodation for convicted inmates and remand inmates at AMC be separated.

The government response was “agreed in principle”. This government, five years ago, agreed in principle to a committee recommendation that, as a matter of urgency, accommodation for convicted inmates and remand inmates at AMC be separated. The fuller government response clings to the belief that the Building Communities, Not Prisons program would result in a decrease in the remand population, and it just has not. It just has not.

I stand today to oppose this amendment, as much as anything else to display that this government has absolutely failed in the corrections space and the justice space. I close by going to the Human Rights Act that was passed by this place in 2004: the right of an accused person to be separated from convicted people and to be treated as an innocent person. Section 19 of the Human Rights Act that is so important to progressive members in this place provides additional rights to accused people who are being detained while investigations or court proceedings are being conducted into their alleged offences.

People who have not been convicted are known as remandees and section 19(2) states that they are entitled to be detained separately to individuals who have been formally convicted, “except in exceptional circumstances”. I do not think that exceptional circumstances extend for 20 years. We oppose this clause as a way of saying that you cannot have it both ways. Again, if this clause had been brought forward by a Liberal government, those on the left would be absolutely going to town.

MR RATTENBURY (Kurrajong—Attorney-General, Minister for Consumer Affairs, Minister for Gaming and Minister for Water, Energy and Emissions Reduction) (11.51): Mr Parton’s remarks, whilst interesting, are flawed on two grounds. The first is that, as he well knows and as members of the chamber know, human rights are not absolute. It is often a matter of seeking to balance what can be competing rights; seeking to find an appropriate way to deal with complex situations where rights push in different directions.

These are issues that this Assembly has to grapple with all the time. That is why we have human rights compatibility statements that articulate those tensions and articulate why a balance has fallen on one side or the other. Certainly, in this case, Mr Parton is right to identify that the international treaty does call for the separation, but there are also other rights to be considered here. That goes particularly to safety—the safety of detainees and their right to personal security but also the right to safety of others in the community who could be impacted.

That brings us to the second element of why I think Mr Parton is wrong in his remarks. He talks about a 20-year history and the like, but it is clear that in recent months we have seen a number of judicial decisions that have changed, potentially, the status of the law. That is what the government is needing to respond to today. We face a situation where the court has found that its view is that the exceptional circumstances test picks up these matters. What this legislation seeks to do is to make clear that there are a range of considerations being taken into account and we do not want to see a situation where somebody might be given bail simply because of the issue of separation. There are other factors to be considered here and they need to be made explicit in the legislation.

Minister Davidson has also spoken about the fact that there are a range of operational improvements being made at the AMC in light of the judicial decisions, and rightly so. It is about thinking about this carefully and in a nuanced way and ensuring that there are a balanced set of steps being taken to ensure maximum safety for everybody in our community: those who might be affected by somebody who might achieve bail but also those who are in custody. That is what we are seeking to do here.

Whilst I acknowledge elements of Mr Parton’s comments, I think he has drawn the wrong conclusion. I think he has cast the wrong perspective on the government’s motivations for these amendments today.

Question put:

That **Mr Rattenbury's** amendment No 3 be agreed to.

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

Question resolved in the affirmative.

Amendment agreed to.

Proposed new part 3A, including new clause 10A, agreed to.

Clause 11 agreed to.

Proposed new part 4A, including new clauses 11A and 11B.

MR RATTENBURY (Kurrajong—Attorney-General, Minister for Consumer Affairs, Minister for Gaming and Minister for Water, Energy and Emissions Reduction) (11.59): I move amendment No 4 circulated in my name, which inserts a new part 4A, including new clauses 11A and 11B [*see schedule 1 at page 2676*].

Amendment agreed to.

Proposed new part 4A, including new clauses 11A and 11B, agreed to.

Clauses 12 to 16, by leave, taken together and agreed to.

Proposed new part 7A, including new clause 16A.

MR RATTENBURY (Kurrajong—Attorney-General, Minister for Consumer Affairs, Minister for Gaming and Minister for Water, Energy and Emissions Reduction) (12.00): I move amendment No 5 circulated in my name, which inserts a new part 7A, including new clause 16A [*see schedule 1 at page 2676*].

Amendment agreed to.

Proposed new part 7A, including new clause 16A, agreed to.

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

Bill, as amended, agreed to.

Gaming Machine (Compulsory Surrender) Amendment Bill 2024 **Detail stage**

Clause 1.

Debate resumed from 26 June 2024 on motion by **Mr Rattenbury**:

That this bill be agreed to.

Clause 1 agreed to.

Clause 2 agreed to.

Clause 3 agreed to.

Clause 4.

DR PATERSON (Murrumbidgee) (12.02): I will start by saying that ACT Labor is strongly supportive of this bill. In fact, we believe that the reduction in the number of machines should continue in the long term. As ACT Labor gaming spokesperson, I developed amendments to the Gaming Machine (Compulsory Surrender) Amendment Bill 2024 to see a progressive reduction in the number of machines by 500 every four years for the next 20 years. This would leave 1,000 poker machines in the territory by 2045. I went public with these amendments in early June.

We have chosen to not move those amendments today as we have not secured the support from the Greens or the Liberals to progressively reduce the machine numbers any lower. ACT Labor will support this bill, unamended, to see machine numbers reduced to 3,500 by July 2025.

Unfortunately, the amendments I proposed in June to reduce machine numbers sparked a serious adverse reaction from the ACT Greens. What has followed has been spiteful and political game-playing and threats which obviously played out publicly when the Greens went public with their multiple amendments and motions to try to brutishly secure an outcome that they wanted at all costs. The Greens have unfortunately played one game too many.

I received an email at 10.45 this morning from the Greens leader, Minister Rattenbury, stating that they would, in fact, support our amendments, only after every amendment and game play they had exhausted was ruled unconstitutional and out of order. Through this process, the Greens have attempted to discredit my reputation, have attacked our caucus and party, and have, at every turn, worked to further their rigid view of a \$180 million central monitoring system at all costs, rather than a measured and considered approach to public policy. Let it be on the public record: the ACT Greens have obstructed a long-term plan to reduce the number of gaming machines in the territory. It is all too little too late.

Instead, ACT Labor are very proud to take our comprehensive plan to reduce gambling harm to the people of Canberra this election. A re-elected ACT Labor government will introduce legislation to see machine numbers reduced by 1,000 by 2045. ACT Labor

will introduce mandatory account based cashless gaming. We will introduce mandatory precommitment measures, mandatory breaks in play and strengthened self-exclusion, and we will explore third-party exclusions, among other harm reduction measures.

Labor understands that the club sector will require support as they divest from gaming machine revenue. A re-elected Labor government will commission an independent inquiry to advise government of any further necessary steps to develop and implement a strong community club transition plan, and it was good to see that supported by all parties on Monday. We will support a club diversification team being established in the public service to support clubs with their transition pathways. Labor is the only party with a policy on the table this election to remove gaming machines from our suburban clubs. Labor is proud to take our comprehensive policy package to the election this October so that the people of Canberra can have their say.

As this will be the last time I speak in the Tenth Assembly, I would like to say to the people of Canberra who are harmed by gambling that I remain steadfastly committed to addressing gambling harm. And to the club sector I say that I strongly believe in supporting the club sector to transition. I think our clubs can be leaders in Australia to demonstrate that it is possible to have a thriving club sector without a reliance on poker machine revenue and without the harm caused by gambling in our community. I am committed to working with them to achieve this vision.

MR PARTON (Brindabella) (12.07): I was looking for a spot to speak and Dr Paterson has paved the way for me to do that. It has been remarkable to watch the stoush between the two governing partners. Obviously, I am not part of what goes on between the two of them, but I sense that this particular issue has potentially been the lowest point in the power-sharing shenanigans of the entire term.

I was dismayed at what was before us with regard to the amendments, none of which I assume will be moved here today, because the Greens want to implement a central monitoring system which is going to cost \$180 million over a long period of time, but it is not something that will leave the clubs that are there at the moment remaining there. As has been pointed out by Mr Barr in this chamber, it is very easy to just jump in the car and drive to Queanbeyan, and you will have beaten the \$180 million ploy. Additionally, it is not clear who is paying. In public conversations, Mr Rattenbury has indicated that there could be some government spending. There might not be. Principally, it is going to be worn by the clubs.

Let's be honest about it: Dr Paterson is a prohibitionist. She does not want poker machines here at all. Typically, when those of us here on the "evil conservative Right" are dealing with the "sweet Left", we come across people who are ideologically driven. The ideological dogma from Dr Paterson is much stronger than that from Mr Rattenbury in this space. Dr Paterson talked about the fact that she got an adverse reaction from the Greens to her plan. It was not just from the Greens and it was not just from us; it was from pretty much every club across town.

In the motion that we had earlier in the week, Mr Braddock wanted to amend the bit that said the reaction from clubs was that either of these policy proposals would lead to the entire collapse of the sector. Mr Braddock wanted to amend that to be about the reaction from Clubs ACT. I can take you out there, club by club, if you want,

Mr Braddock. We can go to Vikings, we can go to Eastlake or we can go to Ainslie. We can have a beer wherever we want. We can even have a slap on Where's the Gold? if you want, and we can try to get a jackpot! I can tell you that the universal reaction from the clubs was: "This is going to bury us."

In making the remarks that I make, I do not want to downplay the concern about gambling harm, but I think that things are moving in the right direction here in the ACT, and I am extremely mindful of the large role the club sector plays in the fabric of the ACT.

Dr Paterson mentioned the inquiry that has been agreed to and said that it was wonderful that it got Liberal support. I brought it forward in the motion, and I am pleased that it did get support from all three parties when we debated it on Tuesday. I hope that whoever finds themselves in this place follows up on that motion that was passed and does establish a robust inquiry that will look at the good, the bad and the ugly and come up with some genuine recommendations and some genuine pathways forward.

I note that one of the things that will be examined is the potential value of harmonisation between New South Wales and ACT regulation on harm minimisation objectives. As we talked about in the chamber earlier in the week, New South Wales are operating a CMS. It is potentially a more efficient way, if, indeed, an agreement can be struck to somehow get onboard that train.

I believed that we would be debating amendments today, but we are not. I am pretty pleased that everyone is just going to put their guns on the table and leave the bar.

MR BRADDOCK (Yerrabi) (12.12): It is no secret: there were amendments that I wanted to move today, but they were ruled out of order. When I was drafting my amendments, the Parliamentary Counsel was operating on the assumption: "a bill for an act to amend the Gaming Machine Act 2004, and for other purposes" meant that anything which amended the Gaming Machine Act could be in scope of the bill and the short title would only need to be varied to align with the expanded scope of the bill. Had the Parliamentary Counsel not been operating under that assumption, which was at the time thought to be a reasonable assumption, they most certainly would have given me different advice.

I wish we had the opportunity today to debate the substantive policy question—what is the best approach to minimise gambling harm for the Canberra community as a whole—but unfortunately that is not going to be quite possible today. In particular, my amendments were designed to contribute to the achievement of the Parliamentary and Governing Agreement. In appendix 1, E.3., it says:

Establish a rigorous, across-venue self-exclusion regime across the ACT for people experiencing harm from gaming, with significant penalties for breaches.

I re-emphasise the term "across-venue".

I will not reiterate the arguments from earlier this week but note the importance of ensuring suitable safeguards are in place for all gaming machines here in the ACT. This will remain an area for future consideration and reform by the ACT government in this

place, because it is not over. The Canberra Gambling Reform Alliance is not going anywhere, the national Alliance for Gambling Reform is not going anywhere, and unfortunately the vested gambling interests are not going anywhere either.

Unfortunately, I am unable to put the question to this place so that Canberrans know where the parties stand on important minimisation of gambling harm. Respecting the Speaker's ruling and recognising the scope of the agenda today, I will relieve the parties from the burden of putting it on the record and will not seek to suspend standing orders to debate my amendments. For the sake of transparency, I have been informed that the Canberra Liberals would vote down my amendments, which I think is a missed opportunity to be part of the balance of power.

In response to Mr Parton's invitation to take me out for a beer at any club, I would like to take him up on that offer. I would be very happy to do so, maybe just after the election. I am happy to attend any club he chooses, as long as I also get to choose one and can open his eyes to a club that exists without poker machines. We can also enjoy a drink there together and discuss the various merits of the two.

I am bamboozled as to why Dr Paterson has decided to not move her amendments, despite the fact that the Greens have confirmed multiple times, both verbally and in writing, that we would support them. If Dr Paterson says that they are her approach to addressing gambling harm in the ACT, why does she not move them today? The Liberals and the Greens will not support her measures, and an invitation to members of the public to contact us and pressure us to get us on board has been widely communicated on social media. This makes me question whether there was ever an intent to move the amendments in the first place, and, in the absence of her amendments, what the plan is so that we can address the gambling harm that is occurring right now within our community.

In this politically tawdry episode, I am glad one element of my amendments has been adopted by the government in its joint announcement earlier this week, and that is for a regulated reduction in the operating hours of EGMs to 10 am to 2 am. EGMs would not be able to operate between 2 am and 10 am each day, providing a mandated break in play and reducing harm. The time between 2 am and 10 am is when most pokies harm occurs. It is a recognised harm reduction measure that will make a difference. Nothing good can happen in front of a poker machine at 3 am in the morning.

I am happy to have contributed in a small way to the achievement of this reform, which I understand the government has committed to work towards in the next term. There is, however, more work to be done to help protect Canberrans from these addictive and harmful machines.

MR RATTENBURY (Kurrajong—Attorney-General, Minister for Consumer Affairs, Minister for Gaming and Minister for Water, Energy and Emissions Reduction) (12.16): I have been in this place for a while and I reckon I have seen most things, but today there has been a surprising new standard—perhaps it is a new low—when it comes to politics in this place.

The bill itself is reasonably ordinary. I think it is largely uncontentious to move to reduce the number of EGM authorisations in the ACT to 3½ thousand. I believe it is

going to pass, and this is a positive development. It delivers the program that we have been working on for some time, which I have explained in this place before. The commitment to reduce the number to 4,000, which the Greens took to the 2016 election, was implemented through the parliamentary agreement. Minister Ramsay implemented it and I am grateful he did that. The subsequent commitment at the 2020 election from the ACT Greens was to further reduce the number to 3½ thousand. I think that is all known and understood, but it is history that is worth repeating, and it is not always accurately represented in this place.

In the more recent history, it is well known that I have been working a policy proposal through the internal government processes for some time, and it was constrained by the confidentiality of those processes to some extent. It is a proposal to put in place best practice harm minimisation measures that have been put to me by a range of experts, community sector advocates and people with lived experience. That is essentially a model that builds on an account based system with pre-commitment limits, and it provides a stronger self-exclusion regime if you link the venues together with what has become the bugbear in this whole discussion: a pretty unremarkable central monitoring system, which every other jurisdiction in Australia has, bar this one.

We were working that through the cabinet processes. It has taken some time. There has not been agreement to that proposal. It was sent for further consideration and it was sent for market sounding. I continued to operate within the scope of ordinary government processes and worked in good faith through the cabinet processes with our colleagues in government to try to find a proposition that we could all agree to. We had a range of discussions. As that was working its way through the cabinet process, the Labor Party publicly launched a counter policy—that would perhaps be the best way to describe it—which bears no resemblance to what was being worked through the cabinet process. We welcome that the Labor Party finally has a policy on poker machines. It is a starting point.

Dr Paterson has made some comments about the subsequent debate. I make no bones about the fact that, with a sense of conviction, we have argued vociferously for a better position with the Greens. We have pointed out the flaws that we believe exist in the model that was put forward. We are entitled to do that. There was some sense in the debate earlier today that it was a bit outrageous to have a go and stand up for what we believe in, to argue for what we think is the best possible way forward, but that is what we are here for. We are not here to do politics; we are here to get the outcomes that we think are the right outcomes, and I make no bones about that. Most people in the Greens have come up through the non-government sector. We know that you have to fight to get things. You have to campaign hard, and that is what we have done. We have made the case for a better alternative.

With all the bluster that has come from the Labor Party, we now have the bizarre outcome that they have squibbed it. What we have today is a bill, and Dr Paterson had amendments that went through all the processes. To her credit, she put them out in time and they have gone through the processes. There were some technical issues. I got advice from JACS and we communicated the issues to her and she prepared further amendments. They were just technical issues; they were fine. We have a set of amendments that are in order. They have not been ruled out of order by the Speaker—

they are ready to go—but, for some reason, they are not being moved. They have squibbed it.

Dr Paterson: And 10.45 was way too late.

MR RATTENBURY: Dr Paterson interjects about 10.45. It is true that I sent an email to her and the Chief Minister at 10.45 this morning confirming our position. I will tell you why I did that. The first thing is that the Greens have never said no to the Labor Party's proposition. Not once have I or any of my colleagues said no to those amendments. What we have done is argue for a better approach. We have done that publicly; everyone can see that. We have clearly argued because we think it is a better outcome, but we have never said no to Dr Paterson's proposal. We are striving for a better one. We have put a range of propositions to the Labor Party. In the eight or 10 weeks since that proposition was put on the table, we have put a range of propositions forward. We have talked to all sorts of people. We have worked hard to get an outcome.

Dr Paterson said it was at 10.45 this morning. Here are the facts of the matter. I spoke to the Chief Minister by telephone before midday yesterday and said to him, "Given that we have not been able to come to another arrangement, we will support Dr Paterson's amendments." The reason I spoke to the Chief Minister is that, through the discussion between our two parties, the Chief Minister and I have taken the lead in discussing how our two parties would move forward in trying to strike proposals. That has been the relationship of negotiation, because, when things get hard between our two parties, that is usually how it ends up: the Chief Minister and I have to sort things out. So the Chief Minister knew before lunch yesterday that we were prepared to support Dr Paterson's amendments. We walked into the chamber this morning. Fortuitously, I walked in with Dr Paterson, and, because we did not have clarity at that point, I said to her, "Are you going to move your amendments today?" and she said, "I haven't quite decided."

Dr Paterson: I said no; I was not moving my amendments.

MR ASSISTANT SPEAKER: Dr Paterson.

MR RATTENBURY: I may be mistaken, but what I heard Dr Paterson say was, "It's not clear," or something along those lines.

Mr Parton: Maybe it was Hansard!

MR RATTENBURY: I am not going to blame Hansard for that one, Mr Parton. Either way, it became evident to me that there was potentially some confusion, and that is why I then sent an email—so that, in clear writing, long before the debate started this morning, there was no uncertainty. By the time all the confusion was sorted out, it was 10.45 this morning, but an hour and a quarter before the debate started—

Dr Paterson: We have all had our party meetings. Everything is done and dusted.

MR ASSISTANT SPEAKER: Dr Paterson. Thank you, Mr Rattenbury.

MR RATTENBURY: Dr Paterson interjects saying that we have all had our party meetings, so what is going on in the Labor Party, then? If I told the Chief Minister before lunch yesterday, what is going on in the Labor Party's caucus? What is going on? There is a serious question mark about what the agenda is. It is simply bemusing, knowing there was support. There was all the hoo-hah that we have seen: "Check out our new proposal," the campaigning Dr Paterson has done and the dodgy social media posts she put up, saying, "If you want pokies in the ACT, vote for the Greens." Clearly, she is after the political mileage, because, when it comes to it, there is no conviction to actually bring the amendments forward. Now what we have is: "We'll do it next time." You could have done it today. The Labor Party knew this more than 24 hours ago.

Dr Paterson: You could have told us.

MR RATTENBURY: She is interjecting, saying, "You could have told us." Well, we did tell you. In this business, 24 hours is plenty. It is not like the amendments were not drafted. They are ready to go. They are approved. They are on the table. They are in the process. It is in the script that we all have that they are going to be moved. It is bizarre. They have squibbed it. It is clearly about politics.

When Dr Paterson first brought her amendments out, it was interesting. People said to me, "Where did this come from?" People said, "It's clearly a political hit job," and today that has been shown to be true, because—

Dr Paterson: What about your amendments and Mr Braddock's amendments? Not political hit jobs?

MR RATTENBURY: Dr Paterson continues to interject. She said, "What about Mr Braddock's amendments?" We cannot move them. This has become—

Dr Paterson: Because they are unconstitutional and political hit jobs?

MR ASSISTANT SPEAKER: Dr Paterson.

MR RATTENBURY: She continues to interject. I am getting there. I will explain why they cannot be moved. There was legal advice that one of them could not be sustained and then we had a ruling by the Speaker this morning, but there is no such barrier to Dr Paterson's amendments. No; they are fine.

Dr Paterson: They are in order.

MR RATTENBURY: They are actually in order. Congratulations. That is good. So why don't you move them? Why don't you have the courage to actually move them? What is going on here? It is clear that it is about some sort of political game. Are we going to see the memes over the next week? We have all received the emails from the people that Dr Paterson has tried to wind up, saying, the Greens won't support her amendment. It is bizarre. This is a new low point in this Assembly. It is a real shame because this is such an important area of policy. We have been clear that we do not think this is the best approach. We think there is a better way forward. We are here to get outcomes, and we are prepared to go to plan B because some outcome is better than no outcome, but, courtesy of Dr Paterson and her lack of conviction to actually move

the amendments, there will be no progress. We could have passed the amendments today that the Labor Party has such conviction about, apparently, but they will not actually move them.

Let's move on with the debate, but we all now know what the true story is.

MS CHEYNE (Ginninderra—Minister for the Arts, Culture and the Creative Economy, Minister for City Services, Minister for Government Services and Regulatory Reform and Minister for Human Rights) (11.27): I have one contribution to make, and that is that the Attorney-General doth protest too much.

Clause 4 agreed to.

Clauses 5 and 6, by leave, taken together and agreed to.

Clause 7.

MR RATTENBURY (Kurrajong—Attorney-General, Minister for Consumer Affairs, Minister for Gaming and Minister for Water, Energy and Emissions Reduction) (12.28): Pursuant to standing order 182A(b), I seek leave to move an amendment to this clause as it is minor and technical in nature.

Leave granted.

MR RATTENBURY: Thank you, colleagues. I move amendment No 1 circulated in my name [*see schedule 2 at page 2677*] and table a supplementary explanatory statement to the amendment.

Amendment agreed to.

Clause 7, as amended, agreed to.

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

Bill, as amended, agreed to.

Sitting suspended from 12.30 to 2 pm.

Questions without notice Public Trustee and Guardian—conduct

MS LEE: Madam Speaker, my question is to the Chief Minister. Chief Minister, yesterday we heard revelations that the Public Trustee and Guardian was found by the Auditor-General to have potentially engaged in illegal activity by using over \$900,000 from the Guarantee and Reserve Account to fund its failed CRM ICT project. The Auditor-General also found that the CRM project had been a failure, is not used widely across the organisation and is currently irrelevant to most of the PTG's staff and activities. In fact, he went on to say that there is, instead, a risk that the CRM, as currently used, has created administrative inefficiencies and introduced data security risks. Chief Minister, we know the Attorney-General has taken no action to date on

these very disturbing findings. Have you, as Chief Minister, sought any advice on whether the actions of the PTG were illegal in using the funds from the Guarantee and Reserve Account to fund this disastrous project?

MR BARR: Questions of legality are being investigated. More broadly, the digital area of ACT government, under the leadership of the Chief Digital Officer, is, shall I say, centralising more elements of both the design and the delivery of ICT projects. This example, I think, reflects why greater centralisation is needed.

MS LEE: Chief Minister, have you sought any advice from your Head of Service as to what action should be taken against the officials responsible for this disaster?

MR BARR: Officials are subject to both the Public Sector Management Act and the Financial Management Act. The relevant sanctions are contained within that legislation, together with any other relevant legislation.

MR CAIN: Chief Minister, do you consider that the Attorney-General should bear any responsibility for this complete debacle?

MR BARR: The agency involved sits at considerable arm's length from the minister within the structure of the ACT public sector.

Opposition members interjecting—

MADAM SPEAKER: Members, you have asked the question.

MR BARR: Nevertheless, there is an oversight role, and the minister has performed that role in accordance with established Westminster practices.

Ministers—conduct

MS LEE: My question is to the Chief Minister. Chief Minister, over the past 18 months, we have seen your Minister of State fail to take any responsibility for the waste of over \$80 million of taxpayer funds on the failed HRIMS project; your health minister failing to take any responsibility for the overpayment of millions of dollars of invoices relating to the Digital Health Record system; your skills minister fail to take any responsibility for the CIT contracts debacle, which has seen the waste of over \$8½ million of taxpayer money; and we have now seen the Attorney-General fail to take any responsibility for what could potentially be illegal activity by the Public Trustee and Guardian. And then there is you as Treasurer. You have failed to take any responsibility for failing to even once deliver a budget surplus, for racking up over \$14 billion in debt and for lumping Canberrans with an interest bill of over \$533 million. Chief Minister, will you finally, on this last sitting day of the Tenth Assembly, acknowledge that not one of your ministers has ever taken responsibility for these massive failures in their portfolios?

MR BARR: I think the fundamental premise of the Leader of the Opposition's question is factually inaccurate. Ministers have responded—

Ms Lee interjecting—

MADAM SPEAKER: Ms Lee, please.

MR BARR: Ministers have responded to the specific circumstances. I do note that, in each of the circumstances, the issues do not originate from a decision of a minister or, indeed, any involvement of a ministerial office in the delivery of a project. What ministers are accountable for under accepted Westminster conventions they have been accountable for, in this place, in the media and with the public. I do not believe it is reasonable that failures of particular projects or administration within the public service—

Mr Cain interjecting—

MADAM SPEAKER: Mr Cain, please.

MR BARR: Identified failures within the public service can be managed and should be managed in accordance with the Public Sector Management Act, the Financial Management Act and the Integrity Commission Act.

MS LEE: Chief Minister, do you take any responsibility for your massive failings as Treasurer over this term of government and for breaching your own Financial Management Act?

MR BARR: I have not breached the Financial Management Act.

Ms Lee: Prudent fiscal responsibility.

MADAM SPEAKER: Ms Lee, please.

MR BARR: I have clearly not breached the Financial Management Act. Through a challenging period of emerging out of a bushfire disaster into a global pandemic, this—

Opposition members interjecting—

MADAM SPEAKER: Members, please. You have asked the question.

MR BARR: Thank you, Madam Speaker. Through a challenging period, we, like other states and territories, are engaging in infrastructure delivery and fiscal consolidation whilst seeking to continue to deliver a high level of public service to our community. What we will not do is go down a path of austerity and the sort of path that conservative governments take—

Opposition members interjecting—

MADAM SPEAKER: Members, please.

MR BARR: every time they are elected. Commissions of audit are code for cuts to the public sector, and that is what—

Opposition members interjecting—

MADAM SPEAKER: Mr Barr, resume your seat. Members, I ask that we get through question time without the interjections. You put a question; you get the answer. Mr Barr.

MR BARR: Thank you, Madam Speaker. The commission of audit that the Leader of the Opposition—

Ms Lee: That you did.

MADAM SPEAKER: Ms Lee, please.

Mr Rattenbury: On a point of order, Madam Speaker: Ms Lee has now interjected dozens of times already and we are only on the second question of the day. After you asked for quiet, she interjected within two seconds. There has to be some restraint shown in the chamber.

MADAM SPEAKER: Thank you. Ms Lee, please, no interjections.

MR BARR: Unfortunately, the time has run out, Madam Speaker. I am sure we will come back to the topic. *(Time expired.)*

MS CASTLEY: Chief Minister, are you happy for the people of Canberra to hold you to account for your minister's failures, given you refuse to enforce your own Ministerial Code of Conduct?

MR BARR: Again, I reject the premise of Ms Castley's question. It is just factually incorrect. Here we are, on the final sitting day of this parliament, and the Canberra Liberals revert to their usual chorus of negativity. The "Party of No", the "Party of Austerity", the "Party of Cuts"—

Opposition members interjecting—

MADAM SPEAKER: Members! I will have to start warning people soon. Mr Barr.

MR BARR: I imagine this will be theme of question time today. It is not surprising. It is the same old Liberals—

Ms Lee: Your failures—yes.

MADAM SPEAKER: Ms Lee! One more and you will be warned.

MR BARR: Nothing has changed.

Ministers—conduct

MS LEE: My question is to the Chief Minister. This term it has been revealed that your government has wasted more than \$255 million on projects—that we know about—that have failed, have been found to be seriously corrupt, or had no oversight and governance. Some of these projects include: more than \$80 million on the failed HRIMS system; \$160 million on the Digital Health Record; and \$8.5 million worth of

seriously corrupt contracts awarded to a “systems and complexity thinker”, and that is just to name a few. Chief Minister, why should Canberrans trust Labor and the Greens to manage taxpayers’ money when you have demonstrated such reckless disregard for accountability, transparency and responsibility?

MR BARR: The government continues to remain focused on the issues that matter to Canberrans: health, housing, cost of living and building the infrastructure that our growing city needs. We will pursue an agenda that seeks to enlarge Canberra to make this a better place to live and we the alternative, miserable, negative—

Opposition members interjecting—

MADAM SPEAKER: Members, members! Ms Lee, it is the last question time and I am really reluctant to warn, let alone to name, but please, I ask you, in all fairness, to stop your interjections.

MR BARR: We will adopt a positive agenda for our city’s future, not one that seeks to talk this city down, and not one that seeks to pursue a path of austerity and negativity. There is nothing new to offer from the Leader of the Opposition—a constant stream of interjection: rude, ineffective and not worthy of the role of Chief Minister.

Opposition members interjecting—

MADAM SPEAKER: Members.

MS LEE: Chief Minister, how can you justify the blatant waste of more than \$255 million of taxpayer money on failed, corrupt and poorly managed projects and what consequences have you or your ministers faced after this gross mismanagement was exposed?

MR BARR: I note the theme of the questions and the hyperbole from the Leader of the Opposition, not based in fact, and indeed—

Ms Lee interjecting—

MADAM SPEAKER: Ms Lee. The next time you will be warned, without question.

MR BARR: A constant stream of interjection: nothing positive to add, negative politics, classic Canberra Liberals.

MR CAIN: Chief Minister, have you received any updates from ministers about how much of this \$255 million waste they have managed to recover?

MR BARR: Recovery activities are ongoing.

ACT Integrity Commission—Community Services Directorate

MS LEE: My question is to the Chief Minister. Chief Minister, I refer to the tabling of a confidential report by the ACT Integrity Commission which found that a former ACT

public servant in the Community Services Directorate had engaged in “reprehensible conduct”. Chief Minister, have you discussed the serious findings with your Head of Service and, if so, what did those discussions involve?

MR BARR: For obvious reasons, I am not able to comment on that.

MS LEE: Chief Minister, what action has been taken against this individual in response to these serious findings by the Integrity Commission?

MR BARR: I believe that is on the public record.

MR PARTON: Chief Minister, can you confirm that, just like Leanne Cover, this individual was allowed to resign, received a massive taxpayer funded payout and has suffered no disciplinary action at all?

MR BARR: No, I cannot confirm that for the Assembly, but I will take advice on that matter.

Education and training—industry action plans

MR PETTERSSON: My question is to the Minister for Skills and Training.

Minister, what steps is the government taking to attract the skills and workforce our growing city needs?

MR STEEL: I thank Mr Pettersson for his interests in skills, particularly as tonight is the ACT Training Awards.

Our government is strongly committed to building a skilled workforce, not only as our city grows but as our economy changes in terms of its needs as well. That is why I released the *Skilled to Succeed Skills and workforce agenda for the ACT* in 2022. Since the release of *Skilled to Succeed*, the government has been working with industry, training providers and businesses to consider how best to deliver on the priorities in the agenda to support key local industries in our economy.

This has shaped the Skilled to Succeed industry action plans, which are being released and contain priority actions over the long-, medium- and short-term for government, for industry and for training providers.

MR PETTERSSON: Minister, what are the key actions identified in these new industry action plans?

MR STEEL: There are a significant number of actions in the new industry action plans across five sectors, which include: renewables and sustainability; building and construction; caring; the experience industry; and also advanced technology industries.

Key actions across all sectors include growing the VET workforce to support experienced workers into teaching, to build capacity and capability across the sector; supporting groups that are underrepresented in the workforce to enter training in key sectors, such as women and Aboriginal and Torres Strait Islander Australians; and

enhancing incentives to train, including reviewing subsidies and supporting fee-free TAFE. Some of these initiatives have already been funded in the budget passed last night.

DR PATERSON: Minister, how does this work build on the steps that the government has taken over this parliamentary term?

MR STEEL: I thank Dr Paterson for her supplementary.

These industry action plans build on so much of the investment our government has made into skills and training. Last year the ACT and Australian governments signed the first National Skills Agreement in a decade, to support our vocational education and training system, to support skills development and to build our future workforce, particularly in new emerging skills areas.

We have already delivered a new electric vehicle TAFE centre of excellence through this partnership. We have been delivering strong incentives to encourage people into training through the fee-free TAFE program. Also, in the budget passed last night, we have increased subsidies to train more electricians through apprenticeships to ensure that we have the workforce that we need in the new economy.

Lakes and waterways—water quality

MR BRADDOCK: My question is to the Minister for Water, Energy and Emissions Reduction. Minister, we have talked a lot about water quality in Yerrabi Pond, so I thought it fitting to ask: looking ahead, what do you and the government see as the priorities for water quality in the Ginninderra catchment in the years to come?

MR RATTENBURY: The main water quality problems in this catchment are periodic high levels of bacteria and occasional blue-green algae blooms.

Ms Lawder: Occasional?

MR RATTENBURY: In Lake Ginninderra they are not as problematic as they are in Lake Tuggeranong; that is clear. Lake Ginninderra is the healthiest of our lakes in the catchment. The problems arise especially when heavy rainfall washes bacteria into the lake. As members are aware, there are also issues of ribbon weed and filamentous algae, which cause problems in Yerrabi Pond. The eastern half of the pond is quite shallow, and there are large beds of ribbon weed there and on the fringes of the pond to the west. Filamentous algae grow on the ribbon weed fronds in summer. This algae is non-toxic but it is unsightly.

At times, the plants, with their attached algae, are uprooted by ducks and rafts of them are blown to the shoreline. The rafts decompose, making a rather unpleasant smell and sight. The ribbon weed is, however, important to the health of the pond, providing food and habitat, and it competes with blue-green algae for light and nutrients, helping to reduce blue-green algae blooms. They are the issues that we face across the catchment.

The solution to excessive growth of ribbon weed, filamentous algae and blue-green algae is to reduce nutrient pollution in stormwater and thus the nutrient enrichment of

ponds in the Ginninderra catchment and Lake Ginninderra. The source of the bacteria is being investigated as part of current University of Canberra research and waterway monitoring in 2024-25. This work is a priority to ensure that the right mitigations are put in place. Depending on what that research shows, there are a range of mitigation options, which include preventing nutrient pollution, building wetlands and other water quality assets, direct treatment of the lake with infrastructure such as floating wetlands, and other measures that will be identified through the research process.

MR BRADDOCK: Minister, are plans for inviting public comment on the draft plan for Yerrabi Pond during 2025 still on track. If so, will that occur in the first half or the second half of the year?

MR RATTENBURY: Certainly, from my point of view and the directorate's point of view, they are proceeding with that work. These questions, to some extent, go to the incoming government. The Yerrabi plan is planned to go on YourSay in 2025. The timing of public consultations will be considered after the election, along with the schedule for public review of other policies, strategies and plans. What I can say is that I am really keen to see the community closely involved in these discussions. What we know is that the community is very engaged by these questions. There are more formalised groups, like the Friends of Yerrabi Pond, but lots of people see these as important recreational areas and are keen to see them in a good state. That goes to the discussion we had yesterday and Ms Lawder's valedictory speech about Lake Tuggeranong. We know that local communities want these areas as important recreation areas. I am really keen to see a lot of community input into those discussions, both to develop a deeper understanding but also to harvest good local knowledge.

MS LAWDER: Minister, has there been any macrophyte harvesting in any of our lakes?

MR RATTENBURY: I am quite sure that there has been. I will need to take that on notice to check when and where exactly that has taken place.

ACT Integrity Commission—investigations

MS LEE: My question is to the Chief Minister. Chief Minister, so far this term it has been revealed that Minister Berry, Minister Rattenbury and Minister Steel have all been involved in active investigations by the Integrity Commission. In addition, Minister Stephen-Smith has refused to rule out that she will form part of the DHR investigation. Chief Minister, how can Canberrans have confidence in your government when at least half of your cabinet is embroiled in Integrity Commission investigations?

MR BARR: What a ridiculous and offensive question—a deliberate misrepresentation of the role of a witness in an Integrity Commission process. What do we call this? I think we call this the “fresh” approach by the Canberra Liberals. This is the—

Ms Lee: If you are going to do it, get it right. It's a fresh opportunity.

MADAM SPEAKER: Ms Lee, please. You are now warned!

MR BARR: This is the fresh negativity. This is the fresh misrepresentation. This is the same old—

Ms Lee: Madam Speaker, on a point of order: Mr Barr has just said “misrepresentation”, and I ask that you rule whether that is unparliamentary.

MADAM SPEAKER: No, Ms Lee. Mr Barr.

MR BARR: This is the same old—what we try to do is package it up as fresh. It is the same tedious negativity.

Ms Lawder: A point of order, Madam Speaker, going to relevance: the Chief Minister is not answering the question. He is responding by attacking the person who asked the question. I ask that he is direct to the question.

MADAM SPEAKER: Thank you. In the time you have left, Mr Barr, please go to the question.

MR BARR: Thank you, Madam Speaker. As I said in my opening remarks, misrepresenting the role of a witness is egregious and unfair, and the Leader of the Opposition should know better.

MS LEE: Chief Minister, are these ministerial positions untenable given that you have already revealed that information has had to be withheld from at least one of the ministers because they are involved in an active corruption investigation?

MR BARR: No. Here we go again: seeking to rehash and smear, through inuendo and under parliamentary privilege—coward’s corner.

Ms Lee interjecting—

MADAM SPEAKER: Resume your seat. There is a point of order.

Ms Berry: Madam Speaker, a point of order. It is not even a quiet interjection. The Leader of the Opposition is literally yelling across the chamber. She has been warned. I will leave the decision up to you, Madam Speaker.

MADAM SPEAKER: I am not going to name her. But, Ms Lee, it is the last sitting time and, if you are named, you will not be returning here until half past five. Please, I ask that you respect the standing orders of this place.

MR CAIN: Chief Minister, why have you let your government become a government of self-interest and corruption under your leadership?

MR BARR: That is offensive, untrue and not becoming of a member of parliament. Very disappointing. If repeated outside of this chamber, it would be defamatory.

Mr Cain interjecting—

MADAM SPEAKER: Mr Cain!

MR BARR: So let me be clear: I reject the assertion made by Mr Cain—the defamatory assertion made by Mr Cain in this question. If this is the sort of fresh approach that the Canberra Liberals propose to bring to this place, it is no wonder you have been in opposition all of this century and you will continue to be. This is not fresh; this is the same old tired and conservative attack under parliamentary privilege for things you know you could not say outside of this place. Typical, same old Canberra Liberals.

Sport and recreation—grants

DR PATERSON: My question is to the Minister for Sport and Recreation. Minister, community sport is an integral part of Canberra society. Can you please outline the purpose of the sport and recreation investment scheme grants program?

MS BERRY: I thank Dr Paterson for her question. The sport and recreation investment scheme is a \$3.7 million grants program, which is designed to support ACT sport peak bodies, local clubs and less formal sport and recreation clubs, as well as community groups. The scheme provides funding to improve administration, participant and volunteer programs and infrastructure, as well as other club structures or programs. There are four categories of grants. The community sport facilities fund provides funding for sport infrastructure, planning, new sports infrastructure or sporting facility upgrades. This stream is open to ACT State Sport Organisations and not-for-profit sport, recreation or community organisations. The Club Enhancement Program is available to certain ACT State Sport Organisations and their affiliated local clubs. This grant stream is specifically intended to support governance, efficiency and sustainability projects. The State Organisation Support Program is open to smaller and developing ACT State Sport Organisations to help fund governance, planning, efficiency and other small organisational development events. The industry partnership fund is designed for the ACT government to partner in innovative, collaborative and co-investment projects with larger state sporting organisations which demonstrate high levels of capacity and capability. These projects can be administered via a three-year funding agreement.

DR PATERSON: Minister, can you give an example of support that grants provided through the State Organisation Support Program fund?

MS BERRY: Some fantastic applications were funded through the 2024 State Organisation Support Program. One example was to Orienteering ACT to improve governance, policy and planning. Through work the ACT Sport and Recreation Directorate have done with Orienteering ACT, the need was identified to write a new strategic plan, work out a plan to increase volunteer capacity and a plan to increase participation to pre-COVID levels. This funding, provided through the State Organisation Support Program, will help Orienteering ACT to undertake this work and improve their participation outcomes, strategic plan and volunteer plan, as well as general sustainability.

MS ORR: Minister, can you provide some examples of Club Enhancement Program grants and how they are supporting clubs?

MS BERRY: I thank the member for the supplementary. Scouts ACT have been granted over \$19,000 through this year's Club Enhancement Program to invest in two

camp-in-a-box packages. The Scouts have identified that there are many community groups and families who would like to be able to go camping as an activity together but do not have the right equipment to get outdoors together. This grant allows Scouts ACT to fit-out two shipping containers and fill them with good quality tents, tarps, tables, cooking appliances and other gear that they can use and can be used by community groups, such as the migrant and refugee program, and various school programs, for example, who might not otherwise be able to get the experience of camping together. These camp-in-a-box packages will be able to be used out at Camp Cottermouth. It is a great innovative project by Scouts ACT to take the recreational activities that they have, associated with scouting, and make it more accessible to more people.

ACT Integrity Commission—investigations

MS LEE: My question is to the Chief Minister. On Tuesday after question time the Minister for Health provided a statement which said: “I have consulted with the commissioner, who has noted that this issue is somewhat clouded by the terms of section 297 of the Integrity Commission Act 2018, in particular the definition of protective information. The legal advice I received last week via the directorate, I think it is fair to say, took a conservative view in relation to this definition.”

Ministers Berry and Steel and you have all refused to answer questions based on your belief that you cannot divulge “protected information”. Chief Minister, have you or your ministers in your cabinet, who have used this section of the Integrity Commission Act, ever actually contacted the Integrity Commissioner directly to find out what you are able to disclose?

MR BARR: I have received written advice from the Integrity Commission in relation to matters I can discuss.

MS LEE: Chief Minister, will you table that advice and confirm if your Head of Service has directed directorates to take a “conservative view” when providing advice in relation to what can be disclosed?

MR BARR: No, I cannot table that because it is provided to me in accordance with the act that I need to uphold.

MS CASTLEY: Chief Minister, how can Canberrans trust your government when it appears that you are more focused on avoiding questions than seeking guidance directly from the Integrity Commissioner?

MR BARR: The premise of the question is incorrect. I have sought guidance. That guidance has come in writing from the Integrity Commission.

Light rail—stage 2

MS LEE: Madam Speaker, my question is to Mr Rattenbury as a member of the government’s expenditure review committee.

Mr Rattenbury, last week you said that you were unable to release the costings relating to stage 2B of light rail because the government has not procured it. However, across

the country there are multiple examples of governments who have released the costs—or estimates, at least—to taxpayers who will be funding these projects in the interest of accountability and transparency; for example, the New South Wales government released the \$12.5 billion indicative cost for Sydney Metro City and Southwest in 2017 before actually procuring the construction partner in 2021.

Is your government's lack of transparency purely a deliberate attempt to avoid scrutiny, as you have said publicly? If so, what does this say about your leadership of the Greens and their apparent commitment to transparency and accountability?

MR BARR: Madam Speaker, I will take this question as it relates to the expenditure review committee.

The government has released information in relation to infrastructure projects. I refer the member to the infrastructure plans that we have been updating over the course of this parliamentary term.

Ms Lee: Point of order. It is very valiant of Mr Barr to take this question on Mr Rattenbury's behalf, but the question specifically was about the Greens' apparent commitment to transparency and what do they say about that.

MADAM SPEAKER: Thank you, Ms Lee. There is no point of order. It is referring to expenditure review committee, and the Chief can determine who responds to that.

MS LEE: Mr Rattenbury, why do you believe that the people of the ACT are less deserving of accountability and transparency than their New South Wales residents?

MR BARR: The government has released information in relation to the forward infrastructure pipeline in both the budget papers and infrastructure plans.

MR PARTON: Mr Rattenbury, why should Canberrans trust you and your Labor partners to be fiscally responsible when you refuse to tell them critical information about project costs?

MR BARR: I refer Mr Parton to my previous two answers.

Census 2026—LGBTIQ+ questions

MISS NUTTALL: My question is to the Chief Minister. Chief Minister, I was shocked and disappointed, as I am sure you were, to see the federal government fail to commit to including questions on sexual orientation, gender identity and variations of sex characteristics in the 2026 census. I was heartened to see your Facebook post emphasising that that is not the way we do things here in the ACT and that we take LGBTQIA+ justice seriously. Chief Minister, have you made any representations to the federal Labor government to include all three questions in the 2026 census?

MR BARR: I thank Miss Nuttall for the question. Yes, I have engaged with my federal colleagues on the matter.

MISS NUTTALL: Chief Minister, do you intend to make those representations publicly available?

MR BARR: They were verbal. I did not record the conversations.

MR BRADDOCK: What wellbeing data do we collect from Canberrans regarding sexual orientation, gender identity and variation of intersex characteristics, and what is the scale and scope of this data?

MR BARR: Both through some specific projects in the health area, for example, and through periodic community surveys, we do collect a range of information. It is not as comprehensive as a census, but equally it is more timely and can occur more frequently than a five-yearly census. Through the Capital of Equality Strategy, the ACT Women's Plan, the Wellbeing Framework and a specific project in Health, we have been collecting information.

Roads—Sulwood Drive

MR PARTON: My question is to the Minister for City Services. Minister, the closure of Sulwood Drive for upgrade works is continuing to be a hot topic in my electorate of Brindabella. The road closure is having a significant impact on thousands of residents in Kambah and Wanniasa, and it keeps dragging on. You originally promised that this project would be completed in early August. That was then pushed back to an unspecified date in September, and now information presented to my office and being circulated widely online suggests that the road will remain closed until at least December. I seek leave to table some photographs.

Leave granted.

MR PARTON: I table:

Sulwood Drive—Copy of photos (3).

The photographs taken this morning very clearly show that this is not going to happen in September. Minister, will the reopening of Sulwood Drive be delayed once again?

MS CHEYNE: I thank Mr Parton for the question. The main works commenced on Sulwood Drive on 6 May, and the road was planned, as Mr Parton has said, to be reopened in early August. However, the closure has now been extended through to September 2024. I note that it is the beginning of September. This has been required due to the wet weather and the unsuitable ground conditions, and significant volumes of material have required removal. The road closure was required to enable the contractor to safely undertake the pavement and intersection works and to ensure that the required quality is able to be delivered. It is regrettable that the composition of the material has meant that further work has been required, particularly in light of the wet weather that we have had, but I know that the contractor is working as quickly as possible, and we have certainly emphasised that. I still hope that it will reopen in September, but I cannot predict the weather. We will keep the community as updated as we can.

MR PARTON: Minister, given the initial delay in reopening Sulwood Drive was announced on the day that it was supposed to re-open, how can Canberrans be expected to believe you this time?

MS CHEYNE: I agree: that was regrettable. We should give as much notice as we possibly can. It is my commitment to give as much notice as we possibly can, and we will continue to keep the community updated.

MR COCKS: Minister, how has this relatively minor project been so horrifically mismanaged?

MS CHEYNE: I thank Mr Cocks for the question. It is not minor. These are major works. Major underground works have needed to be undertaken. They are necessarily complicated. I suggest he looks at the photos that Mr Parton has circulated. I refer him to the first answer.

Land—block 45 section 54 Belconnen

MS CLAY: My question is to the Minister for Planning.

Minister, I can see that Block 45 Section 54 Belconnen, next to Margaret Timpson Park, is no longer listed as a demonstration housing project. Can you provide an update on what the government now intends to use the site for?

MR STEEL: I thank Ms Clay for her question. She is quite right; the demonstration housing will not go ahead on Block 45 Section 54 Belconnen as the proponent did not meet the criteria of the RFT. This was finally determined earlier this year, and work is now underway through the planning directorate and the SLA to consider other appropriate housing uses for the site as well as looking at other blocks in the Belconnen town centre.

MS CLAY: Are residential, commercial or community uses being considered for the site?

MR STEEL: A decision has not been made about the future uses of the site, whether it be for affordable or social housing at this time. It is zoned CZ2. At this stage, no changes to the zoning have been proposed. We will consider a range of different blocks around the town centre and what may be required in terms of future housing before we make a decision. I expect that will be undertaken as part of the usual budget process.

MR BRADDOCK: Minister, is public housing being considered for the site?

MR STEEL: Yes, a range of housing options will be considered for the site now that it cannot be necessarily used for a demonstration housing project as was originally proposed. We are also looking at other blocks and opportunities within the broader Belconnen town centre.

Bushfires—2019-2020 bushfire inquiry

MR MILLIGAN: My question is to the Minister for Police and Emergency Services. Minister, it has now been more than four years since the 2019-20 bushfires that devastated Namadgi National Park, and yet we have not yet seen or heard when the

coroner might report on the 2019-20 bushfire inquiry. Minister, has a coroner's report been delivered from the 2019-20 bushfire inquiry?

MR RATTENBURY: I have responsibility for the Coroner's Court in that sense. No, the government has not received a copy of that report. The timing of it will of course be a matter for the coroner to finalise. As members know, under the legislation, it will be delivered to the government and the responsible minister will then take responsibility to provide any response to the Assembly if there are findings in regard to matters of public safety.

MR MILLIGAN: Minister, when do you expect this report to be delivered? Are there any reasons for the delay?

MR RATTENBURY: It is not usual practice—in fact, I do not think it has ever happened—for the coroner to indicate in advance when it will come. They will send it when they have completed the preparation of it.

MR COCKS: Minister, have you made any inquiries as to the reason for the delay, given that this event took place so long ago?

MR RATTENBURY: No; I would not find it appropriate to contact the coroner to ask them for those sorts of matters.

Trees—urban canopy

MS ORR: My question is to the Minister for City Services.

Minister, recently you shared with the community a number of tree related initiatives and updates. Can you provide the Assembly with an update on the ACT's tree planting targets and the latest tree canopy report?

MS CHEYNE: I thank Ms Orr for the question.

I am pleased to say the ACT government has far exceeded the tree planting target over the past four years. There has been a huge effort in particular over the previous financial year with over 23,000 trees planted in our urban areas, and this brings the total number of trees planted since 2020 to over 65,000—well above the targeted 54,000 set in the Urban Forest Strategy.

The latest tree canopy report shows we are in a good position to achieve the ambitious target of 30 per cent of our urban environment covered by tree canopy or equivalent by 2045.

I take the opportunity to thank our dedicated crews for the work planting, growing, caring for and scaping our urban forest. They are terrific people.

MS ORR: Minister, what changes are being made to improve the Urban Forest Act?

MS CHEYNE: In response to community industry feedback, we are making adjustments to improve the act's operation without compromising its objectives. We

are amending the regulation so that Canberrans who retain 30 per cent or more canopy cover on their block, after the protected trees are removed, will be exempt from the canopy contribution agreement if it not feasible to plant replacement trees, for example, if they do not have space.

Further changes will be made to clarify that where a body corporate seeks to remove a tree on common property and the removal of the tree is not associated with development work, an owner's corporation for a unit title development is defined as a homeowner. Additional improvements will be considered as part of the legislated review.

MR PETTERSSON: Minister, what changes are being made to the Municipal Infrastructure Standard for urban tree species?

MS CHEYNE: Thank you—

Mr Parton interjecting—

MS CHEYNE: You probably are interested in this actually, given your comments earlier today, Mr Parton, about the tree protection work and its impact. So perhaps you might like to listen.

Madam Speaker, the government's tree species list will be updated to reflect contemporary evidence and understanding of suitable tree species for our urban area, together with strong consideration and guidance on species' appropriateness to be planted in different environments. This is in response to the Auditor-General's report on Urban Tree Management, incorporating new species deemed suitable through the living labs trial and removing species known to no longer be suitable, together with a Fenner School report.

To begin, from the end of this year, the ACT government will be planting plane trees sparingly. While plane trees are a beautiful streetscape addition and hardy to drought and frost, there are considerable allergen concerns in addition to an aggressive root system which damages pavement and infrastructure, drops seeds which cause trip hazards and the release of irritants. This is a measured approach, Madam Speaker, but I suspect one that comes as good news for many people in this Chamber and their constituents. I look forward to the further work on this tree species list continuing next term.

Mr Barr: Madam Speaker, usually at the end of question time I would ask that all further questions be placed on the notice paper. However, I am advised that the time for lodging questions has now passed for the questions paper that will be published tomorrow. So I will conclude question time today by saying that this, Madam Speaker, concludes question time for the 133rd sitting of the Tenth Assembly.

Supplementary answers to questions without notice ACT Integrity Commission—investigations

MS STEPHEN-SMITH: I rise to speak in response to some of the questions that Ms Lee asked today and to the aspersions that were cast in those questions. I think today Ms Lee and the Canberra Liberals displayed a reckless disregard for the truth and for

the reputations not only of people in this place but other people who do not have any defence in this place.

So I want to place on record, in relation to the NTT audit, that earlier this week I was advised by the ACT Health Directorate that they have undertaken full checks of 90 of the invoices in the NTT contract. Of those invoices, they have all reconciled appropriately and there were no irregularities once further information was provided by NTT. This represents a 10 per cent sample of all invoices received from NTT under the contract so far.

The Health Directorate will continue to undertake further analysis of the representative sample of invoices to inform next steps, but I would strongly encourage those opposite—and as the Chief Minister has said, they will need to watch their words outside this place—to take heed of the Integrity Commissioner’s strong advice that it is not appropriate to draw adverse inferences about any individual while the commission is conducting investigations.

Public Trustee and Guardian—conduct

MR RATTENBURY: Yesterday in question time, I was asked about the total spend on the customer relationship management system at the Public Trustee and Guardian. I am advised that the Public Trustee and Guardian worked with the Auditor-General’s Office to provide all relevant information and records for the purposes of the audit and that the amount identified by the Auditor-General of \$1.46 million can be confirmed as the amount spent on the project. As identified in the report, the new Public Trustee and Guardian paused work on the customer relationship management system and closed out the business transformation program. As a result, the \$1.46 million represents the cost of the previous historical project and no further funds have been spent under this project.

Papers

Madam Speaker presented the following papers:

Estimates 2024-2025—Select Committee—Answers to Question on Notice, pursuant to standing order 253A—

No 94, dated 4 September 2024.

No 126, dated 3 September 2024.

Schedule of questions answered after the dissolution of the Select Committee on Estimates 2024-2025, dated 5 September 2024.

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

ACT Aboriginal and Torres Strait Islander Elected Body Act, pursuant to subsection 10B(3)—ACT Aboriginal and Torres Strait Islander Elected Body—Report on the outcomes of the Elect Body Hearings 2024—Twelfth Report to the ACT Government—Government response, dated September 2024.

Active travel infrastructure—Assembly resolution of 1 June 2023—Footpath Maintenance—Assembly resolution of 26 June 2024—Government response, dated September 2024, together with a tabling statement, dated September 2024.

Auditor-General Act, pursuant to section 21—Auditor-General’s Reports—Government responses—

No 3/2024—Management of the Growing and Renewing Public Housing Program, dated September 2024.

No 4/2024—Planning and delivery of services for young people with moderate to severe mental illness, dated September 2024.

No 5/2024—Management and oversight of ACT Policing services, dated September 2024.

Children and Young People Amendment Bill 2024 (No 3)—Draft by the Minister for Children, Youth and Family Services, prepared by Parliamentary Counsel’s Office, together with a tabling statement.

Corrective Services Ministers’ Conference in Auckland, New Zealand, 2024—Attendance—Statement for tabling, dated September 2024.

Dhulwa Independent Oversight Board—Final Report, dated September 2024.

Early childhood education training—Support—Assembly resolution of 5 June 2024—Government response, dated September 2024.

Freedom of Information Act, pursuant to section 39—Copy of notice provided to the Ombudsman—Freedom of Information request—Decision not made in time—Environment, Planning and Sustainable Development Directorate (FOI: 24/046365), dated 28 August 2024.

Human Resources Information Management Program—Assembly resolution of 5 June 2024—Government Response—Payroll Capability and Human Resource Management (PC-HRM) Program—Project Delivery update, dated September 2024.

Light Rail Stages 2A and 2B—Costings—Assembly resolution of 8 February 2024—Government response, dated September 2024.

Public Accounts—Standing Committee—Report 23—Inquiry into Auditor-General’s Performance Audit Reports January-June 2023—Government response, dated September 2024.

Rail Safety National Law—Rail Safety National Law National Regulations (Fees) Amendment Regulation 2024 (2024 No 277—South Australia), together with an explanatory statement, dated 28 June 2024.

Remuneration Tribunal Act, pursuant to section 10—Determinations, together with accompanying statements for:

ACT Civil and Administrative Tribunal—Determination 10 of 2024, dated 22 August 2024.

ACT Magistrates Court Judicial Positions—Determination 9 of 2024, dated 22 August 2024.

ACT Supreme Court Judicial Positions—Determination 8 of 2024, dated 22 August 2024.

Director of Public Prosecutions—Determination 14 of 2024, dated 22 August 2024.

Full-time Statutory Office Holders—Chief Executive Officer, ACT Integrity Commission—Determination 12 of 2024, dated 22 August 2024.

Part-time Public Office Holder—Determination 15 of 2024, dated 22 August 2024.

Part-time Statutory Office Holder—Integrity Commissioner—Determination 11 of 2024, dated 22 August 2024.

Principal Registrar and Chief Executive Officer, ACT Courts and Tribunal—Determination 13 of 2024, dated 22 August 2024.

Toilet facilities—Equitable access—Assembly resolution of 25 June 2024—Government response, dated September 2024.

Urban tree canopy coverage—Assembly resolution of 31 March 2021—Government response—Update—2024 Report to the Legislative Assembly of the Australian Capital Territory, dated September 2024.

Veterinary Practice Act, pursuant to section 148—Review Report of the *Veterinary Practice Act 2018*, dated September 2024.

Subordinate legislation (including explanatory statements unless otherwise stated)

Legislation Act, pursuant to section 64—

Firearms Act—Firearms Amendment Regulation 2024 (No 1)—Subordinate Law SL2024-23 (LR, 4 September 2024).

Crime—sexual assault prevention and response—government response

MS BERRY: I table the following paper:

Sexual Assault (Police) Review Report—Government response—Ministerial statement, dated September 2024.

Planning—Thoroughbred Park

MS CLAY (Ginninderra) (2.50): I move:

That this Assembly:

(1) notes that:

- (a) Canberra Thoroughbred Park, at Block 9 Section 69 Lyneham, is a 64 hectare site earmarked for urban renewal;
- (b) this site is in a highly desirable location five kilometres from the central business district on light rail;
- (c) inner north schools are under strain, Lyneham High School enrolments are at 94 percent capacity, and the ACT Education Directorate has no plans for expansion;
- (d) the public housing waitlist is 3,152;
- (e) this is a once-in-a-generation opportunity and government should consider what Canberra needs on the site now and in 50 years' time; and
- (f) government policies seek a compact city, transit-oriented development, climate-friendly development and public housing growth;

(2) further notes that:

- (a) the Territory Planning Authority is considering the Canberra Racing Club's application for a Territory Plan Major Plan Amendment;

- (b) the new “outcomes-based” planning system is meant to provide the community with best outcomes, not simply react to property developer proposals that meet minimum requirements;
 - (c) Chief Minister Barr tasked a steering committee of public servants and horseracing industry officials to consider the Canberra Racing Club proposal. They are not considering alternatives or best uses for the site;
 - (d) the new planning system provides public consultation and a possible committee inquiry, but only on the Canberra Racing Club proposal, not on alternatives;
 - (e) the site was granted to operate a racetrack in 1961, and Canberra Racing Club wants to change the purpose to develop for profit;
 - (f) upzoning represents a significant windfall gain to the Canberra Racing Club;
 - (g) Canberra Racing Club has no experience in property development;
 - (h) the ACT Government has already spent or pledged more than \$100 million of public money to the horseracing industry under memorandums of understanding (MOUs), outside of any grant or tender; and
 - (i) the ACT Government collects less than \$250,000 in Point of Consumption Tax each year from bets placed on ACT horseracing;
- (3) further notes that since 2020, Canberra Racing Club:
- (a) was half-funded by ACT Government;
 - (b) had increasing liabilities;
 - (c) went from a small surplus to a \$1.1 million deficit;
 - (d) cash reserves dropped from \$3.1 million to \$1.6 million;
 - (e) racing carnival attendance dropped from approximately 10,000 to approximately 7,000;
 - (f) membership dropped from 1,159 to 1,002; and
 - (g) management personnel payments increased from \$201,000 to \$976,000;
- (4) finally notes that public joint ventures are major long-term investments that should be run with experienced, financially stable partners to achieve good public outcomes and value for money; and
- (5) calls on the ACT Government, prior to making any planning decisions, to:
- (a) consider at least two options for the site, at least one option being a suburb not developed with the Canberra Racing Club that:
 - (i) uses the entire site;
 - (ii) does not include a racetrack; and
 - (iii) includes public and community housing, schools, green spaces and community facilities;
 - (b) undertake community engagement based on Good Consultation Principles on all options; and
 - (c) publish:

- (i) the results of community engagement;
- (ii) the steering committee report; and
- (iii) cost, benefit and risk analysis for all options.

This is about how we should use Canberra's land. It is about whether we should make major decisions to benefit the community or to benefit the horseracing industry, and it is about whether we really believe in the policies we have committed to.

What does Canberra need? Do you want a whole new suburb in the inner north, complete with schools, parks and playgrounds, art studios, a community centre and a bulk-billing GP clinic? Do you want a fully walkable suburb, right on the light rail line, a short hop to Civic, 5,000 more homes with 20 per cent public and community housing so that people can actually afford to live there? Do you want Sullivans Creek transformed from a drain into a wildlife corridor where you can walk your dog or sit and read a book? Or do you want a racetrack with some apartments on the side?

This is the choice that the Greens bring. Right now, Canberrans do not get this choice. Right now, the only option on the table is the one from the horseracing industry. The government is reacting to those plans just like they have always reacted to property development proposals. The government is set to say yes or no, and let us be frank: in this case, it is probably yes. The Labor government is so far showing no intention of considering what is in the community interest or putting multiple options on the table.

Let us talk about this site. The racetrack is on a 64-hectare site, five kilometres from the CBD on two light rail stops. This site was granted for the purpose of operating a racetrack in 1961. Back then, horseracing was popular, the racetrack was on the outskirts of Canberra in a rural setting and our city had a population of 56,000. The world has changed. This site is now on the light rail line in the heart of Canberra. Our population has grown to 478,000. We are in a housing crisis. Services have not kept pace. Horseracing has lost its social licence. This is prime land. It is exactly where we should build homes, schools and services. We could be bold, creative and innovative. We could allow the potential of the whole site and create an entire community for 10,000 people. Or we could hand over a windfall profit for a racetrack to prop up a dying industry that three in four Canberrans say has lost its social licence.

Currently, the site is only being used as a racetrack. The government has decided that it will rezone and allow redevelopment. The details are not set, but the government decided on this strategy through the planning review. The decision has been confirmed by the horseracing industry, who have now asked for rezoning. The horseracing industry say they no longer want to use this site just as a racetrack. I agree; it is a waste of land. The horse racing industry say they now want to build housing for profit and they want to use that profit to fund their operations.

There is an ongoing community conversation about what should go on this land. Most people I have heard from agree that we should have housing here, but what else do we need here? Now is the time to think about what decision we should make and who we are making that decision for—except right now the only plan on the table is the horseracing industry plan. The horseracing industry has put up a design. It is not based

on what the community needs. It is based on what the horseracing industry need: profits from property development. The horseracing industry has come under increasing pressure over the \$100 million public subsidy they have been given and pledged. The community is pretty unhappy about this. The horseracing industry has worked that out. So now they are asking for a different kind of subsidy: a huge windfall profit from uplifted land value and property development.

How will the government make this decision? This is a huge and valuable site. The horseracing industry say theirs is a \$2.2 billion development. I suspect developing the entire site, rather than just the edge around a racetrack, would be worth more. It is also a once-in-a-lifetime decision. We do not get a do-over. This is a huge site in the heart of our city that will serve our community for the next 50 or 100 years. It is on light rail. It is the best example I have seen of a large infill site that could give us the kind of compact city, transit-oriented development that we keep saying we want.

What process is the Labor government using to make this major decision? Chief Minister Barr has formed a committee to make a recommendation. That committee is made up of horseracing industry officials and public servants who work with horseracing industry officials. The committee is tasked to look at the horseracing industry's plan. They are tasked to only look at the horseracing industry's plan. They are not looking at any other options for the site. There was another plan on the table earlier, a plan drawn up by ACT government, but that is now off the table. The committee is not allowed to consider it. The committee is also not looking at what is in the public interest. They are only considering the horseracing industry plan and what is in the horseracing industry interest. The Greens want to put the community first. That is why I put today's motion on the table, and that is why we have brought the proposal to the community. I am calling on the ACT government to consider what is in the community interest, rather than simply looking at what is in the horseracing industry's interest.

Let us talk about that community interest. Where are the kids going to go to school? If we put thousands of homes out there, we will have another 10,000 people living in the area and that is in addition to the people that will be living at Canberra and Yowani developments. There will be a lot more people living in the inner north. Where will the children go to school? Inner north schools are under strain. Lyneham High enrolments are at 94 per cent capacity, and the media are running headlines, "Public schools bursting at the seams...". The ACT Education Directorate have said they have no plans for expansion. So what will happen to this influx of kids? Where will they go to school? Even if there is capacity in the Inner North to absorb children from thousands of new households, how will the kids get to school? Kenny School is three kilometres away from the Epic light rail stop. They might be able to get there by public transport, maybe.

For a primary school, the kids would have to go to Majura Primary. There is no way they could walk there easily and there is no direct public transport. It is at least a 25 minute, almost two-kilometre walk. What about early childhood? Where will kids under five go? Even if all these children can manage a really long walk, will they be crossing Northbourne Avenue? Would you send your 10-year-old to cross a four-lane highway and rail line by themselves? I would not! Or are we abandoning the idea that kids in Canberra should be able to walk to school? Our community is tired of this short-

sighted development. We already have 10,000 people in the Belconnen Town Centre with no school, and the school at Strathnairn has been pushed back from 2025 to 2026. Canberra can do better. We can and should plan and build early learning centres, primary schools and high schools when we plan the housing.

A community also needs spaces and places. My colleague Laura Nuttall spoke about the need for third places yesterday. This site could have lots of them, with many of them free to use—playgrounds, an environment hub, a repair cafe, community gardens, shared gardens, micro-forests. It could also have really useful services, like a bulk-billed GP clinic, shops and cafes. Or it could have a racetrack with some housing. What do you think 10,000 residents would prefer?

What about Sullivans Creek? We could take this chance to re-naturalise Sullivans Creek. That is not part of the horseracing industry plans. They say it could be done separately by government. That is true, but if we are going to do this—and a place for nature and wildlife and dog-walking and sitting and chatting sounds marvellous—it will cost a lot to do. Why not do it as part of a major property development and use the profits to cover the costs?

How will this redevelopment help the housing crisis? This is the final and the biggest problem we have with the horseracing industry's plans. How will it tackle the housing crisis? The horseracing industry have said they will create 3,000 homes. How many of those horse racing industry apartments will be public homes and will be community homes? How are we going to make sure that the people who are most in need of a home can afford to live there? Why not instead create 5,000 homes with 500 public and community homes, close to schools, doctors and public transport and services? Exactly the kind of homes we need. People could live there comfortably, even if they cannot afford commercial rent or a car.

Who will profit from this development? Let us be clear, there is a lot of profit in this. That is why the horseracing industry want to do it. They have said it is a \$2.2 billion development. Property developers typically make 20 per cent margins. If the ACT government rezones and uplifts their land, that decision is worth hundreds of millions. Who should get the benefits from such a big financial decision and a major windfall uplift? The government could recover part of the value uplift through a lease variation charge, but that is only ever a partial recovery and the money goes into consolidated revenue, where it might possibly be spent to support the horseracing industry. So the question remains: who will get the benefit of this windfall uplift? The Canberra community or the horseracing industry?

How could we go about redeveloping the site for the community, putting the public interest first? Well, there are a lot of different ways to redevelop that site. The ACT government could allow the horseracing industry to develop it and they could hand over the uplift value to the horseracing industry and let them pocket the profits. Or the ACT government could partner with the horseracing industry in the development of the land. Alternatively, the ACT government can seek to buy the land back, as they do in so many other situations. Or the ACT government can make a compulsory acquisition on just terms, which they have done eight times in the past 10 years, and which they particularly do for significant sites on our transport corridors, such as for the Dickson bus

interchange. But right now the committee is not considering any of those options. They are only looking at the horseracing industry plans and their partnership deal with the horseracing industry.

So what does the motion that I have brought today do? It does not seek to tie the government's hands. It does not ask the ACT government or the Assembly to back the Greens' plan, nor to back the horseracing industry plan, nor to back any other particular plan. It simply asks the ACT government to consider more than one option. It asks the ACT government to put the community first when making this decision. It asks the ACT government to undertake community engagement and ask the community, genuinely ask, before any decisions have been made, "Do you want a racetrack with apartments, do you want a whole suburb, or do you want something else here on this site?" My motion calls for transparency about these options.

We have been promised, all term, that we will get planning based on good outcomes. We have been told Canberra will no longer get developer-led planning. We have been told that the ACT government will lead on planning decisions; that the ACT government will consider the community first; and that the ACT government will no longer simply react and respond to property developer decisions that are put up in the interests of property development profits. It is now time to prove that is true. I commend my motion to the Assembly.

MISS NUTTALL (Brindabella) (3.02): I move the amendment circulated in my name.

Add after paragraph (5)(c)(iii):

“(6) calls on all parties to commit that:

- (a) they will not support any further funding that provides financial support for horseracing to the Canberra Racing Club or horseracing industry;
- (b) they will not support any further funding under a special MOU to the Canberra Racing Club or horseracing industry; and
- (c) the current MOU that expires in 2027 will be the last publicly funded MOU to the Canberra Racing Club and horseracing industry.”.

I watched with interest the debate on the funding of horseracing this week. I was not here last time around. I was so intrigued about the solvency of the Canberra Racing Club that I asked the Treasurer some questions about going into a joint partnership yesterday and whether the ACT government's significant ongoing cash transfers to the racing club be considered when entering into the joint venture. In his answer the Treasurer said:

To the extent that there was an ongoing MOU that did commit the government to future funding, yes, it would be considered.

I was not reassured by that answer. That sounds like you might be thinking about funding future MOUs.

If we pass this motion, I note that, as my colleague Ms Clay said, it actually does not bind the government to choose an alternate plan put forward by the Greens, which Ms Clay has spoken about. This motion could be passed and all the transparent

processes followed, and it could still be the case that the outcome for the community would be to let the racing industry develop their plan exactly as is. I do not really think that is likely to happen if the government genuinely listens to the community, but let's imagine for a moment that is where this ends up. Let's flash forward to 2027. This is the year that the current funding under the MOU to the horseracing industry ends. The MOU ends in 2027 whether or not they have been allowed to rezone and develop the racing track land.

Everything I have seen so far indicates that this industry will not survive without the public funding taxpayers are giving them via the ACT government. On Tuesday, Mr Parton said that Ms Clay was right that the financial figures for the horseracing industry are heading in the wrong direction, so I assume they are going to ask the government for another MOU.

So to recap, the two scenarios are: they have been gifted hundreds of millions of windfall profits—they should not need further public funds then—or they have been bought out from their land so it can be turned into the vision for a vibrant inner-north suburb with community housing and public housing, a school and community centre and local shop that Ms Clay has set out today. Again, under this scenario, they can be bought out for a fair and reasonable price. There is another racecourse at Queanbeyan where they can take their proceeds from the sale and go race, so they should not need more public funds from the ACT government.

I cannot see a scenario, no matter which way this motion goes, where they should need another MOU worth tens of millions of dollars of public funds. So I do not think we should give them one, and I think we should commit to that today. That is why I am moving this amendment. Whoever is in government next time around, we should signal right now to the people of Canberra whether we intend to support the racing industry with tens of billions of public dollars indefinitely. The Greens think this should have stopped a long time ago. What I want to know from other parties now is: when do they think the funding should stop?

MR PARTON (Brindabella) (3.05): Here we go again. We will not be supporting this motion. We will not be supporting the amendment. I am not sure how many times we need to have this argument. I am really not sure how many times we have to have it. I love that Ms Clay has sort of pitched herself as good cop: "Oh, I am not saying that we should end racing. I am just saying that we should consider all these options. Far be it from me to say that we are going to end racing." I am assuming that means that Miss Nuttall is bad cop because she is the one who is clamping down and saying, "Haven't they got a racetrack in Queanbeyan? I am sure they have. Simple. We can just move everything over there."

Ms Clay and Miss Nuttall, I think you have well and truly established your position on this. I think we all know what your position is, and I think that the other two parties in this place have well and truly established our position on this. This motion is a waste of everyone's time. We had this conversation in the debate on the appropriation bill. This goes to the reason why no other jurisdiction in Australia lets the Greens anywhere near the steering wheel. They just do not and this is why. The Greens are hellbent on trashing Australia as we know it.

Unfortunately, because the Greens are holding ACT Labor hostage here in this place, this government has passed a number of laws that just would not fly in any other part of Australia. They just would not fly. People around the country are laughing at us, going, “Have you heard the latest thing?” People are looking at what is going on in this jurisdiction and they are laughing at us. Trust me; they are. Trust me. If Sportsbet had a market on which would be the first jurisdiction in Australia to ban the eating of meat, we would be the favourites. The ACT is the clear favourite in the market on which part of Australia would ban the eating of meat.

What Ms Clay seeks to do with her motion is to exacerbate the housing crisis by delaying the Canberra Racing Club from moving forward with their proposal. The future of this site is, and has been, considered by government and others at a number of levels. There is on the table a well progressed proposal from the Canberra Racing Club to construct thousands of dwellings on the site in harmony with its long-term use. That proposal will be funded in a large part by the race club, and they are, dare I say it, in the barrier stalls. They are in the barrier stalls waiting for the starter signal so that the race caller can say “Off racing! They are building houses out at Thoroughbred Park.” If this Assembly agreed to Ms Clay’s motion, we would be signing up to scrap all of that work and just put it on hold while we all sit around and consider!

Furthermore, if we agree to follow through with Ms Clay’s broader policy position in this space, we would be signing up to spend an extraordinary amount of taxpayers’ money to compulsorily acquire the race club and additionally to spend of dollars of ACT taxpayers’ money to construct homes on this land, when, if we just let the current arrangements and the current plan roll-out, 3,000 dwellings would have been built using primarily other people’s money. As a consequence, I am not going to bang on anymore because we don’t want a dinner break, do we? We really don’t want a dinner break, so I am going to sit down.

We will not be supporting anything that comes from that section of the chamber on this particular matter.

MR STEEL (Murrumbidgee—Minister for Planning, Minister for Skills and Training, Minister for Transport and Special Minister of State) (3.10): I do not plan on spending too long on this speech today, given the significant amount of time the Assembly has already spent canvassing these issues earlier in the week. This motion really is not about housing, good planning or more services for Canberrans. We know the only reason the Greens are pursuing this course of action through the Assembly is because they want to ban horseracing. This is a position the parliament does not support. We have had that discussion before. Frankly, we have more important things to be doing this final sitting day of the term—like honouring Joy Burch—than playing political games about the future of an entire industry.

As everyone here is well aware, we have established the Thoroughbred Park Housing and Revitalisation Committee to provide advice to the government about the redevelopment of the Canberra Racing Club. This includes supporting the delivery of an integrated project that provides additional housing and commercial activities throughout Thoroughbred Park. I do not think we have ruled out community facilities either. The committee is preparing advice for the government on options for the development, including the optimal delivery model and the potential declaration of an

urban renewal site. So that does show the government is actually taking a lead role. The Greens' proposal for redevelopment would see the end of horseracing in Canberra. It discounts local jobs and businesses that are supported by the horseracing industry here in the ACT and ignores the benefits that could be realised for our whole community.

Repeating what I said earlier this week in the debate on the JACS appropriation in the budget, I think we can find ways to deliver an outcome that benefits everyone that is involved. Why would we not pursue that? We can have a solution that supports Thoroughbred Park as a nation-leading equine and commercial precinct, one that strengthens and diversifies the club's revenue streams, while delivering thousands of new homes.

MR CAIN (Ginninderra) (3.12): One thing I will give the Greens credit for is creative thinking. So what Ms Clay's motion does is point out that this government—a government, by the way, of which she and her green colleagues are a part of, including three ministers—failed to deliver housing that is needed by territorians. This government has failed. So the creative solution by the Greens is to compulsorily acquire land to provide more housing. I mean where will that stop?

Where will that stop? We have already seen a collusion to compulsorily acquire a hospital. Now we are seeing the Greens putting on pressure to say, "Well, let us compulsorily acquire something else," to really achieve something the government should be doing anyway: "So let's just take that bit of land away from part of a very important industry and tourist attraction in Canberra to solve a problem that actually we helped create." I must admit it is a bit of creative thinking going on there, but it is clearly not the approach that I think Canberrans would support. "Let's compulsorily acquire land because, I am sorry, we are not doing our job well enough." Where will that end? I hope we do not get to see the end, because I hope there is no influence from the Greens in the next government. Indeed I hope there is no influence from Labor in the next government either!

I actually do think, given the length of this alliance—this CLAG, this coalition of Labor and Greens—that they have had enough time. I think the CLAG has had enough time. I do not think they should resort to very drastic measures like compulsorily acquiring things to suit their agenda and give the appearance of fixing a problem that is really totally under their control to fix through normal government procedures. I do not think we should be supporting such an approach. I think we should, as Mr Steel is fond of saying, "Get on with it." We will get on with it. We will get on with it without wasting hundreds of millions of dollars of taxpayer money. That is what we would get on with.

We would get on with it, without compulsorily acquiring private interests or private engagements with our health system. We would get on with it. We do not need such creative thinking that really is not in line with Canberrans' expectations of what is good government. We would get on with it. We will not be supporting Ms Clay's motion. We will not be supporting Miss Nuttall's amendment.

By the way, Miss Nuttall's amendment is really a tricky way to give Ms Clay's amendment more words than are allowed in a motion, and I think they really do know that. They really do know that it is just a way to expand Ms Clay's very wordy approach to things because she could not fit it in all in her motion in one go. So, her colleague

has said, “Don’t worry. I will add a few more words into your motion. Don’t worry. We will take care of it.” So, we will not be supporting this, as Mr Parton has declared. I think there are better ways to solve Canberra’s housing issues without compulsorily acquiring things, and I think the better way is post the October election with a fresh approach and a Canberra Liberals government.

MS VASSAROTTI (Kurrajong—Minister for the Environment, Parks and Land Management, Minister for Heritage, Minister for Homelessness and Housing Services and Minister for Sustainable Building and Construction) (3.16): I rise to speak briefly in support of Jo Clay’s motion and Miss Nuttall’s amendment that calls on the government to consider alternative options for the future of the site currently controlled by the Canberra Racing Club.

One of the reasons that I am so passionate about local government is that the decisions that we make in this place matter not just for the people who live here today but for those who will come after us. One of the privileges of this job is that you get to not only imagine the future of this city but also get to influence what might actually happen. However, when we do this in a manner that is disconnected from community engagement we are on the path to disaster. Never has this been more important as we face the multiple crises of a climate emergency, a housing crisis, a biodiversity crisis and an inequality crisis. It becomes clearer and clearer that we do need to think differently and be creative to ensure our actions holistically deal with these multiple crises. We need to act bravely and act urgently to ensure we continue to secure this city as liveable, kind and caring.

While managing all of these challenges can sometimes be overwhelming, occasionally an idea comes along that turns this all on its head, that enables us to think optimistically and positively about how we respond, and that enables us to get excited. These ideas usually have a few things in common. They tend to centre community at their heart. They tend to be bold. They tend to not be driven by vested interests. This idea to create a new community and neighbourhood just a few kilometres away from the city centre is one of these.

As I have been chatting and connecting with the great people of Kurrajong, the alternative proposal to the one being put on the table by the Canberra Racing Club—an organisation unable to operate viably without \$8 million of taxpayers’ money—is one that has generated interest and excitement. In fact, when we talk about our idea and proposal, the main response that we get from people is, “I want to live there!”

We live in one of the most planned cities in the world. As we move through a new phase of evolution and development of our city, there is a need for us to get back to our roots, one in which government is a key driver to planning and development rather than leaving development in the hands of proponents and developers. Much of the frustration from the community on some of the recent development in our city is that we have been let down by the private development industry, building suburbs and regions in a manner that makes it clear that short-term profit is the key motivation.

Government-led development on this site could achieve amazing things; not just a set of apartments shoved into a site to maximise profit, but a new type of neighbourhood: embracing the principles of a compact and climate resilient suburb promoting

sustainable living and optimising community health and wellbeing; delivering on a range of housing typologies, including the fabled missing middle housing types, which many of us want to live in and which the market just is not delivering; and delivering schools, aged care, community facilities, a re-naturalised and rejuvenated Sullivans Creek, community gardens, shared green spaces, easy access to public transport and active travel opportunities. We could see a truly sustainable neighbourhood delivered.

The community expects us to think long-term and in the best interests of the community. We need to fight against a lack of imagination or taking the easy way and just rolling over when a vested interest presents an idea that benefits them to the detriment of the community. Any final agreement should be done on just terms and in good faith. However, we need to ensure in all the actions we take we place the community at its heart. It is what I, and the ACT Greens Kurrajong members and candidates will always fight for, and we hope one day to represent many more community members in this proposed new neighbourhood. I commend the motion and the amendment to the Assembly.

DR PATERSON (Murrumbidgee) (3.21): I would just like to rebut Mr Cain's comments that this is innovative and imaginative thinking! I have a text on my phone from 1 September 2023. It is something I sent, a website that said, "Call for feedback: reimagining the Eagle Farm Racecourse in Brisbane." It was a Greens' election candidate for the Lord Mayor up there, the Brisbane Mayor. They said they would compulsorily acquire the site for estimated cost of at least \$40 million. They said:

Every suburb needs more affordable homes, but our first major project would be bringing the Eagle Farm racecourse into public hands, transforming the site over time into public green space, housing, schools, services and facilities.

Does that sound familiar? I guess my point is that we are not in the business of copycat Greens political party policies here, so I do not support the amendments.

MS CLAY (Ginninderra) (3.22): I rise to speak to Miss Nuttall's amendment. We will be supporting this amendment. After my budget amendment was voted down this week, someone commented to me that \$8 million is a block of units for social housing every single year. That is how much money the horseracing industry say they need to survive.

If they need that much government funding to stop them going under, I find myself asking, why should the ACT government go into a land development deal with someone who is inexperienced in property development and on shaky financial ground? I have never run a property development before, nor have I made a government decision like this, but I have run businesses. I have been in business partnerships. I have been a CEO. I have been a director of a company and I have managed estates. Let me tell you, you choose your business partners with care; you conduct due diligence and financial checks before you sign, because it is your reputation, it is your time, it is your money and it is your assets on the line. A joint venture lasts a long time and it is very hard to walk away from. You need to pick carefully who you do this with.

The Canberra Racing Club is currently half funded by the ACT government. They have not been self-sufficient for over a decade. Their liabilities have doubled. They have gone from a small surplus to a \$1.1 million deficit. Their cash reserves have dropped.

Their race meeting attendance and membership has dropped. They have run deficits for two years running. They appear to be paying their CEOs more and more as their financial position gets worse and worse. They are also not property developers. The Canberra Racing Club are a non-profit who are operating a racecourse. They have no experience in building homes or running major property development projects.

Projects like this are not simple. Why would we hand one to an organisation who is struggling to operate in their field of expertise and has absolutely no experience in this field at all? What happens if the Canberra Racing Club do not manage this well or if they continue to run deficits year on year on year? What happens if they are insolvent unless the ACT government pays half their operating costs and the ACT government decides not to renew their MOU in 2027? Will the ACT government be obliged to renew that MOU—in 2027 and indefinitely—in order to keep their brand-new business partner afloat? Are we at risk of going into business with a partner who we actually have to underwrite twice over?

A public joint venture for a major redevelopment is a long-term investment. If the ACT government enters into this, they will not be able to walk away lightly. If their business partner becomes insolvent or is otherwise not up to the task, what will happen to the ACT government's investment? How will a deal like this, with a partner in this position, achieve good public outcomes and value for money?

Since 2011 the horseracing industry has been given over \$100 million by the ACT government. The outcome we have for this is that 60 per cent of the economic impact from that industry is coming from gambling and gambling ads. The majority benefit we get to our economy from supporting this industry is more gambling and more gambling ads. That is not a good public outcome. Regardless of whether they decide to become side-hustle property developers, the public funding of the horseracing and gambling industries by our government needs to stop.

Can I also speak to Minister Steel's proposed amendments? No, that is all right. I may then just touch on, in the interest of saving the chamber's time, some of the comments made so far.

I am confused as to how Mr Parton thinks the government will lose money by building homes and developing property, but the horseracing industry will make money by building homes and developing property. Nobody can put any homes there. Nobody can develop it until the government decides to make a valuable uplift decision. Property development creates a lot of value. I think 5,000 homes will create more value than 3,000 homes. I do not think the horse racing industry is putting up their property development proposal for the public good in order to create homes for the people of Canberra. They are doing it to make money. There is money to be made here.

I am also concerned that nobody seems to be engaging with the notion of public housing and community housing. We have not heard any mention of public or community housing from anyone except the Greens' plans. Are we seriously going to build a development with thousands of homes and only put in build-to-rent and commercial housing there? Are we going to just walk away from the opportunity to put in lots of public housing when we are in a public housing crisis? I have spoken to people working in the field at the moment who have told me that the plans to put in 500 public and community houses

could clear the emergency and high needs wait list in one term. We could do that if we chose to do that. I am also both reassured and confused about the minister's motion that the government has not yet ruled out community facilities. Now is the time.

Is this just going to be commercial housing, or is this going to be a housing development with commercial facilities and medical facilities and public housing and community housing and schools and all of the other things that we need? You cannot come back and make those decisions later. You need to make those at the same time as you are making all of the terms of the deal. We know how this works.

So I am very disappointed today that it sounds like only the Greens are interested in building a whole new suburb on our light rail line, a massive infill community with schools and medical facilities and homes and everything that we know we need in the multiple crises that we are facing right now. It looks like the only thing that the Canberra Liberals and ACT Labor are interested in doing is continuing to support the horseracing industry.

Question put:

That **Miss Nuttall's** amendment be agreed to.

The Assembly voted—

Ayes 6

Andrew Braddock
Jo Clay
Emma Davidson
Laura Nuttall
Shane Rattenbury
Rebecca Vassarotti

Noes 19

Andrew Barr
Yvette Berry
Joy Burch
Peter Cain
Leanne Castley
Tara Cheyne
Ed Cocks
Mick Gentleman
Jeremy Hanson
Elizabeth Kikkert
Nicole Lawder
Elizabeth Lee
James Milligan
Suzanne Orr
Mark Parton
Marisa Paterson
Michael Pettersson
Chris Steel
Rachel Stephen-Smith

Question resolved in the negative.

MR STEEL (Murrumbidgee—Minister for Planning, Minister for Skills and Training, Minister for Transport and Special Minister of State) (3.33): I move the amendment circulated in my name:

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

“(1) notes that:

- (a) the ACT Government has established the Thoroughbred Park Housing and Revitalisation Steering Committee to better understand how a proposed redevelopment of Thoroughbred Park will interface with potential future residential, commercial and equine activities at the site;
- (b) the role of this committee is to prepare advice for government on options for the development, including the optimal delivery model for any development and the potential declaration of an urban renewal site;

- (c) the Committee is also tasked with ensuring parties involved in the process have clarity of expectations, communications and processes;
 - (d) this is a successful model of major project delivery that was previously used in the establishment of the future UNSW campus in Parkes and Reid;
 - (e) Thoroughbred Park is currently earmarked for urban renewal as part of the new district strategies and its close proximity to light rail and major transport connections; and
 - (f) providing more housing and commercial opportunities at Thoroughbred Park is a key part of the economic diversification of the Canberra Racing Club outlined in the Memorandum of Understanding between the Club and the Government; and
- (2) calls on the ACT Government to:
- (a) continue working with the Canberra Racing Club on developing a model that delivers a positive development outcome for the Canberra community, the racing club and other stakeholders involved in this potential project;
 - (b) make sure that any development proposal is consistent with planning laws and principles; including consultation around the future use of the site/s;
 - (c) support the Canberra Racing Club's efforts to continue diversifying their revenue streams by hosting additional events on the Thoroughbred Park site and their efforts to support local jobs and businesses through the procurement and provision of goods and services;
 - (d) ensure that any redevelopment proposal is an integrated development that includes the retention of the racing track, the provision of more housing and wider commercial opportunities and services; and
 - (e) make sure that the redevelopment of Thoroughbred Park supports broader ACT Government objectives including the realisation of the EPIC master plan and utilisation of valuable land for the development of private, social and affordable housing through various models, including build-to-rent."

MS CLAY (Ginninderra) (3.33): I will not take a lot of time. There are quite a lot of words in this motion, but I can skip to the end. I will tell you the words you will not find in this motion. You will not find public housing. You will not find community housing. You will not find schools. You will not find doctor. You will not find park. You will not find playground. You will not find any of those words in this motion because you will not find them in the horseracing industry's property development proposal. Let me tell you the only words you really need to look for that you will find in this proposal: that the ACT government should support the Canberra Racing Club. Those words are in here. I am quite disappointed to see that today we have twice seen that the Greens are the only ones who are interested in speaking up for the community interest and for the public benefit and for good value for money for the public in the face of the gambling industry, but that appears to be the way the votes have gone today.

MR PARTON (Brindabella) (3.34): I just wanted to say that in my eight years here there are a number of occasions where I have felt like I was in a high school debate.

Not today. Today it is a primary school debate. We will be supporting Mr Steel's amendment.

Question put:

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

The Assembly voted—

Ayes 19

Noes 6

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

Question resolved in the affirmative.

Amendment agreed to.

Original question, as amended, resolved in the affirmative.

Government—infrastructure projects—costings

MS LEE (Kurrajong—Leader of the Opposition) (3.37): I move:

That this Assembly:

(1) notes:

- (a) in August 2022, the Chief Minister ruled out a stadium at the Civic pool site;
- (b) in June 2023, the Chief Minister affirmed this position describing the Civic pool site as a “billion-dollar folly”, and said that ACT Labor “are not going down the folly of a billion-dollar stadium, I can make that clear”;
- (c) in September 2023, the Chief Minister received a \$30,000 report to re-examine the Civic pool site which placed the cost of a new stadium between \$2.1 and \$2.9 billion, making it one of the most expensive stadiums in the world;
- (d) the report also determined a new stadium at Bruce would cost between \$1.4 and \$1.9 billion;
- (e) compared to the figures provided in the Government's 2021 feasibility study into the Civic pool site, the cost of a stadium has increased by 400 percent; and

- (f) in July 2024, the Chief Minister was asked during hearings of the Select Committee on Estimates 2024-2025, if any further feasibility studies had been undertaken to examine possible Civic locations since the 2021 report, however, the Chief Minister failed to mention the 2023 WT report;
- (2) further notes:
 - (a) the ACT Government has provided cost estimates for the Northside Hospital and a new stadium;
 - (b) Labor and the Greens have refused to provide estimates for the cost of Light Rail Stage 2B, a new convention centre, Canberra Theatre Expansion and Canberra Pavilion, despite spending millions of taxpayers' money on feasibility studies into these projects;
 - (c) the minimum cost for these projects before the Chief Minister revealed there had been a 400 percent increase in costs for infrastructure projects was \$4.85 billion, which could now be as high as \$19.4 billion; and
 - (d) the Chief Minister has previously cut projects in health and housing in order to prioritise construction of the light rail; and
- (3) calls on the ACT Government to list the indicative cost estimates before the caretaker period for:
 - (a) Light Rail Stage 2B;
 - (b) a new convention centre;
 - (c) Canberra Pavilion; and
 - (d) Canberra Theatre Expansion.

Last week, we saw one of the biggest own goals that we have seen in the Assembly. The Deputy Chief Minister, Ms Berry, released indicative costings on multiple sites for a new stadium. The costs that the ACT Labor leadership team came up with were at a very low point of \$1.4 billion and a whopping \$2.9 billion. We still do not know why these figures were released. Perhaps it was an attempt to discredit the idea of a new stadium at the more popular and superior city site. Maybe it was to lay the foundations for Mr Barr to make another announcement, that a new stadium is not feasible, if he manages to scrape through this election. Whatever his reasons were, it is safe to say that it did not go how he wanted or planned. This announcement was universally ridiculed by Canberrans, who saw it for exactly what it was: a clumsy stunt from this government that knows it is losing credibility and confidence from the community.

There are a few aspects to this latest costing that do not make any sense and need to be discussed. Firstly, why did Mr Barr spend \$30,000 of ACT taxpayers' money to undertake another feasibility study into the Civic pool site? As I mentioned in my motion, Mr Barr publicly ruled out the Civic pool site in August 2022 and publicly reiterated this position in June 2023. So there is a genuine question as to why, in September 2023, he paid \$30,000 of taxpayers' money for yet another feasibility study on the Civic pool site, taking the total stadium feasibility studies to at least eight, for those who are trying to keep track.

I specifically asked Mr Barr during estimates about whether any further feasibility studies had been done on any sites in the city, and he specifically told the committee no, so I would ask Mr Barr to check his answers and consider whether he misled the

committee during that hearing. Given the timing of the \$3 billion figure that came out of nowhere, more than two years after he publicly ruled out the site, you cannot blame Canberrans for being very cynical about the purpose of procuring and then releasing this figure publicly on the eve of the election.

According to Mr Barr's latest costing document, a new stadium in the city for the ACT will be one of the most expensive stadiums in the world—not in Australia but in the world. At \$2.9 billion, it is more expensive than the new \$2.8 billion stadium in Las Vegas and more than the roughly \$1.5 billion Tottenham Hotspur Stadium that has a retractable pitch and a microbrewery. In fact, this stadium is so expensive that, according to Mr Barr, it will cost more than the entire spend in the health portfolio. We know that Mr Barr is amongst the worst treasurers in the country, with consecutive deficits since he took over the job, but this accounting goes to show the length that Mr Barr will go to try to justify to the community why his government will never build a stadium in Canberra.

It is not just us. Our elite sporting teams, Senator Pocock, ACT journalists and a huge proportion of the Canberra community are correct when they call out this estimate as ridiculous politician spin, which, of course, has backfired on him. However, given that Mr Barr is finally releasing some indicative costs for major projects, it stands to reason that the Canberra community has every right to ask and be informed about the indicative costs for other major projects that Mr Barr has in his pipeline. In just 44 days, Canberrans will go to the polls and vote for the next ACT government. The Labor Party promised to build Light Rail Stage 2B, a new convention centre, a Canberra pavilion and a new Canberra Theatre, as well as the north-side hospital, yet, aside from the hospital, they have not told anyone what the indicative cost of these projects will be.

Canberrans are dubious of Labor's promises at the best of times, but they have every right to be even more cautious when it comes to major infrastructure projects announced by Mr Barr, with no attached costs or construction timeline. Of course, they remember the previous broken promises from ACT Labor, such as the SPIRE Project, the stadium, the convention centre, the Tuggeranong ice rink, Athllon Drive, the stadium, the convention centre, the Throsby Home of Football, the Strathnairn ELC primary school, the stadium, the convention centre, the West Belconnen walk-in centre, the Inner South walk-in centre, the stadium, the convention centre—and the list goes on. These are all examples of where the government have said they will be doing something and they have, instead, done nothing.

On the final day of sittings for the term, we are offering Labor and the Greens one more chance to come clean, be up-front and tell Canberrans how much these projects will cost. We know that Mr Barr and Mr Rattenbury have these costs as they are briefed regularly through the government's Expenditure Review Committee. In fact, Mr Rattenbury has provided the only insight as to why the government have not told Canberrans how much these projects will cost. Mr Rattenbury's justification is: "Let's not tell them, because, if we do, the opposition might hold us to it." This is despite the fact that Canberrans will be paying for these projects. That is how scared the government are of accountability, and it is extremely concerning. Every Canberran should be alarmed that Mr Rattenbury is this blatant in admitting that the government do not want to reveal the true cost, because they do not want to be held accountable.

They deliberately chose not to reveal costs before the election. You have to ask why, and what is it that they are hiding? My guess is that there could only be two reasons that Labor and the Greens would want to keep this information a secret: either the numbers are so big that it would have devastating impacts on our credit rating, our budget and, of course, Canberra household budgets during the cost-of-living crisis, or they have no intention of following through on one or all of these projects. We may never know, but we are looking forward to getting into government and finding out what Labor and the Greens have been hiding for at least the past decade.

As I have mentioned before, they have released indicative costs for some projects: the north-side hospital and a new stadium. They have told us that the new north-side hospital will cost more than a billion dollars and that a new stadium, if it is to be in Civic, would cost over \$2 billion. It does make you wonder how much Light Rail Stage 2B, a new convention centre, the Canberra pavilion, and a new Canberra Theatre will cost. We previously thought that these projects might total around \$4.85 billion; however, going by Mr Barr's estimates that claim that construction costs have increased so much—as much as 400 per cent—it could end up being as high as \$19.4 billion. Again, this is just our best guess because of the justification contained in Mr Barr's own stadium costings and his Infrastructure Plan. However, if he disputes this figure, he is more than welcome to tell the Canberra community just how much these projects will cost, perhaps even during the debate today.

Mr Barr and Mr Rattenbury have claimed that they cannot release the costs of these projects because it would prime the market and provide too much information to potential construction partners about how much the government is willing to spend. This argument is entirely baseless and factually incorrect. Governments all around the world, and all around the country as well, release indicative costs of projects before they negotiate with building contractors. An example is the Sydney Metro City & Southwest project, which was forecasted to be a \$12½ billion project. That was announced in 2017 by the New South Wales government, and they told their constituents four years before announcing their construction partner in 2021. The Melbourne Metro Tunnel, which was forecasted to be an \$11 billion project, was announced by the Victorian government in 2016 and the construction partner was announced—you guessed it—after that, in 2017. The WestConnex tunnel, which the New South Wales government said would cost \$16.8 billion, was announced in 2015 and the construction partner was found in 2018.

These are just a few examples of multibillion-dollar projects where governments have told taxpayers the cost well before they signed a construction partner—governments that knew that they had a duty to be up-front with the public about responsible use of their taxpayer dollars. If the Labor-Greens government were building these projects cheaper than other jurisdictions, then perhaps the Canberra Liberals and the Canberra community would say, “Hey, you know what? Fair enough. The government seems to have a good strategy.” However, as we have seen, this is clearly not the case. This is a government that cannot waste taxpayers' money fast enough on projects that have poor governance, poor budgets, serious corruption, fraud and an utter lack of ministerial oversight, and provide no value for taxpayers' money.

There is absolutely no reason that the government cannot release the indicative costs for these projects, unless they plan to generate as many votes as they can before they

cut the projects if they are re-elected, or they want to try to obfuscate the true cost of these projects and just spring them on Canberrans, along with a doubling of their rates bill. Only Mr Barr and Mr Rattenbury can tell us which it is, and this is their last chance before the conclusion of the Tenth Assembly.

I commend my motion to the Assembly.

MR BARR (Kurrajong—Chief Minister, Treasurer, Minister for Climate Action, Minister for Tourism and Minister for Trade, Investment and Economic Development) (3.48): I move the amendment circulated in my name:

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

“(1) notes:

- (a) over the past two years the Government has published infrastructure plan updates across seven sectors that provide greater transparency for the Canberra community and industry partners in relation to the status of prospective projects over the next two decades;
- (b) that different prospective major infrastructure projects for the ACT Government are, inherently, all at different stages of consideration and development;
- (c) annual cost escalation provisions for major projects are standard practice;
- (d) project contingencies significantly reduce as projects enter the procurement phase; and
- (e) the national infrastructure market has grown significantly, with the total value of State and Territory infrastructure spending doubling since 2017;

(2) further notes:

- (a) the Northside Hospital project commenced scoping last year and a request for tender has recently been issued to two contractors, which were shortlisted through an EOI process that closed in June 2024, to work in partnership with the ACT Government to deliver the new hospital;
 - (b) that the ACT Government has already committed to publishing the business case for Light Rail Stage 2B once completed, as well as all contracts once procurements have been finalised and contracts signed;
 - (c) a two-stage procurement process for the Canberra Theatre commenced in July 2024, with a delivery partner to be engaged through an early contractor involvement delivery model;
 - (d) functional design work is currently underway to help refine the facility sizing for the convention centre and entertainment pavilion to inform detailed design and subsequent cost estimation; and
 - (e) the Government continues to develop design options for a rectangular stadium, having undertaken preliminary site analysis; and
- (3) calls on the ACT Government to continue to carefully consider whether, when and how much information to disclose about the cost of prospective infrastructure projects to maximise the value for money outcomes for Canberrans.”.

The amendment substitutes the text of Ms Lee's motion and replaces it with some facts and some updates in relation to the projects that she is particularly interested in. To remind the Leader of the Opposition, over the past two years the government has been publishing Infrastructure Plan updates across seven sectors that do provide greater transparency for the community and industry partners in relation to the status of the projects that are in the infrastructure pipeline over the coming decades. Different major infrastructure projects being developed by the ACT government are inherently at different stages of consideration and development.

In relation to her concern about construction cost escalation factors being applied to future projects, that is standard industry practice. A four per cent to 4½ per cent annual increase in construction costs is consistent with existing EBA arrangements in the construction sector and an escalation in the price of materials. Labour costs and materials would be the main two input factors in the cost of projects. Another factor, clearly, is the scope of a project. Project contingencies exist, rightly, in any project. Project contingencies significantly reduce as a project is further developed and enters a final procurement phase. Again, that is standard practice. It applies to all infrastructure projects. They start with a higher level of uncertainty and, as the scope is refined and we get to a final procurement and often a fixed price contractual arrangement, the contingency reduces.

Ms Lee may not pay much attention to what happens in the infrastructure market in Australia. I understand it is not front and centre of everything that a Leader of the Opposition would be focused on. You have multiple portfolio responsibilities to shadow and you have a very small team, so I do not necessarily expect you to follow every single trend in infrastructure project delivery. But it is important to note—and I think anyone who pays a bit of attention to the state of the national infrastructure market would know this—that it has grown significantly. The total value of state and territory infrastructure spending has doubled since 2017. There has been a lot of economic commentary about this, so the fact that there is escalation in the infrastructure market in Australia should not come as a surprise to anyone.

In relation to specific projects, the scoping for the north-side hospital project commenced last year and a request for tender has recently been issued to two contractors. It was shortlisted through an EOI process that closed in June 2024, to work in partnership with the government to deliver the new hospital. The government has committed to publish the business case for Light Rail Stage 2B once completed, as well as all contracts once procurements have been finalised and contracts have been signed. A two-stage procurement process for the Canberra Theatre commenced in July 2024, with a delivery partner to be engaged through an early contractor involvement delivery model. Functional design work is currently underway to help refine the sizing for the convention centre and entertainment pavilion to inform detailed design and subsequent cost estimation. The government continues to develop design options for a rectangular stadium, having undertaken preliminary site analysis.

I will just say a few things in relation to stadium costings. The Queensland government and the Tasmanian government are both going through a similar process, and there is a similarly robust debate in both of those jurisdictions. But let us be clear: the costings for just an upgrade of QSAC, which is the lowest cost option for Queensland for the Brisbane Olympics, is coming in at \$1.6 billion. A \$3.6 billion alternative stadium

proposal at Victoria Park in Brisbane was considered by the Queensland government and by, amongst others, the former LNP Lord Mayor of Brisbane, Graham Quirk, and John Coates, amongst others. And there is now a \$6 billion private sector proposal on the table. To be clear, in Queensland, a refurb of a stadium will cost \$1.6 billion and a major new build in their CBD will cost \$3.5 billion to \$6 billion.

The Tasmanian state government has conceded that they will not be able to build their 23,000-seat stadium in Hobart for the \$750 million that they initially costed. Everyone knows that the costing is going to increase significantly and will go well over a billion dollars. An alternative \$2.3 billion proposal has been put forward for the stadium in the precinct at Macquarie Point. Once you add in precinct costs and precinct developments, the costings do increase.

There is also a thing called the time value of money—inflation—so one must look at a costing that is issued in 2030 dollars differently to a costing issued in 2023 dollars. That is what project cost escalation factors at four per cent to 4½ per cent—that differential—together with a 30 per cent contingency, and it outlines the cost spectrum for the different options that was released in answer to the question on notice. To be clear, it was not a feasibility study. It was a costing of different options, taking into account already known factors about each precinct. It was not a feasibility study. They are quite different.

In relation to project costs, the Canberra Theatre project, as outlined in the Infrastructure Plan, sits between \$250 million and \$500 million. The convention centre will cost \$500 million plus. The pavilion will cost between \$100 million and \$250 million, and Light Rail Stage 2B will cost \$500 million plus. Those have been outlined and publicly available in our Infrastructure Plan for quite some time.

Part (3) of my amendment calls on the government to continue to carefully consider whether, when and how much information can be disclosed about the cost of a prospective infrastructure project to maximise value for money outcomes for Canberrans. The indicative costs are in the Infrastructure Plan. All seven updates were released progressively over the last few years. That gives an indicative sense of project costings. That is publicly available. It has been available for months and months and months. I do not know whether anyone does any research for these private member's motions that Ms Lee puts forward, if the one yesterday is anything to go by. All of this is already publicly available. Another attempt on the last sitting day of the year, the last sitting day of this term, to relitigate the same tired arguments when the information is already publicly available is a bit tedious, but it is what we have come to expect in relation to debate about infrastructure in this city.

I commend my amendment to the Assembly.

Visitor

MR ASSISTANT SPEAKER (Mr Petterson): Members, we are joined in the gallery by a former member, Mr John Hargreaves. Welcome back.

It being 4 pm, debate was adjourned pursuant to the resolution of the Assembly, and resumption of debate made an order of the day at the conclusion of the valedictory.

Valedictory

MS BURCH (Brindabella) (3.59): Members, thank you for the opportunity. Back in 2008, I said in my inaugural speech that it was a great honour to be elected and that I hoped to live up to the community's faith in me over the coming years. Here I am, 16 years later, having been elected four times by the good people of Brindabella. I cannot thank them enough for the faith they have placed in me, and I have not wavered in my support for them and for working each and every day. I would like to recognise and support my local sub-branch members, who have continued to put me on the ticket. As I came in, I heard Mr Hargreaves was in the room. I particularly give a shout-out to two local members who come to mind and were members at the local sub-branch: Annette Ellis and, indeed, John Hargreaves—both faithful and feisty local members and servants for their community.

I recognise that I inherited a number of projects from John that he championed, such as the Tuggeranong Seniors Centre or the 55 Plus Club. But I also recognise that many of us here pick up what others have started, and, indeed, others will have the opportunity to manage to conclusion what others started. Just as an aside, John and I did one full term here. I know that many of you will recognise that you wanted to hug John and hit him in equal measure, regularly!

I also reflected in 2008, and I have said it a few times since, that, as a young woman of 17, I found the best job ever. After leaving school at 16, I did a short stint in a brokerage firm and then worked at a local bank. I knew I was not happy, but I also did not know what the wide world offered. One day, I had the gumption to ask a regular group of young people, who clearly worked and seemed to have a good life, what they did for work. It was in the 70s and they were hippies, so they were very attractive to me. They told me they were nurses, and that was it; the decision was made. I thought I would try that. I can tell you that, from the first day at the hospital ward, I knew it was the right decision.

Working as a nurse afforded me a perspective on life that has held me in good stead throughout my working career, and indeed my whole life. The desire and commitment to help others is indeed what drove me into this place. It was even the basis of my campaign in 2008. My core DL message was simple: make the Assembly better; send a nurse to the Assembly. It seems the message worked, and the commitment to make this place better has held me in good stead.

I would like to say a few thank-yous as well. To the back of house and front of house, heartfelt thanks to all who make up the Office of the Legislative Assembly. You keep this institution going in a proper and orderly direction—the warm welcome from the attendants and their funny exchanges when delivering the mail; knowing how far our neighbouring solar systems are, which is a regular comment I get when I come in here; and how quickly the doors are closed for divisions; it is almost like, “Can we just stop now?” It is all done with kindness and good humour.

To those who track and record our words, you make us sound wise. I regularly am thankful when they use the term “members interjecting”, rather than actually including the words that flow across the chamber. To the committee team who pull together such

a wealth of community input, balanced against the literature and members' views, you are clearly masters of democracy and diplomacy, in equal measure. I think you do a grand job.

There are too many to thank, but please be assured that each of you make a difference to my time here. I am sure all in this place would agree. That said, there have been a few constants: Tom Duncan, Celeste, Janice and David Skinner—all regulars in the chair, and two of them are there right now. Over the last eight years, I have regularly leant forward, pressed the mute button and whispered, "What's going on? What are they doing?" Their advice has always been sound, and I thank them for that. Mr Duncan has been Clerk to four speakers and Assistant Clerk to others. He is well known across the CPA parliaments. Quietly, when I am in the company of the presiding officer and clerks group, we regularly refer to him as Gandalf. It could be the white beard. It has been said over time and with affection. Janice and Celeste are simply the masters of our Assembly papers. David is a man who is so intrigued by parliamentary process but has little interest in the political game. Over the last eight years, I have come to know their quirky sense of humour, and we all know not to mention Collingwood if we are in a hurry!

I recall the class of 2008 coming into the chamber for a practice run. Tom, Celeste, Janice and Midnight Max—we all know Midnight Max—went through a demonstration of a sitting day. Janice or Celeste stood, smiled and quietly said, "Point of order," and the other would say something in debate. Then, Members, I sat through my first sitting week here and I quickly saw that points of order were not said with a smile and debate was not done in a quiet manner, but I thank them for their support.

I have held many positions in this place but never from the seats of opposition. I appreciate it is a tough day on that side. Elizabeth Lee is always respectful to the role of the Speaker. However, in question time today, I did have to have a quiet word with the deputy and said, "Please!" She has always been respectful to the role of the Speaker, aside from today. I have my notes here. You were the mover of the majority of dissents and the Speaker's rulings as well, but that is your job. I understand what it is, and I was humbled when you allowed me a second term as Speaker without opposition, so I thank you.

To the Deputy Speaker, I am not sure whether it is because you sit close to me, but I seem to hear you a lot, both in order and out of order. When the Assembly provided you as Deputy Speaker, I had a quiet eyeroll. You have come a long way since the days of using the chair to spruik a well-known chicken burger. With great relief, I am glad that times have changed and you have indeed been a supportive deputy.

To the Greens, since 2008 we have gone from four to one to two to six. You have been a constant yet inconsistent presence since 2008. You have provided confidence and supply and, with the PAGAs, we have seen a collaborative set of policies over time. It seems odd, though, when I see the memes and hear from the ACT Greens that they are fighting against the two old parties. What comes to my mind is an image of a primary school classroom—and this was before today—where the eager kids sit in the front row and sit forward with their hands up high, saying "Pick me, pick me," when the teachers say, "Who wants the seat at the cabinet table with one of those two old parties?" You're

not fighting the old parties; you are one of us in government. I must thank Mr Rattenbury, in the 9th Assembly, and Mr Braddock, in this Assembly, for the collaborative and sensible way we have worked through matters of admin and procedure. I do thank you for that.

To my Labor colleagues, I am absolutely proud to be part of an ACT Labor government that has driven and shaped this wonderful city and the community we have today. Since 2001, Labor has been in government. The city has grown in population in the depth of community organisations and local businesses. This has not been by accident; it is through clear, proactive and inclusive policy. Yes, many would say it is a long time. I say there is no time for change. Stick with what we know.

To my Labor colleagues of this Tenth Assembly, it has been a wonderful opportunity to work with you, always working to make a difference in order to make our city better and doing well by our community. Like many families, there are times when we do not really want to talk to each other, but we do know how to work in a cooperative way. As Speaker, I have made the decision not to be active in caucus and to be as independent as possible, and perhaps that has helped with some of the family feuds.

As I look across this Assembly and think about earlier Assemblies, the Chief Minister, Andrew Barr, has been the constant here—the only one in this room who was here to greet me in 2008. Aside from two others—Mr Rattenbury being one—is all who have been here since 2008. Even though Labor has been in government since 2001, this place changes significantly. I know the fragility of sitting MLAs in the Hare-Clarke system. Yes, it is the Hunger Games of political campaigning. There has always been a turnover. In 2008, it was Mr Gentleman out, me in. I was happy at becoming an MLA. There was a bit of “Sorry, not sorry, Mick,” but it was good to have a second go.

Without putting fear into any of my colleagues, it is important to remember that we are here by the grace of the community. It is important to remember that and to always strive to do right by them—not for our own ends and not for political point-scoring but to be a good local member, a good parliamentarian, and the rest, indeed, will follow.

I wish the Labor Party well in the upcoming election and in keeping Canberra in good hands. I am not on the ticket, but you will see me out doing the good work of the party. I am proud to be part of an Assembly in which we made history: the first Australian parliament to have a majority of women. May I say: let that reign continue.

I have held many positions here: backbencher, minister and now Speaker. Reflecting on my time across those, it was hard to call out a few that I wanted to put on record. My constant call, though, has been for my community to contact me with their issues, no matter how big or how small, and I meant it. With some level of indulgence, I would like to comment on some of the big and some of the small, so you will get a mixed bag.

My first foray into getting something done for my community was as a new backbencher. I advocated then for the Tuggeranong archery centre and the Men’s Shed. In 2012, I joined members of the Tuggeranong Archery Club in turning the first sod for construction of that multi-purpose indoor facility in Tuggeranong Valley. It serves as a home for many a community sporting organisation and for the Men’s Shed. It is the

place, too, where the local bocce champion, Karina, regularly calls for MPs and MLAs to challenge her team. I have done it a number of times, and we are always the very sad losers to that team.

We all know and appreciate that access to education changes lives and provides opportunities for all. As a local member and minister, it was great to see the new CIT campus in Tuggeranong for the first time. I was proud to secure funding for the new STEM centre at the Caroline Chisholm School to improve the teaching of science, technology and engineering, and to open up the wonderful new CCCares building at Canberra College in Woden. That supports access to education for pregnant and parenting students, where the students and their children are valued and cared for.

A good education is provided by quality teachers and is provided in public, Catholic, private and independent schools. Respecting parental choice is important and supporting those choices is critical in making sure that all children are considered. That is why I established literacy and numeracy testing for teachers, meaning that all new teachers were in the top 30 per cent of literacy and numeracy in the country, becoming the first jurisdiction to do so. That is why I made English compulsory for year 12 graduation, bringing the ACT in line with the rest of the country. It is why I actively worked to develop an MOU across the public, private and independent schools to reflect and respect parental choice. Because I know that not all learning occurs in the classroom, I was pleased to introduce water safety classes to make sure that all students had basic water safety across all our schools.

Everyone deserves a safe and secure roof over their head. When I gained the housing portfolio, I saw that it could be improved, which is why I introduced the housing gateway and central intake system, a system that remains and that supports people today. As part of that, I also reformed the youth homelessness policy. Canberra now has the benefit of Common Ground, a reform that I shepherded through the Assembly and budgets. I remember with respect Liz Dawson, an elder of the ACT Labor Party, who fought to bring that to this city.

Another program and bill that I am immensely proud of is that of the intentional community. Former Chief Minister Katy Gallagher knew the benefits of such, and as Minister for Housing I got on with it and got it done. Three champion mothers drove and pleaded and supported and acted for their sons to see them housed in a safe and respectful environment. Sally, Cheryl and Karen are to be recognised for their sheer determination and persistence. At Lanyon just last week I was out with a good friend of mine, called Caitlin. Karen, one of the mothers of the young men that moved into the intentional community, spoke to me about how the program changed her and her son's life. She said that her son, Daniel, is still there and he is strong and independent and all the better for the intentional community.

In the esteemed publication *The long and the short of it*, which contains some of the stats of the ACT Legislative Assembly—we have all read it; it is at the side of our beds!—I am recognised as the longest serving Minister for Multicultural Affairs, at five years, two months and 15 days. The benefits of the Office of the Legislative Assembly give you these stats. It is an honour to have been able to support our multicultural community.

The first thing I did was to initiate change to the National Multicultural Festival, which was two separate weekends originally. I put them into the three-day event that we have now. It is the most intense and colourful three days of celebration that we all enjoy. That dates back to 2010. The numbers just get bigger and better, and it is a clear demonstration of the vibrant city in which we live. I also introduced the access card for refugees and asylum seekers so that some of our most vulnerable did not have to keep on telling their story to get access to basic services.

Again, in the aforementioned publication I am also listed as the longest serving Minister for Disability: four years, eight months and nine days. Just a couple more months and you will be there, Rachel. As minister, I drove significant change and reform that came with the introduction of the NDIS and delivered the National Disability Insurance Scheme into the ACT. We became the first jurisdiction to commit to and deliver the full transition of that scheme.

I was also pleased to support people with disability through community partnerships with the Ricky Stuart Foundation and Project Independence. Both Ricky Stuart and Glenn Keys had a vision that provided support for people with autism and disability. The Ricky Stuart Foundation is all about creating an inclusive Australia for individuals with autism. Project Independence believes that every individual deserves the pride and security of home ownership. This is why Glenn Keys created the Project Independence group.

When they both approached me, I knew that these initiatives were something that could be achieved and should be delivered. After very lukewarm interest and response from officials at the time, it was somewhat satisfying to be able to say to the directorate, "Can you go away and find that computer that gives you a different answer, because we are going to do this," and we did make it work. The value of working in partnership with the non-government sector in harnessing that broader public support cannot be dismissed or undervalued. I worked through the policy, through budget appropriations and all the key stakeholders to get that done.

The first Ricky Stuart respite home opened in Chifley in 2016, and since that time, a second one, the Emma Ruby House, has also opened. Project Independence's first property was built in Latham in 2016, the second in Harrison also in 2016, and the third in Phillip opened just last year. Testament to the success of that model and why it was a good idea to get it done, Project Independence are expanding into New South Wales and Victoria and I have no doubt that they will come back and talk to the relevant ministers here.

Much has been had of the debate this week about gaming and racing, most of it sheer political debate, sadly. For those who may or may not be aware, a little over 10 years ago I was the first one to sign an MOU with the racing industry. It is also worth remembering, Mr Rattenbury, that you were in the room at the time. There was no objection then, but, you know, times do move on.

There was also much mentioned today reducing electronic gaming machines. This government has been active in that for some time, through the trading scheme, again that I introduced 10 years ago. That scheme demanded a percentage of poker machine licences to be surrendered and for those licences to be capped. Is there more work to

do? Yes, there is, and the Chief Minister has outlined some of that work today. The discussion about that I had 10 years ago with the Chief Minister resulted in a *Canberra Times* comic strip. Anyway, we will move on.

I believe art should be accessible, open and enjoyable for all ages. It was great to bring key artists like Kulture Break and Ausdance into our schools. It still brings much happiness and cohesion to those young participants.

I turn to Brodburger. I told you it was a mixed bag! Brodburger was a little red caravan. I was arts minister, and it was being threatened by the serious bureaucracy in planning or city services to move from its original place down on the lakeside. I brokered a deal, and it has had a permanent home since then at the Glassworks, and it has gone on to bigger and better things. It has hit the highlights of Tuggeranong, so I am very proud of Brodburger.

Arts also has a role in supporting and preserving local communities. We recall the Canberra fires of 2003. I was approached by our local community to restore a symbol of resilience. Mr Hargreaves will well remember this. The Firestorm Story Tree had fallen into disrepair. In 2013, with a clear push from our local community, I committed artsACT to having a regular annual plan of review and maintenance. That symbol of community resilience continues to be maintained today.

Kambah is celebrating 50 years as a suburb. Part of those celebrations will include, this weekend, the opening of a time capsule. Because I say to everybody contact me on all matters, no matter how big or how small, local organisers contacted me just a week ago and told me there were some damaged pavers near the tree. Agreeing that it needed to be repaired, I reached out to Minister Cheyne's office, and I am told—my fingers are slightly crossed—that Roads ACT have inspected the identified area and plan to have it finished for the opening of the time capsule. Ms Cheyne, can I tell you, your office has done a marvellous thing to get that done.

Some say I was futureproofing this city for myself when in 2010 I created a national first when Canberra was invited to become a member of the World Health Organisation Global Network of Age-friendly Cities. That work continues today. These reforms have made Canberra a better place to live, and for that, always, I will be proud.

Locally, I have maintained regular mobile offices for many years. More often than not, every second and fourth Thursday and Friday, you will see me at the local shops. I have heard many a time: "Glad you're here. I have a problem that I think you need to know. I wouldn't write, I wouldn't ring, but when I see you I will let you know." At one of those mobile offices, in Chisholm in 2018, a mum, Kimberly Smith, and her young bub, Keith, approached me about support for babies born with club feet. There is an old saying that you do not know what you do not know. I had not realised that, through ACT Health or Therapy ACT, we did not actually have a program for supporting families with club feet. I am very pleased to say that now we do. Through Meegan Fitzharris, as then health minister, we got that done. Now families with children born with club feet have that very important support of boots and braces. I am very pleased to say that we do. Because he is local, Keith, when he was about the age of two, at a mobile office ran to me freely, his feet straight and formed with all the agility that a two-year-old can have—as I look to

my 18-month-old granddaughter, who is remarkably quiet there, because we all know how they run. But that is why we do what we do.

Just last weekend at a local shops, I was helping with the October campaign. A local fellow, one who I have helped with a range of issues over the years, came and asked me what I was doing, because he thought I was retiring. I confirmed I am not retiring; I am just not contesting the October election. He looked at my notebook and my pen. I said, "But I always have it," because I always am prepared to take a call and to make a note. He thanked me for all I had done and for the years of support and work for the community. Then he asked if he could give me a hug, and I agreed. About the hug, he said, "This is from all of us. We will miss you." I can tell you, members, I felt that hug did come from my community, and I thank Gary for that.

For the past eight years as Speaker, I have worked hard to keep this place running as smoothly as possible and to uphold the primacy of parliamentary process and privilege. In 2018, I proudly presented this Assembly's remonstrance to the federal presiding officers. I am as pleased as anyone to see those draconian Andrews bills pushed aside so that we could enjoy our equal rights to determine our laws like every other Australian.

Again, referring to *The long and short of it*, I am the longest serving Speaker, noting that, as of December, it was seven years, two months, and one day. Given that I plan to come back in the first week of November to welcome all the newbies, that will be well over an eight-year term. I became Speaker in October 2016. In fact, it was 31 October 2016, and my family will understand the importance of this. It is not only Halloween; it is my birthday. I challenge any presiding officer, when asked, "What did you get for your birthday?" for me, it was the speakership.

During the 2020 campaign some here wished me well and said to me, "I hope you get over the line; you are doing okay." Well, I did get over the line; in fact, I topped the ticket. Looking through history, I do not know how it happened, but I was the first Labor member ever to be elected in Brindabella on the top of the ticket. So you will never beat me, Mr Parton. There is a satisfied smile on my face.

COVID caused much change and concern across our community. Here in parliament we saw disruption to how we operated our parliament and committees. The very face of this chamber, indeed, reflects the changes we made to allow all MLAs to be present and to represent their community. While we enhanced the online presence of our committees, we maintained, albeit under restrictions for some time, our in-person presence.

Whilst I am not wanting to open old wounds, I must make a few comments about when others came knocking on our door and sought to close the parliament and the committees down. A phone call set in place a series of events that saw the WorkSafe commissioner come in here with a notice that would have prevented the Assembly from assuming its normal parliamentary functions. To me, it was an absolute overreach and an affront to parliamentary privilege. But we got through that. Changes to the Work Health and Safety Act and the standing orders, and an MOU with the commission, were put in place to ensure our understanding of each other. Parliament has its role, the WorkSafe commissioner has their role, and that is understood by all.

All that aside, it is time for me not to contest the October election. I have had a good 16 years. I believe I made a difference: some big, some small. For those who will return, keep in mind that you are here by the good wishes of the community, that they have expectations that you will deliver on your promises and that you will work for them. Accept that there will be the cut and thrust of political debate, but let that not define you. Rather, be defined as being a good local member, and the rest will follow. Colleagues, I know I am not going quietly into retirement. I am not going into retirement. I will enjoy the freedom of the garden and the chaos of the grandchildren, but I will also look for ways to continue to help and support our community.

Mr Parton: Want to letterbox for me?

MS BURCH: Not likely!

As Ms Lawder commented yesterday, boards and volunteering, if any are interested, would be okay, but, Chief, you can be assured that I am not interested in the international position.

Mr Barr: I will take you off the list.

MS BURCH: We have spent a lot of time together, but I think that is fine.

Before I go to my staff, I do have a very earnest request for whoever comes and assumes this position. It is important that the annual Christmas door-decorating competition is maintained. I ask that whoever sits in this place gives due consideration to that.

Now I turn to my staff. We have heard the saying: if I have seen further, it is by standing on the shoulders of giants. My staff have been those giants. Whether as a backbencher, as a minister, or as a Speaker, they have always been there for me. Turning to my current staff, Mel Gonczarek has been with me since January 2012 and Emma since April of 2011. That is remarkable service to me and remarkable service to the community and to this Assembly. I think they take the record for being some of the longest serving staffers in this place.

I did ask for a few anecdotes. There sort of was an agreement that the best were not for public consumption, but then I figured I will not be here. I learned to wear glasses when looking at my tweets early on. There are only so many times you can retweet something without getting into strife. I will just leave it at that. Then there was a response without my glasses. I will say I had the flu and I was taking some medication, but in “What’s up Jack” there was no space and there were two S’s and an A, so “What’s up jackass” went off to someone. So, yes, always wear glasses. One of my chief of staff used to give staff awards, and apparently in a text I sent to my staff the award I got was for the “Goof News Kiddies, but licked up later afterwards”. Now you often see me with my glasses on.

On a personal note, the benefit of being a woman—and this is from one of my staff—is that, when there was a fella in my office it was always the fellas that were sent to get the milk and the coffee. It was always the fellas that had to tidy up their desk; the women never got that treatment.

We often get strange correspondence. Ms Lawder was asked to get rid of one of the native species or migrating species. We went looking but could not find the original letter, but one letter that I did respond to was from somebody complaining about the lawless chicken living next door. They wanted to put in a noise complaint and asked, “How can someone actually get rid of the crowing chook?” I did not put the obvious answer in the reply.

I have words for my family. I do not quite know where to start on this. I moved my family to the snow and from the snow to the coast for work. My husband was working in the snow, we got sick of the snow and we moved to the coast. My husband did a season in Antarctica. He started complaining of the cold, so I moved my family to Alice Springs. A combined decision was to move to Canberra in 2002 for a simple and stable life. But in 2008 that stable and simple life changed to being one of an MLA and being an elected member and the hurly-burly life of campaigns and all that comes with it. I owe my family much indeed. They have not missed a beat in their support for me, and I simply could not have done it without them.

My husband, I am sure, is grateful that, come this weekend, I will not send him out in his ute when the festivals of the corflutes begin. His single job every four years, for six weeks, was to get up at the crack of dawn, load up the ute and go out and make sure my corflutes were in prime position. He does understand real estate for corflutes.

In my 16 years here I have seen my sons grow into men. I have seen the arrival of five grandchildren. Those sons and grandchildren have given me balance and grounding to appreciate that life outside this place is what counts. The life outside this place defines you, and that is what you bring in here to be the best you can here. I love all my family.

My husband, who is internally known as a bit of a buckabout, kept the best kept secret. You would have maybe noticed the chaos and the franticness of me yesterday. One son and three grandkids live in Perth. The other son and two grandkids live in Alice Springs. They arrived in my office, and I did not know they were here or coming. Now, if you knew my husband, you would know—anyway, congratulations, dear. You kept that secret.

To my sons, Kain, Tom and Lloyd; my husband, Cam; and my grandkids, Hunter, Kade, Fletcher, Loup and Evie: I love you. My sister Debbie is here, my younger sister, and her husband, so thank you. You are the sibling rep. She travelled from Culburra, which, conveniently, is Canberra’s sister city of planning, thanks to Mr Burley Griffin. I am sure that is why you moved there. Mel and Emma will not live down the conspiracy and the secret-holding. I only found out last night that my whip knew this was going on as well. To one and all of you: I will get you back somehow or other.

Members, in closing, it has been a tradition of mine at the end of each year’s speech that I include words from my grandchildren. I will continue that here. I asked them what was their funniest or best way to say goodbye. Evie is just 18 months, in the arms of Vanessa. Vanessa is French, so Evie, at 18 months, will just wave and say, “Hello.” Loup said, “Au revoir.” Fletch said, “I am rizzed up all the skibidis now casue is out.” I asked him to explain. I am still trying to work it out, but thank you, Fletch. Kade said, “Mud is light, shine bright, always fights for what is right. Now it’s time to help me with my homework.” Thank you. Hunter simply said, “Peace.” Members, thank you.

MR BARR (Kurrajong—Chief Minister, Treasurer, Minister for Climate Action, Minister for Tourism and Minister for Trade, Investment and Economic Development) (4.35), by leave: Madam Speaker, I begin with a simple thank you for everything that you have done in this place and in service of your community. I also now, in advance, seek forgiveness for what I am about to say. As I think I am now the longest serving member in this place, I will claim the title of Father of the House and I will share a few reflections on your contribution.

Since you were first elected, in 2008, I am going to make the completely uncontroversial and incontestable statement that there has never been a fiercer and more effective advocate for Tuggeranong than you, Madam Speaker. That was reflected in your result at the 2020 election but has also been reflected at election after election, with your very strong personal vote and the way you have always been, in my mind, the representative for Tuggeranong. It is the area that I think, again, most uncontroversially and incontestably, is the most parochial of all districts in our great city.

I have always considered, Madam Speaker, that your time as a nurse, as a health administrator in many jurisdictions has fundamentally shaped your world view and the person I know—your determination to drive change. You have brought all of that background, skills and experience to your role in this place. You promised when you ran that you would send a nurse to the Assembly. That was your absolute promise and you have delivered on that, both the nurturing and the tough love aspects of that role. I have been on the receiving end, like most colleagues, of both. No-one is ever in any doubt where you stand on issues. You have always been passionate and forthright, whether it is in this place, in our caucus or in the community, in expressing your views, drawn from your values and your background, and absolutely authentic throughout.

Your time as Executive Director of the Rural Health Education Network, your time as a nurse, your work in the community demonstrates that. You always freely share your wit, wisdom and thoughts with colleagues, whether that is over the phone, passing in the hallway, fierce commentary in caucus, or a wee tweet on Twitter. We have all appreciated, mostly, your straight talk over the years.

In your current role over the past two terms, I again make the incontestable statement that you have been the Assembly's finest Speaker, amongst many worthy contenders. I think that was reflected in your re-election in 2020 uncontested. I think that shows the esteem in which you are held by all members in this place. In the role of Speaker you have not been a frequent attender of our parliamentary caucus. You have taken the role seriously and operated outside of that process. I think that is the right path—not always the easy path, but necessary, even in a small parliament, to be an effective Speaker of this place. This has occasionally led to disagreements with colleagues across all sections of the chamber. I note that in your past working life you owned and operated a childcare centre. I perhaps might personally dispute the past tense. It has been a natural fit to oversee this place over the last eight years!

I think it is fair to say that you have inspired both a deep fondness and occasional fear amongst all members in this place. Your deputies, past and present, can attest that they carefully consider their actions in the chair so as not to incur a stern talking-to by

Madam Speaker. You will be the longest serving Speaker for at least another eight years and, beyond mere length of tenure, your legacy in this role will continue.

Whilst your time as Speaker is at the front of mind, I do want to also acknowledge your significant contributions as a minister in the government. They are substantial, and you touched on them in your remarks. Across education, training, police and emergency services, women, ageing and multicultural affairs, your contributions to the development of the cultural, social and economic life of our city cannot be overstated.

What we have always known throughout is that your love of Tuggeranong has been at the centre of all of that work. We know you have been loved by the people of Tuggeranong, reflected in your strong personal votes at each election. Your giving disposition, your kindness and your friendly assistance, even sometimes sharp when only friends can tell you something like that, has inspired great loyalty, not only from people in this place, your friends, your colleagues, your staff, but from the community.

Joy, Mel and Emma have been an inseparable trio for years and, as you have mentioned, some of the longest standing staff members in this place. Again, I think that speaks volumes to you, as an elected representative and as a person, that you have such loyalty in your staff. People often observe that you can tell a lot about a person by the way they treat the people around them. With the endorsement of the people of Brindabella and your fiercely loyal staff, I think it is very safe to assume, Madam Speaker, that the jury is in on the kind of person you are.

Constituents have enjoyed the consistency of your street stalls, and the material highlighting the timing and location has come like clockwork every year. I have a magnet in my office on the fridge from around 2016, if not earlier, that I think remains accurate to this day, Madam Speaker. It says:

You can find Joy at Kambah and Chisholm on the second Thursday and Friday of the month, and Erindale and Lanyon on the fourth Thursday and Friday of the month.

You have given consistent service to the people of Tuggeranong year in, year out. I do not think there is anyone in this place, potentially, past or present, who has had such a consistent and enduring schedule to engage directly with your local constituents.

Ministerial colleagues, including me, have become very familiar with the issues that are raised with you that you then bring to us, particularly issues like Richardson shops. You have been a fierce advocate for your community and for what is right. To be in this place for 16 years is an incredible commitment, not just to the people of Brindabella but to our entire city. To fly the flag and fight the good fight for the Labor Party for 16 years is an enormous contribution.

We all know it comes at a cost. To your family, to Cam, Kain, Tom, Lloyd, and the grandkids, Hunter, Kade, Fletch, Loup and Evie, we thank you for supporting Joy and for sharing her with us in this place, with her constituents in Brindabella and, indeed, with every single Canberran. To you and your extended family, on your own terms: they are all yours, Madam Speaker.

Thank you personally for your support. You have told me things I did not want to hear at times, and on other occasions have been my biggest and best supporter in this place. I am very proud to have been your friend for 20 years. Thank you. You keep us all in check, and I thank you for your service to the territory. We are going to miss you. We are really going to miss you, but I hope that you enjoy the days and years to come. You are definitely not retiring. You will continue to be active in our community and active in our community's politics. On behalf of all of our Labor colleagues, I wish you all the very best for what comes next. Thank you, Madam Speaker.

MS LEE (Kurrajong—Leader of the Opposition) (4.45), by leave: Madam Speaker, on behalf of the Canberra Liberals, I pay tribute to you. Not only is today the final day for you as Speaker here in the Assembly but it also marks the end of a long and significant career as a member for Brindabella. You were elected in the Legislative Assembly as a member for Brindabella in 2008 and re-elected in 2012, 2016 and 2020. Since your election in this place in 2008 you have served in a wide range of ministerial roles including education and training, disability, police and emergency services, racing and gaming, arts, Aboriginal and Torres Strait Islander affairs, ageing, children, young people, community services, multicultural affairs, women, as government whip, and from 2016 as the Speaker, making you the longest serving Speaker in the Legislative Assembly.

As has already been noted, we all recognise your commitment to the people of Tuggeranong. You have been a strong advocate for your community, and I know that you will continue to play that role long after you leave this place. You were also instrumental in the ACT being the first trial site for the launch of the National Disability Scheme; opening the first Project Independence property, which provides home ownership for people with a disability; and in working to secure funding for the Ricky Stuart Foundation house respite centre. Your other significant contributions, as listed before, include education.

Your time as a minister came with challenges too. Whilst it was before my time, I can understand that it would have taken its toll. Giving credit to your resilience and your commitment to serving the community, you were elected as Speaker in 2016 and again in 2020, and now can claim the title of being the longest serving Speaker.

You had a successful career before entering politics, as a registered nurse, as Executive Director of the Australian Rural Health Education Network and in the Northern Territory Remote Workforce Agency. You also owned and operated a childcare centre. As Mr Barr has also indicated, some may say that was probably the perfect training ground to be Speaker of the Legislative Assembly.

I did have the opportunity to work with you last term, as Assistant Speaker. I would like to think that we never let politics get between us when we had those roles. One memorable time that I recall was when we were on a delegation together to the Commonwealth Women Parliamentarians Conference in 2017. For some reason, we could not find the taxi that was meant to pick us up. There we were, you and I, standing at the airport, having just collected our bags, wondering, "What do we do now? We are in this foreign country and we don't know what to do." I still remember you saying to me, "Right. Let's get a taxi. We are going to the hotel."

When we got there, you said, “I don’t know about you, but I’m unpacking and I’m going to sit by the pool with a gin a tonic. You can come and join me.” I remember thinking, “Wow! That sounds like a really good idea.” I have to say that I was very touched by your very calm and collected nature. Being abandoned in a foreign country you would not think would lead to having a gin and tonic with someone from another political party. But there you have it. I remember at the time thinking, “Yes, I can see the nurse in you.”

You do take your role as Speaker quite seriously. As a testament to that, I am not sure if anyone here is aware of this, but you have checked in with me throughout the term on a regular basis, saying, “Am I doing okay as Speaker? If there is anything I could do differently or better?” I have to say that I have mentioned that I would really like it if you would ask the ministers to actually answer the questions in question time! I am still waiting for that. I think we still have different views on your ruling calling out of order my GP payroll tax legislation, but that is a debate that we must agree to disagree on.

On a personal level, I am very grateful to you, Madam Speaker, for your warmth and care when I was very heavily pregnant and struggling to make it down to the chamber, and in the hazy newborn days after I had my second daughter, Ava, this term. I truly saw the nurse, the mother and the grandmother in you in the way that you asked after me and my newborn baby. We would share photos and anecdotes of my daughter and your granddaughter, because they were born at similar times. I think Evie is only about five or six weeks older than Ava.

All of us here know that being a representative for the community is rewarding and it is a fulfilling calling but it is not without its sacrifices, particularly as a parent and as a grandparent. I have no doubt that you have sacrificed a lot to serve in this place for as long as you have. Sometimes it can be a sacrifice that is not often acknowledged or fully appreciated, but it is a sacrifice which deserves thanks, even across party lines.

In announcing your retirement you said:

The Assembly is undoubtedly a place of big reform and legislative outcomes, yet it is also a wonderful parliament in that members have the opportunity to truly engage with and work for their local community. It has been through these interactions that I have met members of my community who have approached me needing what might seem like small things in the scheme of the broader work we do, but are actually needs that make a significant difference in improving their day-to-day lives.

No matter which level of parliament, no matter which party you come from, it is a considerable achievement to be elected at four different elections and to serve a total of 16 years. It is fitting that you, like Ms Lawder, leave the Assembly on your terms, at a time of your choosing, whilst you still, I hope, love the job.

On behalf of the Canberra Liberals, Madam Speaker, I thank you for your service to our community and extend our best wishes to you and all your family. I am sure that you are looking forward to spending more time with them.

MR RATTENBURY (Kurrajong) (4.52), by leave: Madam Speaker, on behalf of the ACT Greens, I rise this afternoon to offer you both congratulations on and thanks for

your 16 years of service to our community. As was touched on earlier, being elected four times is no mean feat in a Hare-Clark electoral system, the vagaries of which can produce results that can be challenging for members. To be re-elected four times is a significant achievement.

You are a committed Labor Party warrior, which I think your speech this afternoon ably demonstrated. When it comes to you, I was reflecting as I prepared some remarks for this afternoon that we have a number of parallels in our time in this place. We both entered the Assembly at the same election in 2008. We have both had a stint in the Speaker's chair, although, as has been noted, you hold the record for being the longest serving of the ACT Speakers in self-government history. I think we probably—and I mean this in the kindest way—both have a few more wrinkles than we did back in 2008. I am sure they are smile lines. There is nothing stressful about being in the Speaker's chair; it is all just good times and happy occasions!

I did want to reflect on a few particular points about your time in this place that stuck out to me. The most personal one, and the one that really sticks with me, is from when I first became a minister. This was in 2012. The Chief Minister was Katy Gallagher at the time. Through a balance of power arrangement and negotiations we had got together to form that government. After the 2012 election I became a minister, and it was the first time there had been a non-Labor minister in the cabinet room since 2001.

We assembled in the foyer of the Chief Minister's office, before we went downstairs to face the media, and there was an interesting air. I was sort of the odd one out, as the Greens minister in that gang. There were only five ministers at the time, so it was a rather more intimate matter than it is now. It is still a small cabinet, but then it was really a small group. We were milling in the Chief Minister's foyer, waiting to go downstairs for the media call, and Madam Speaker gave me some really smart and thoughtful advice on some of the things you need to be mindful of as a minister. They have stuck with me to this day. I have taken that advice on board and it has served me extremely well in thinking about the things that matter and the things you need to do to survive and to be as successful as one can as a minister, so thank you. I really did appreciate it, and it has served me well.

As a former Speaker, I think that there is also a certain connection amongst the Speakers. Ms Lee just spoke about some of those chats on the side. There have also been the speakerly chats, I might describe them as—those check-ins of, “What do you think about this one?” and “How might this go?” or “How might I approach that?” It is a little difficult and requires a degree of care and thought to maintain the role of Speaker, to be fair and even handed and maintain the principles of the parliament that go beyond the politics of the day. It is up to the Speaker to maintain standards and to maintain consistency and a good approach. I enjoyed those speakerly chats. I think you have maintained the role of Speaker to a standard that we would all hope for and expect. You have taken it with great seriousness and with a degree of integrity that I think befits the role, so I thank you and congratulate you for that.

You will, amongst other accolades, be recognised for speaking in Ngunnawal. I recall very clearly the sound of your voice speaking the opening words of our Assembly in the Ngunnawal language. I think that earns you a permanent place in the territory's history. It was an incredibly proud day for this Assembly. Members will have been

involved in some of those conversations with Aunty Agnes and other elders of the community who were so emotional at that moment, having been prohibited from using their language as young people, earlier in their lives, to come in here that day. I do recall, if I might share, that there was a certain degree of nervousness on your part.

MADAM SPEAKER: Just a tad!

MR RATTENBURY: We have started to learn a little bit of the Ngunnawal language, but most of us had not had a background in it or had much training in it. It was such an important occasion for the community. I know you felt a great pressure to get it right. I acknowledge that because it was an important moment and I think you carried it off with aplomb, so thank you, on our behalf.

Ms Lee touched on it and I also want to reflect that politics is a tough business at times. Particularly in your time as minister there were some difficult moments. I simply want to reflect that I think of two particular matters where I felt you were treated incredibly unfairly and, in fact, in an unethical manner. I think that is a blight on the way politics is done in this country. I simply want to reflect that. Those moments continue to trouble me because they are standouts of how politics should not be done.

Joy, I hope you have a wonderful time with your grandchildren. We will miss you next term in this role and in your general conviviality. I convey my sincere appreciation, and on behalf of my fellow Greens MLAs, for your hard work and your commitment to both this place and to the electors of Brindabella. We wish you all the best for whatever lies ahead of you.

MADAM SPEAKER: Thank you, members. I would not mind being excused from the chair now.

Mr Rattenbury: Madam Speaker, a point of order. Might we have a brief recess?

MADAM SPEAKER: Yes; a grand idea.

At 4.59 pm, the sitting was suspended until the ringing of the bells.

The bells having been rung, Mr Assistant Speaker resumed the chair at 5.02 pm.

Government—infrastructure projects—costings

Debate resumed.

MR CAIN (Ginninderra) (5.02): I rise to speak in support of Ms Lee's motion and not in favour of Mr Barr's amendment. I commend her for her ongoing advocacy on the state of the ACT's infrastructure. It is clear that the current Labor-Greens government has been negligent in managing our city's infrastructure projects, betraying the trust of local Canberrans and hardworking taxpayers.

Let us do a quick review of the Labor-Greens government's track record on infrastructure. In August 2022 the Chief Minister ruled out a stadium in Civic and then

affirmed that decision in June 2023, describing the project as a billion-dollar folly. Then, in September 2023, the Chief Minister undertook a further \$30,000 study to re-examine Civic, placing the stadium cost at between \$2.1 and \$2.9 billion—a rather surprising move. The report also predicted that a new stadium at Bruce would cost between \$1.4 billion and \$1.9 billion, differing significantly from the 2021 report. The cost has blown out by about 400 per cent.

During the recent estimates hearings, the Chief Minister was asked if further feasibility studies had been undertaken, at which the Chief Minister failed to disclose the 2023 report. This is evidence of a lack of transparency and is poor decision-making. Why were so many feasibility studies undertaken for one infrastructure project, costing taxpayers millions of dollars? Under the Labor-Greens government we have seen millions wasted on seven feasibility studies for a single project, only for it to be abandoned with no tangible results.

That is not where the problems end. I turn to light rail stage 2B. Despite the government's promises, there has been a significant failure in managing this infrastructure project. It is quite ironic that, while they refuse to disclose the true costs for light rail stage 2B, they have no qualms about releasing misleading cost estimates for the Civic stadium. The government has consistently demonstrated a lack of integrity, transparency and accountability. Light rail stage 2B, for instance, will not be completed until at least 2035, if ever.

It is evident that Labor and the Greens prefer to spend recklessly, delay projects and obscure costs. They need reminding of their responsibility to the public. For example, the estimated cost of infrastructure projects has skyrocketed from \$4.85 billion to a potential \$19.4 billion today. Only the Labor-Greens government could so mismanage and misreport these significant figures. The Canberra Liberals are committed to ensuring that projects meet deadlines, costs remain transparent and taxpayer dollars are spent responsibly for the benefit of our city.

We have seen with the duplication of William Hovell Drive ballooning and astronomical figures from original forecasts. Initially estimated at \$107 million, the costs have spiralled due to delays and inefficiency. Additionally, the ACT's total borrowings stand at nearly \$20 billion, with a deficit exceeding \$1 billion for 2023-24. That is a record for this Chief Minister and Treasurer.

As highlighted by the Master Builders Association, the Secure Local Jobs Code has hindered the efficiency and competence of our construction industry. The ACT government's dealings with the CFMEU have exacerbated these issues, with significant financial implications for taxpayers. In 2020 Minister Berry promised that construction of Strathnairn School would start in the first half of the term, to be completed by 2025. Yet this promise has faltered, delaying our much-needed infrastructure by at least a year. With the Labor-Greens government's track record, it is uncertain whether they can even meet this new 2026 deadline.

Another example of mismanagement is their pledge to build the North Canberra Hospital, estimated so far as a \$1 billion health infrastructure project. However, the health minister has refused to provide a specific cost, stating, "We are not going to put a specific dollar figure on it." It does seem to be the job of the government to do

such a thing. This just indicates a continued pattern of lack of transparency and fiscal irresponsibility.

Labor and the Greens have no integrity when it comes to infrastructure, but an Elizabeth Lee-led Canberra Liberals government will commit to infrastructure projects in a timely and cost-effective way. A Canberra Liberals government will provide a fresh opportunity for Canberrans, promising clarity and spending project deadlines. It is time, in October, to hold the government to account on not just infrastructure but many things.

The government must honour its duties to the public and publish the estimated costs for all projects listed in the ACT's infrastructure plan. If they can provide a costing for a project they will not do, surely they can provide costings for projects they say they will do. We call on the ACT government to provide indicative cost estimates, before the caretaker period, for the following projects: light rail stage 2B, the Convention Centre, the Canberra Pavilion and the Canberra Theatre expansion. Please, for the sake of transparency and proper scrutiny, provide your costs. Canberra locals are tired of waiting for the Labor-Greens government to be up-front with them on infrastructure spending. This is the opportunity.

You can only trust the Canberra Liberals to deliver on infrastructure and to be transparent with our community. We will be economically responsible and we will be accountable to the community and transparent to them. It is the reason we are here: to work for our community and to make sure they get great outcomes and great services. This October is a time for a fresh opportunity, under a Canberra Liberals government, led by Elizabeth Lee. I want to commend, in closing, Ms Lee's motion to the Assembly and oppose the distracting amendment from the Chief Minister.

MR RATTENBURY (Kurrajong—Attorney-General, Minister for Consumer Affairs, Minister for Gaming and Minister for Water, Energy and Emissions Reduction) (5.09): I acknowledge Ms Lee's motion and thank her for the opportunity to talk about how we go about building our city's future. The ACT Greens have a vision for the city that requires continued investment. As a foundation, everyone in this city should have adequate housing, but, with more than 3,000 people on the waitlist, we need to take an approach which prioritises the building and buying of 10,000 public homes. We will need a public developer who will build this key infrastructure. That will mean taking a different approach to building this most important infrastructure. Their remit will include building high-quality, durable homes quickly and at a reasonable cost.

Building the right infrastructure is key to the success of our city, which is why this government has made major commitments to expand and renew the Canberra Hospital and the North Canberra Hospital. We need to build schools in new suburbs and revitalise the ones in older areas of the city, as well as local amenities such as parks and playgrounds. And, of course, there is significant city-building infrastructure such as light rail.

But this should not stop us from looking for ways to do things smarter so that our dollars can go further. The reality is that it does cost to continue building our city and, whilst we should do everything we can to bear down on unnecessary costs, we need to provide the resources to projects to ensure they can be properly delivered, while ensuring appropriate levels of transparency. That immediate transparency should not come at the

cost of getting a bad deal from private contractors. We take seriously the importance of spending public money carefully and with strong levels of integrity.

With the alternative models that the Liberals are proposing, it seems as though the Liberals have no particular plan and no vision for our city. It is a pick-and-mix assortment of vouchers, but there is no sense of long-term strategy. This is government, not a game show. I have not heard articulated what the future vision for this city is under the Canberra Liberals. I know what they do not like. It is pretty clear what they do not like, but I really want to know what the city would be like in 20 or 30 years under a Canberra Liberals government. Let's hear them articulate what they think that might be. We want to have transparency for communities as we come up to the election. Let's hear that.

Ms Lee is right to bring up the topic of light rail. We know that Canberrans want to see the benefit of light rail sooner. As Mr Steel rightly pointed out earlier this week, people who have never used public transport before are using light rail. Once people try light rail, they love it. They love its frequency, its reliability, the space on board and the smooth ride it provides. It is a view that I think Minister Steel raised this week as well, but one of my favourite indicators of success is the percentage of people using light rail who have not used public transport before. They did not see it as something they would do, but light rail has provided that incredible change. It has made them say, "I might try using public transport," and they have used it and they keep using it. That is what it is about: it is about having the courage to do it differently and in a way that will make a transformative difference. I am pleased to have been part of a government that has taken that step for the long-term benefit of our city. It is why the ACT Greens want to see light rail delivered to Woden as soon as possible. It is an investment today that will mean Canberrans will get to enjoy the benefit sooner.

You certainly will not get light rail to Woden if you vote Liberal. That is clear. It is bizarre to think that we are still debating this all these years later, despite the incredible success of stage 1. But a vote for the Greens will see light rail being prioritised, with an assessment of the viability and benefits of extending light rail to Mawson as part of the stage 2B business case. We know this is city-shaping infrastructure. We know it works, we know it is successful, and the sooner we can do more of it the better for the future of this city.

Investment in health infrastructure has been unprecedented this term. Both parties in government are committed to ensuring that Canberrans have the best-quality healthcare system. If you are sick, you are likely to be treated in state-of-the-art buildings. But, looking into the future, certainly from a Greens' perspective, we will be focused on ensuring that you have better access to preventative care and stopping health issues from becoming emergencies—care that will do its best to keep you out of hospital, with bulk-billed GP appointments on the north and south side of the lake in clinics that are open seven days a week, providing an extra 160,000 bulk-billed appointments every year. When health emergencies happen, we should not have to face a thousand-dollar price tag to call an ambulance. That is why the Greens have committed to delivering free emergency ambulances for any Canberran who needs them.

On occasion, we hear people say that Canberra lacks the buzz of bigger cities. People say it in both positive and negative ways. When the Queensland Premier made the point,

I suggested he should try Mooseheads on a Friday night. Plans for a theatre and convention centre will be transformational for our city centre, with bigger acts and bigger trade shows and events. This will create constant demand to dive into Canberra's delights and make it an even more exciting place for us Canberrans to live. These are great infrastructure projects. My colleague Jo Clay's initiative for doubling the funding for artists will support those who help provide that entertainment and delight. It will give them the support needed to take their works to larger audiences and will continue to put Canberra increasingly on the map as a city of arts and a city of culture.

As a strong contrast, when I was a university student in Canberra, many creative peers of my generation left the city to seek opportunities further afield, but I am really delighted that one of the things we have seen with the growth of Canberra is the ability for those creative types to stay in our city and make great art and culture, and make at least some sense of a living in this city. Artists are generally underpaid and underappreciated. They need to earn a living as well, but at least more of them can stay here now.

I have said before that I really believe the most exciting thing about our city is that its best days are ahead of us. A key part of that is the infrastructure choices that are being made. Certainly from a Greens' point of view, we are very clear on our priorities. We need to invest in transport infrastructure and we need to invest in building more public housing. For too long, there has not been enough investment in public housing. We are deeply committed to the need to invest in the transport infrastructure and health infrastructure this city needs, as well as important local infrastructure as our city grows and our city becomes more compact. Public spaces are such an important part of the future of our city as well.

The Greens will vote in support of the Chief Minister's amendment today. We think it reflects a more accurate description of the current circumstances. It certainly does not have the filter that Ms Lee's original motion has. We will vote in support of the amendment today.

MR PARTON (Brindabella) (5.17): I will be brief. Most of what I am going to say is in the tram space. I want to refer to some of the things that Mr Rattenbury said. I note that I was in attendance at the Canberra Business Chamber when Mr Rattenbury spoke. He was asked about the infrastructure priorities of the Greens, and he honestly suggested that the biggest priority for the Greens, as far as infrastructure goes, was decarbonising the city. The whole room collectively looked around at each other and said, "Is this bloke serious?" That was the priority: he was going to decarbonise the city.

The city is about to go to an election in which one of the biggest policy differences between the two parties is that they are building the tram to Woden; we are not. It is almost unthinkable that Canberrans will have to make a decision that may well be primarily influenced by that policy difference, because there is no suggestion whatsoever from the government about what it is going to cost. I have asked the government on dozens of occasions over a number of years to come up with any sort of indicative cost for this massive project, and on dozens of occasions they have refused. They will not tell us in question time; they will not tell us in annual reports hearings; they will not tell us in estimates hearings; they will not tell us in answers to questions

on notice. All of the journalists keep asking, and the answer is, “We’re being transparent.” I do not think they are.

Earlier in the term, more than a year ago, I made an announcement on behalf of the transport minister. I was happy to do that; I was happy to do the minister’s work out in the community. I made an announcement on his behalf as to the cost of stage 2 of the tram in its entirety and its delivery date. We released a document with quite a bit of detail. It estimated the cost of the project at just over \$3 billion, and the delivery date we suggested was that it would likely be 2034. At the time that I made the announcement, I stated that it would not be good enough for the transport minister to simply suggest that our costings and timeline estimates were wrong without correcting them, and that, if he chose not to correct them, then Canberrans should simply assume that the Parton figures were correct.

Subsequent to our early costings being released, the government was forced to finally tell us the costings for stage 2A, and it turns out that those costings were well in excess of: (a) what the government had suggested at an earlier time; and (b) what we had estimated. As a consequence, our cost estimate for stage 2 in its entirety has grown to \$4 billion. The minister’s go-to, whenever he is asked about this, is, “We’ve been transparent,” and he has not. It is a very simple question. I am exasperated. I know that journalists are exasperated as well. It is a very simple question.

This is a massive project. It is the biggest infrastructure project in the history of self-government. We are about to go to another election. Why would you not tell people what it is going to cost? It is interesting: the Chief Minister—and I do not think he was being arrogant; okay, maybe a little—when we were talking about the stadiums, talked about all of the examples in Queensland where the costs have exploded. This was in defence of the costings of the various options for stadiums here. I would say to the Chief Minister: you cannot have it both ways, Chief. In the first instance, he is saying that the costings for the stadium—the one that he does not want to build—have exploded and the costings for every other project in this space has exploded. All right; what about the tram, then?

Because the government has not actually drawn a line in the sand and made any indicative costing, you can take it from the Canberra Liberals that it will be in excess of \$4 billion. I would suggest, on the basis of what the Chief Minister has said today, that it may be even more. It turns out that the timeline that we suggested was close to the money, at least according to the announcements that have subsequently been made by the minister, because they are now suggesting December 2033 for arrival of the tram at Woden.

Deadlines do not mean much to this government—they just do not. Take a stroll out to Sulwood Drive in Kambah and see how things are going there. We asked the city services minister about it today, because we are pretty certain, based on all of the available evidence, that there is no way they are going to finish it in September. Indeed, the chatter in the community is that it is more likely to be December or beyond. Does anyone actually think that stage 2B of the tram is going to be delivered by December 2033? We certainly do not.

I do not support the amendment from Mr Barr. I support the original motion from Ms Lee.

MS LEE (Kurrajong—Leader of the Opposition) (5.23) in closing: I thank members for their contributions to this debate. I know that infrastructure and the infrastructure pipeline and costings have been of great interest to many members.

Let's take a couple of the contributions that Mr Barr made in response to my motion. One of the things that he outlined was the cost of construction, which, as we know, based on the latest costing for the Civic stadium, has gone up by 400 per cent, but he has stated that what we are talking about is an increase in the construction cost of between four per cent and 4½ per cent per year. Who is to blame for the four per cent to 4½ per cent increase, year on year, when we are looking at something that he is not going to build until well into the 2030s, despite having come out with a promise back in 2009? So, if we are talking about the increase in costs, who is to blame for that?

He also talked about the contingency cost and how it actually gets smaller as the project progresses. Again, if the project had actually commenced when he promised it would, how much would the contingency be now? We are talking about 2009, when it was first proposed. So, again, who is to blame for the escalation of costs in that scenario?

He also spoke about the national infrastructure market and how it has doubled. I have no idea what the point of that was, except perhaps to say that, once again, he was admitting that it is becoming harder and harder. Again, who is to blame for the delay from 2009 to 2024? It is all good to do the usual condescending thing and talk about inflation and how we need to look at 2030 prices because they will be different. Again, who is the one who has not delivered on the promised project and is now being forced to look at 2030 figures?

A few weeks ago, the *Canberra Times* undertook an analysis and speculated that the biggest cost of all is actually the fact that the Labor-Greens government did nothing at all. The *Canberra Times* said that it has probably cost ACT taxpayers over \$250 million on its own. We are talking about a government that has broken promise after broken promise. It is all good to stand here now and have excuse after excuse about how the costs have escalated, but whose fault is that to start with? This is what the government never do: actually take responsibility for any of their decisions.

I have to laugh, because one of the things that Mr Barr also said was: "Hey, we have put indicative costings in our Infrastructure Plan." Let's take just one example. Do you know the estimate he has in the plan for the convention centre? It is \$500 million plus. Really—plus? That now becomes the accepted norm for the Treasurer for an indicative costing. Honestly, if you pitched that to the writers of *Utopia*, they would reject it as too far-fetched. He may as well have put "priceless" in that box. The fact is that he knows he has not been up-front with the Canberra community and that they are now starting to hold him to it.

Let's go to Mr Rattenbury's contributions. I do not know if he actually believes this stuff when he says that the Greens are very interested in making sure that the spending of public money is done carefully and that they have a strong sense of integrity. He can say it as many times as he likes, but it does not make it so. Mr Rattenbury must know

that actions speak louder than words. He also knows that Canberrans are calling out the utter hypocrisy of the ACT Greens, who continually say one thing and do, and vote, another. What he has just confirmed once again in this debate is that a vote for the Greens is a vote for the same old broken promises and disrespect for ACT taxpayers' money.

What else would we expect from the same minister who has not taken seriously the colossal waste of taxpayer funds and the potential illegality of spending \$1.46 million on a failed IT system under his watch? A month after the Auditor-General's scathing report, he had the hide to say in this place, this week in question time, that he is going through the report now. Has not even met with the board. What else could we have expected from that minister?

Mr Barr also went to great lengths to talk about a number of other stadium proposals that apparently cost billions of dollars. If that is the case, he cannot have it both ways. He cannot say, in defence, that stadiums are going to cost billions of dollars whilst, at the same time, holding true to his words that he will not go down a "billion-dollar folly". You cannot have it both ways, no matter how many times you say it and wish it.

There is the utterly astronomical cost of the \$6 billion proposal in Queensland. Mr Barr has been completely disingenuous in comparing apples to oranges. In putting that figure out, he has wilfully misrepresented the Queensland proposal, because that proposal is part of a much bigger plan which includes housing, a shopping centre, restaurants and a high-performance sports medicine centre. It also includes construction of the promenade, across-river access, and green space. So, if that is what he is comparing it to, he must be up-front with the Canberra community.

He keeps saying he wants to make the Bruce precinct a sports and health precinct. He must be up-front: how much is the entire precinct development going to cost? Is it \$6 billion? Is it \$6 billion plus? Mr Barr cannot have it both ways.

We come to Mr Barr's amendment, and this is where it gets really scary. It calls on the ACT government to continue to carefully consider whether, when and how much information to disclose. It is the word "whether" that tells the Canberra community not just "We will tell you when we end up signing the contract", as I have been saying; it also tells the Canberra community that they might not disclose it at all. This is the kind of disrespect that this Labor-Greens government continues to show the people of Canberra and continues to show what the government does with their hard-earned taxpayer dollars. Canberrans have seen through this Labor-Greens government—this arrogant, tired and stale Labor-Greens government—which has no respect for ACT taxpayer dollars. This October, people will have the opportunity to make sure that this government is turfed out.

It is utterly clear, even on the last day of the Tenth Assembly, when, given another opportunity to be up-front, transparent, accountable and responsible with Canberra taxpayers' money, they have wilfully misrepresented projects, comparing apples to oranges. It is utterly disrespectful. It is abundantly clear that a Canberra Liberals government is the only way that Canberrans will ensure they get a government that governs with them at the centre.

Question put:

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

The Assembly voted—

Ayes 14

Noes 7

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

Question resolved in the affirmative.

Amendment agreed to.

Original question, as amended, resolved in the affirmative.

Papers

Motion to take note of papers

MR ASSISTANT SPEAKER (Mr Cain): Members, pursuant to standing order 211A, I propose the following question:

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

Children and Young People Amendment Bill 2024 (No 3)—draft bill

MS STEPHEN-SMITH (Kurrajong—Minister for Aboriginal and Torres Strait Islander Affairs, Minister for Children, Youth and Family Services, Minister for Disability and Minister for Health) (5.37): I am pleased to speak to the tabling of the draft Children and Young People Amendment Bill 2024 (No 3), which will, if progressed in the next term of the Assembly, deliver extensive reform to the Children and Young People Act 2008. I acknowledge Natalie Brown, the chair of the Our Booris, Our Way Implementation Oversight Committee, who has been instrumental in driving this reform work and is here in the chamber.

The ACT government has been formally committed to modernising the Children and Young People Act since the release of Next Steps for Our Kids 2022-2030, in June 2022, which is the ACT's strategy to strengthen families and keep children and young people safe. The aim of this modernisation is to establish a high-quality framework for the ACT's child protection and family support system.

The legislative changes have been driven by four core objectives: to provide shared responsibility for child protection through collaborative information sharing and reform

of mandatory reporting laws; to empower children by strengthening their rights and voices in decision-making; to enable diversion from the statutory child protection system into earlier support services; to deliver equitable, transparent and accountable decision-making processes; and, last in this list but absolutely not least, to address the unacceptable over-representation of Aboriginal and Torres Strait Islander children, young people and families in the child protection system.

These objectives are reflected in Next Steps and are driven by the Our Booris, Our Way review and further work on its recommendations. The legislative reform has also been shaped by extensive feedback through other independent reviews, inquiries and reports at both ACT and national levels, as well as by local and national strategies and broad consultation with stakeholders and the community.

The staged work to modernise the Children and Young People Act commenced with the introduction and passage of the Children and Young People Amendment Act 2023, passed by the Assembly on 2 November 2023. Central to the first stage of legislative reform was the need to shift investment in the child protection system towards earlier support and better diversion to address the root cause of issues for families at risk. It also started the process of fully embedding the Aboriginal and Torres Strait Islander Child Placement Principle into legislation, implementing a key recommendation of the Our Booris, Our Way review.

The work continued with the introduction of the Children and Young People Amendment Act 2024 (No 2), passed by the Assembly on 26 June 2024. This stage of reform delivered on all commitments set out in the Parliamentary and Governing Agreement. I will not go through all of that again. Anyone interested can refer to my speeches on that bill and my budget speech yesterday.

The draft bill tabled today represents the final legislative changes we have been consulting on and incorporates substantial feedback from public consultations, including those conducted in October 2023 through the YourSay website. These consultations engaged more than 2,700 participants and resulted in 27 written submissions. The draft bill reflects recommendations from the Our Booris, Our Way review; Safe and Supported: the National Framework for Protecting Australia's Children 2021-2031; the National Agreement on Closing the Gap; and our own commitment to modernise the act.

The draft bill proposes changes that can be broadly organised around two system reforms. The first, which will have a broad impact across the child, youth and family sector, focuses on promoting shared responsibility and delivering earlier support for children, young people and families. Effective coordination, information sharing and referral processes are essential for families to receive timely and appropriate services, forming the cornerstone of our family support system. The draft bill proposes changes to the ACT's mandatory reporting and information-sharing schemes to enhance collaboration and ensure families can access relevant early support and services beyond the statutory system. These proposed changes respond to recommendations from numerous reviews and inquiries, including the Glanfield inquiry into family violence, the Royal Commission into Institutional Responses to Child Sexual Abuse, and the Legislative Assembly's inquiry into child and youth protection services in the last term of the Assembly.

For families requiring statutory support, the draft bill enables the delegation of powers to external organisations, including Aboriginal community-controlled organisations. This would allow for a more tailored, responsive and culturally appropriate approach to support children, young people and their families.

The second system reform outlined in the draft bill transforms the ACT's child protection legislative framework. This would introduce guiding principles, streamline assessments and establish a new suite of orders and thresholds for intervention. The draft bill also includes additional safeguards for children and young people who, where necessary, have been removed from their parents to ensure their ongoing safety, connection and stability.

The proposed legislative framework would, if implemented, strengthen the approach to family preservation, reunification and the establishment of stable and culturally appropriate care arrangements, ensuring that more children and young people are supported to remain at home or are restored to their parents and families where it is safe to do so. (*Extension of time granted.*) The proposed new orders and thresholds are supported by provisions aimed at enhancing the quality and oversight of case management within child protection, including greater guidance and standards for case planning and wider access to family-led decision-making.

The public release of this draft bill allows everyone who has contributed to see how their input has directly influenced the proposed amendments. It reinforces our commitment to develop a robust legislative framework that prioritises the best interests of children and young people in the ACT.

The draft bill will be available on the ACT government YourSay project closure page. While there is no formal consultation to accompany the draft bill, more information is available on the YourSay website. There, anyone interested can see the full consultation process that has occurred over many years regarding child, youth and family services reform, what we have heard and what we have done about it.

The tabling of the draft bill marks the conclusion of this consultation process. It reflects our response to stakeholder feedback, including the strong recommendation to release a draft bill. While it is fair to say we have not got as far as we would have liked this term, we have respected the complexity of these matters and the feedback we have heard from so many, including young people, families, carers, community sector partners, advocates, academic experts and the Human Rights Commission, that we must hasten slowly with reform that would have a significant impact on people's lives and work.

The draft bill highlights the significant progress we have made towards comprehensive legislative reform, and I am confident the broad engagement we have undertaken means this work will be taken up by whoever forms government after October. I can assure the Assembly that it certainly will be if I am still here. For now, the release of this draft reaffirms the Labor government's strong commitment to establish a more accountable, transparent, culturally safe and restorative child protection system. I thank the Assembly for letting me extend time.

MS ORR (Yerrabi) (5.45): I would like to take a moment to thank the minister for all her hard work on this and acknowledge Natalie Brown, who is in the visitors' gallery

today watching this. I have had a few interactions with the Our Booris oversight committee that Natalie has been chairing, and I must say that they are a very impressive, dedicated and passionate group of people who have done some amazing work. Even though we are in the final minutes of this Assembly, I would encourage everyone to take a little bit of light reading home with them and read this report, because it is important work for whoever is here in the next Assembly to take forward.

Trees—urban canopy—update

MS CHEYNE (Ginninderra—Minister for the Arts, Culture and the Creative Economy, Minister for City Services, Minister for Government Services and Regulatory Reform and Minister for Human Rights) (5.45): I rise to speak to the annual update to the urban tree canopy paper, to comment on the progress made towards implementing the ACT's Urban Forest Strategy and formalise some of the comments I made in question time today.

Mr Deputy Speaker, as you know, Canberra's incredible trees help make our city a great place to live, provide much needed shade and help cool our suburbs. They also clean our air, reduce water run-off, provide habitat for local wildlife and enhance community wellbeing.

I am very pleased to say that we exceeded our tree planting target for the year, with over 23,000 trees planted in our urban areas in 2023-24. This brings the total number of trees planted since June 2020 to over 65,000, which is well above the target of 54,000 set in the Urban Forest Strategy. It puts us in a good position to achieve the ambitious target of 30 per cent of our urban environment to be covered by tree canopy or equivalent by 2045.

It is my expectation that this work will now enter a new phase which has a greater strategic focus on planting, while also ensuring the care for this important asset base is maintained at a very high standard. The tree species in the ACT Municipal Infrastructure Standards will also be updated to reflect contemporary evidence and understanding on suitable tree species for an urban environment like Canberra and the appropriateness of locations for planting. From the end of this year, we will take an approach to planting plane trees sparingly, following a recommendation in a 2019 report by the ANU Fenner School of Environment & Society. While plane trees are a beautiful streetscape addition and are hardy to drought and frost, there are considerable allergen concerns in addition to an aggressive root system which damages pavement and infrastructure, dropped seeds which cause trip hazards, and the release of irritants.

This is a measured approach that is responding to known concerns. It is the first step to support a more strategic focus on planting in the short term, while a more comprehensive review of the list of tree species gets underway. The list will be updated to reflect the response to the Auditor-General's report, *Urban tree management*, incorporating new species deemed suitable through the "living labs" trial and removing species known to no longer be suitable, and providing stronger consideration of the appropriateness of species being planted in different environments.

In coming weeks, regulatory changes to the Urban Forest Act will commence, which will continue to support our goal of a 30 per cent city-wide canopy cover without

imposing an unreasonable regulatory and financial burden. We have been monitoring the operation of the Urban Forest Act since it commenced. While a legislative review will occur two years after its commencement, at which point additional improvements will be considered, we are addressing the known issues now because they have been identified as unintended consequences of the drafting.

As you have probably heard, Mr Deputy Speaker, one of the requirements under the act from its commencement on 1 January 2024 is for a canopy contribution agreement to be entered into when a protected tree is approved for removal. The contribution counterbalances the loss of canopy cover from the removed tree. Following feedback since the legislation commenced, several amendments will be made to improve the act's operation without compromising on those objectives. Where a homeowner enters a canopy contribution agreement to replace protected trees which have been removed, the regulation will be clarified to require homeowners to plant two trees for each tree removed, or as close as practicable to two trees. An amendment will also be made so that Canberrans who retain 30 per cent or more canopy cover on their block after the protected trees are removed will be exempt from the canopy contribution agreement if it is not feasible to plant replacement trees.

Further changes will be made to clarify that, where a body corporate seeks to remove a tree on common property and the removal of the tree is not associated with development work, an owners corporation of a unit title development is defined as a home owner and not a developer, as it currently is, which has had unintended consequences for the amount that an owners' complex has looked at having to pay.

To conclude, I thank the dedicated crews within the ACT government, particularly those in the Tree Protection Unit, those who have spent a good portion of this term working through this strategy, crafting this legislation and now operating within it, and those who have been planting our trees and exceeded our target. Their care and their passion for this is second to none, and I have been very grateful to work with them for a portion of this term.

MR BRADDOCK (Yerrabi) (5.50): I thank the minister for her update and report on the urban tree canopy. The report is actually something that was called for in my motion in 2021, and it is really good to see it continuing. I applaud the outcomes that have been achieved, in terms of the additional trees that have been planted in the ground in excess of the target. That will position Canberra well in its resilience to climate change and heat stress events. This cannot stop, though. It will have to continue. I stress that it is also important to ensure that the trees are maintained and watered so they can reach peak growth in order to provide the shade that our city will so sorely need as it faces the realities of climate change.

Question resolved in the affirmative.

Statements by members

Energy—fossil fuels

MS DAVIDSON (Murrumbidgee—Minister for Community Services, Seniors and Veterans, Minister for Corrections and Justice Health, Minister for Mental Health and Minister for Population Health) (5.51): Last Friday, I joined in a fun trivia night with

my friends. I found it so educational that I would like to share a few facts with you now and will table the full list.

Aided by the 78 per cent tax rate on fossil fuel export profits, what proportion of total Norwegian oil and gas revenue did the Norwegian government receive via its tax system? In 2023, 64 per cent. What proportion of total Australian oil and gas revenue did the Australian government receive via its tax system? 9.8 per cent. What tax rate does Rising Tide advocate should be placed on fossil fuel exports in Australia? 75 per cent. Between HECS and the petroleum resource rent tax, from which does the Australian government collect the most tax? HECS raised more than twice as much revenue as the PRRT in 2022-23. What is the value of the subsidies given to fossil fuel producers by all Australian governments in 2023-24, and did that total increase or decrease from the previous year? It was \$14.5 billion, which is an increase of 31 per cent. I will table the full list.

I invite everyone to join Rising Tide in November as we once again blockade the world's largest coal port in an effort to speed up a just transition and end fossil fuels.

I present the following paper:

Rising Tide Quiz, undated.

Climate Council report—public transport patronage in ACT

MISS NUTTALL (Brindabella) (5.53): I am delivering this speech as Ms Clay could not be here herself. Yesterday, in the budget debate, Mr Parton spoke about the Climate Council's report, published yesterday, which highlighted that the ACT had the lowest mode share of shared public transport in the country. He used this to call for a cut to investment into public transport and a cut to Canberra's biggest and most transformative public transport project, light rail. We know that 43 per cent of Canberra's light rail users did not previously use public transport, and, as many thousands of new homes are being built on the corridor, it will allow more people to use it.

The states with the best mode share of public transport, New South Wales and Victoria, have state capitals with extensive suburban rail networks. Melbourne has the largest operational tram network in the world and continues to invest in new rail projects. Sydney has a rolling program of building a modern light rail network with three operating lines, with one being commissioned and another being planned. They are also investing in new and upgraded suburban train lines such as Sydney Metro. In New South Wales, even the Liberals can see the value in investing in rail. Our low public transport share does not mean we should cut public transport investment; it means we should invest more. We need a more ambitious rollout of frequent suburban buses and a city-wide light rail network.

Molonglo Valley—new suburbs

DR PATERSON (Murrumbidgee) (5.54): We have celebrated endings this week, but there is a beginning that I would like to celebrate. I have very exciting news today. Two new suburbs have been announced for Molonglo Valley: Bandler and Sulman. Welcome to Molonglo Valley. Bandler honours Ida Lessing Faith Bandler, a human

rights activist and social justice advocate who championed the rights of South Sea Islanders, Aboriginal and Torres Strait Islander people, and women. Sulman pays tribute to Sir John Sulman, an architect and town planner whose influence helped shape Canberra's early development. On the last day of the Tenth Assembly, we have the first mention of these two new suburbs in the *Hansard*.

Members—electorate representation

MR CAIN (Ginninderra) (5.55): This will be my blended adjournment-90-second statement. I will make it a shorter version of those two times available. I acknowledge the privilege that is given to MLAs to get on their feet at the end of a day and, either through an adjournment speech or a 90-second statement, speak to something that is important to them. It is a great privilege. It has probably come to the attention of members here that I have taken that privilege very often. It seems I have given at least 70 adjournment speeches and most of the 90-second opportunities presented to me. It is a privilege, and I really have appreciated the opportunity to speak of my connection with the local community and my portfolio engagements.

As we are meant to address the Speaker's chair, on occasion I have started my speeches with: "Madam Speaker, I invite you to come on a journey with me." I have often wondered what your real reaction was to that offer, but maybe you can fill me in on that a bit later. It has been a delight to be here and have the opportunity to nearly always address you, Madam Speaker, in this capacity. I wish you well, Madam Speaker, in what is ahead of you, and thank you for your many contributions.

Voluntary assisted dying—Civil Liberties Australia

MS CHEYNE (Ginninderra—Minister for the Arts, Culture and the Creative Economy, Minister for City Services, Minister for Government Services and Regulatory Reform and Minister for Human Rights) (5.56): You cannot rely on the promise of tomorrow, let alone the promise of a next term, and so I cannot leave this term without correcting a major omission I made during my closing remarks on voluntary assisted dying—that is, the effort of Civil Liberties Australia and their advocacy.

I found some notes from January 2017, when I was a baby member in this place. One of my very first meetings was with Bill and Christine, and I can see "VE", voluntary euthanasia, as we commonly termed it then, written in my notes. They have been steadfast advocates. It was a glaring omission from my closing remarks, and I apologise to them. They have not raised it with me, but I deeply regret it. To Bill and Christine, thank you. You have been terrific supporters through a very long fight for territory rights and voluntary assisted dying, and I am enormously grateful.

Multicultural affairs—Canberra Sanatan Community

MRS KIKKERT (Ginninderra) (5.58): I want to give a shout-out to the Canberra Sanatan community for a fantastic fundraising event that they had a few weeks ago at the Flynn community centre. The night included delicious food and games for the children, lots of liquor for the raffle prizes, which made a lot of participants very happy, and of course some dancing. The emcee was so fun and engaging with the audience. It was great to see such happiness and joy, with the audience having a great time. I thank

the organisers for creating a wonderful vibe for the evening. The money raised was for the Sanatan World Cup in Sydney. I thank Om, Sandeep and the team for organising a wonderful event and wish them all the very best for a successful win at the tournament.

Multicultural affairs—Palestinian community

MR BRADDOCK (Yerrabi) (5.59): I voice my support for the Palestinian community here in Canberra who wear the keffiyeh proudly as they mourn over 40,000 in their community confirmed dead in Gaza. The keffiyeh is a traditional Palestinian scarf with deep cultural history. It dates back to the Sumerians and the Babylonians in Mesopotamia in 3100 BC. To wear the keffiyeh is one of the few actions Palestinian Canberrans can take to show solidarity with their homeland as their people experience annexation and apartheid in the West Bank and genocide in Gaza. During these atrocities, it has come to symbolise the fundamental right for Palestinians to exist. I have been proud to wear my keffiyeh at rallies for Palestine and I will continue to do so in solidarity with that community.

Discussion concluded.

Adjournment

Motion (by **Mr Gentleman**) proposed:

That the Assembly do now adjourn.

Valedictory

MR MILLIGAN (Yerrabi) (5.59): I want to take this opportunity to say a few thankyou's at the end of this term. It certainly has been a real honour to have served the community and the electorate of Yerrabi. I thank my wife, Katrina, for the amazing work that she has done in supporting me over this term, and my son and his partner for their enthusiasm and dedication. We push them hard and they help the family a lot, so I do appreciate that.

I have been fortunate enough to have a good team around me that share the same ideals and values as I do and have developed policies that we believe will benefit the community, right across a range of portfolios. I thank Karin, Ewan, Kaylee and Leandra for their work to support me this term. I also want to thank my dedicated volunteers. Many of them have been with me for over 14 years. I know that sounds a long time, and it is. We have one here today in the public gallery, Dimitri. He has been a stalwart for us, spreading the party message out in the community. He has done a great job himself. I thank the Assembly staff and everyone here who helps make this Assembly function.

To my supporters, the residents of Yerrabi, the sporting clubs, our religious communities, the hardworking mums and dads and our emerging youth and seniors: thank you for putting your trust in me. I especially want to thank the many local businesses that have reached out and taken me through their spaces and allowed me to advocate on their behalf.

I am proud of the policies that we have announced so far, particularly in ACT Policing. Mr Gentleman has just left. I was going to thank Mr Gentleman for copying one of the Canberra Liberals' policies, to build a police station in Molonglo, which is desperately needed and also our commitment to transitioning the Gungahlin JESC to be a standalone police station and also employing new police officers to keep our community safe. I want to thank the many people who have supported us as we have developed our policies—the people who have taken the time to talk to us, such as the AFPA, ACT Policing, the RFS, the SES, paramedics and our firies. I thank those who do all that hard work on our front line, keeping our communities safe.

I thank members of the disability persons' organisations, including Advocacy for Inclusion, Women With Disabilities, members of ACTCOSS, and the ACT Down Syndrome and Intellectual Disability Association. I appreciate the tireless work and advocacy that they do for their community in providing the services that they do.

I also want to thank the independent registered training organisations and CIT for providing courses and supporting our youth to develop new skills and to start new careers. They play an important role in our society and I think it is important to acknowledge the work that they have done.

I thank all the sporting organisations. Sport and recreation is an activity here in the ACT that is highly participated in. It is good to see so many people participating in that field. I do want to do a lot of work with them over the years, hopefully when we are sitting on the right side of you, Madam Speaker, sitting on that side of the chamber.

MADAM SPEAKER: Not me, Mr Milligan.

MR MILLIGAN: You may not be here to witness that, but the Deputy Speaker will be able to witness us sitting on that side of the chamber, so it will be a good change for us.

While I have Ms Lawder here, and you, Ms Burch, I would like to wish you all the best in whatever endeavours you choose after this term. I am sure time with family and friends is something that you have not had much of over the last 10- to 14-year career. I genuinely wish you all the best in whatever you choose after this term. Thank you.

Mr Terry Snow AM—tribute

MS STEPHEN-SMITH (Kurrajong—Minister for Aboriginal and Torres Strait Islander Affairs, Minister for Children, Youth and Family Services, Minister for Disability and Minister for Health) (6.04): I rise briefly to reflect on Terry Snow's contribution to equestrian sport, a glaring omission from all of the condolence speeches this morning! Terry is said to have taken up horse riding at the age of 65. Terry Snow, in what I now understand to be typical Terry Snow fashion, did not just take up riding; he built a world-class equestrian facility, recognised for its architecture and project delivery, celebrating art, with sculptures around every corner, and hosting top-level events across an extraordinary range of equestrian sports.

Terry became deeply involved with eventing when he stepped in to buy Hazel Shannon's incredible Clifford, thereafter WillingaPark Clifford, after their first win at the Adelaide five-star event. This kept the combination together and they went on to

win Adelaide twice more—an incredible, remarkable achievement, for those who are not familiar with eventing—as well as many other really important achievements. Terry also helped create the Making Eventing Safer Fund to support the rollout of safety devices for cross-country jumps and sought to ensure that Australian safety initiatives were recognised.

Most recently, Terry achieved a long-held dream when his dressage horse, Quincy B, competed at the Paris Olympics with Jayden Brown. I spoke briefly with Terry's wife, Ginette, this morning and asked if Terry had seen Quincy compete. He did, in the first team competition, and had the satisfaction of knowing that Quincy and Jayden had qualified for the second round. It is bittersweet to think that Terry died on the same day as that competition, but after Quincy and Jayden's test.

The equestrian world is the poorer for Terry Snow's passing but much richer for the contributions that he made in his time involved with the sport. I extend my deepest sympathies to Ginette, Scarlett, Tom, Georgina, Stephen, Terry's 14 grandchildren and his wider family and friends.

Health—elective surgery

MRS KIKKERT (Ginninderra) (6.06): I rise today to speak on a longstanding issue of many years. I speak on behalf of my constituents in Ginninderra electorate, other Canberra residents and even people from surrounding regions, such as those from the coast or who live along the New South Wales border, close to Victoria, who travel for many hours to undertake elective surgery at the North Canberra Hospital.

I have received reports of frequent last-minute cancellations of elective surgery, not just for select individuals but for entire surgery lists, spanning a whole morning, afternoon or even the whole day. I have heard reports of patients being told, for example, that the doctors list has been cancelled for the entire morning, for a variety of reasons, such as not having enough hospital beds, not having enough doctors or nurses, not having enough anaesthetic, other medical supplies and equipment and so on.

This is an appalling health service for the nation's capital. Canberrans and interstate patients are not getting the health care that they need on time. Many of them present themselves at hospital, are checked in and have changed into their hospital gowns, ready for surgery, before being informed that their surgery will no longer go ahead and will need to be postponed. Some of these patients will have driven up to five hours to receive their surgery. Other patients are category 1 and urgently need lifesaving surgery for conditions such as cancer.

When surgery lists are cancelled there is no back-up for patients and precious surgery time is often wasted. The patients who have been cancelled often cannot be seen for up to another two weeks, which can be too long to wait for patients who require urgent treatment. This needs to stop and it needs to stop now.

I raise this issue in the Assembly today to alert the government to address our elective surgery services as a matter of the utmost priority. I will be seeking to be updated on this matter and will continue to keep in touch with constituents who are struggling to receive the surgery that they need. I will also be seeking out further reports of

experiences by other people that I have yet to meet. I will continue to advocate and put pressure on the ACT government to drastically improve access to timely elective surgery at North Canberra Hospital.

Valedictory

MR RATTENBURY (Kurrajong—Attorney-General, Minister for Consumer Affairs, Minister for Gaming and Minister for Water, Energy and Emissions Reduction) (6.09): I rise to make a few remarks at the end of the term. It is amazing how quickly the end of the term looms up. One minute the election is here and you are thinking, “Great! Four years ahead of me to do all these things and to work on various issues,” and suddenly we find ourselves here on the last sitting day. I remain incredibly grateful to have this role. I continue to have great passion for it. It is an extraordinary opportunity we have, being in this place. It is a particularly extraordinary opportunity to be able to work as part of government, and I am very grateful for it.

As I reflect back on the four years, we have really worked hard to make Canberra a fairer and more sustainable city. Some of the things we have achieved I feel very proud about and I am confident they have made things better in this city. They include the provision of better mental health services, strong climate action and a commitment to electrify the city and phase out fossil fuel gas. Minister Vassarotti put in place developer licensing to improve building quality. We also saw the raising of the minimum age of criminal responsibility. These are just some of the things we have been able to do. There are many more that are subtle, day-to-day issues. It is a constant joy to be able to work on things that make our city better.

It is customary, and I want to take this opportunity, to make a range of thanks at this end of the term. I particularly want to acknowledge the people who work in the ACT public service. Across my portfolios I work with many of the directorates here in the city, and each of them contains lots of people who are expert at what they do. They work hard, they are passionate Canberrans, they do their very best and they support us as well as they can. I also, in that vein, acknowledge the Assembly staff, as always. They continue to quietly do their work in the background. It makes this place function the best it can.

I want to acknowledge the members of the Labor Party that we work with in this two-party government. It is not always easy, but mostly we manage to work it out. We do that pretty well most of the time. What I always appreciate is that, despite the fact that we may see things a little differently on occasion, we know that the important thing is to focus on getting outcomes for this city. We have learnt over time to get through issues and come out the other end with a good result.

I want to acknowledge the staff that work with me. As was said, I think in your valedictory speech today, Madam Speaker, and others have said it this week, we do as well as we can because of the staff who are behind us. As the leader of my party, I do have a slightly broader team. I particularly thank Matt, Guy, Fiona, Kate, Anna, Ally, Jen, Kylie, Ella, Jo and Toni, who are still all in the office. There are others who have

gone off to pursue other adventures. That is what happens with younger staff: they travel overseas or they move cities. I also want to acknowledge Lewis, Loi and Amy, particularly, who have gone on to other things.

I also want to acknowledge the DLOs who worked in our offices, the Directorate Liaison Officers who provide that vital link with the public services. I thank Rachel, Michelle, Roberta and Jenna, who currently fulfil those roles, and those who have worked with us through the rest of the term. Thank you very much.

I turn to the other Greens MLAs in this place. At the start of this term I was the one who had been here before, and they all came in perhaps uncertain of what they were stepping into. They have proved to be excellent members of this Assembly. Each of them has worked hard on the issues they are passionate about for their electorates. It is a funny thing to say about your peers, but at this point in the term I look back and I know they have all come such a long way and become valued members of this place. It is a funny thing to say, but I am really proud of the members of the Assembly that they have become.

I want to take this opportunity to thank Louise, who is such an incredible support to me, and friends and family. They do make sacrifices, due to us being in this place. We do not see them enough, we do not get to spend the time with them that we might like to, but they are very much part of being in this place,

With that, I wish all of the candidates luck over the next six and a bit weeks. I often have said over the years that I genuinely admire everyone who puts their hand up to be a candidate. They do it for the right reasons. You meet all these people over the years who want to get elected to this place and most do not make it because, necessarily, only a small number do. But all of them come to it with a passion, with ideas and with energy. I hope that over the next six and a half weeks we can have a sense of civility in the campaign. Let us debate our differences but let us also try and recognise that we all seek to come here for the right reasons.

MADAM SPEAKER: The question is that the Assembly do now adjourn.

Ms Orr: Madam Speaker, I rise to acknowledge that this is the last time you will be closing the Assembly. I say one final thank you, on behalf of all of us.

MADAM SPEAKER: To each and every one of you, I look forward to the return. Thank you.

Question resolved in the affirmative.

The Assembly adjourned at 6.15 pm until a date and time to be fixed.

Schedules of amendments

Schedule 1

Justice and Community Safety Legislation Amendment Bill 2024

Amendments moved by the Attorney-General

1

Clause 2

Page 2, line 5—

omit clause 2, substitute

2 Commencement

- (1) Section 3 and parts 6 and 7 are taken to have commenced on the commencement of the *Human Rights (Complaints) Legislation Amendment Act 2023*, section 23.
Note The naming and commencement provisions are taken to have commenced on 11 June 2024 (see Legislation Act, s 75 (2)).
- (2) Part 4A commences on the commencement of the *Crimes Legislation Amendment Act 2024*, section 14.
- (3) Part 7A is taken to have commenced on the commencement of the *Parentage (Surrogacy) Amendment Act 2024*, section 3.
- (4) The remaining provisions commence on the day after this Act's notification day.

2

Clause 3, proposed new dot points

Page 2, lines 16, 17 and 20—

insert the following dot points in alphabetical order

- *Corrections Management Act 2007*
- *Crimes Act 1900*
- *Parentage Act 2004*

3

Proposed new part 3A

Page 5, line 12—

insert

Part 3A Corrections Management Act 2007

10A Treatment of convicted and non-convicted detainees Section 44 (4) and example

substitute

- (4) Despite subsection (2), the director-general may give directions for different accommodation of a non-convicted detainee if the director-general is satisfied that it is reasonably necessary to do so—
 - (a) to protect the safety of the detainee or anyone else; or
 - (b) in the best interests of the detainee.

4

Proposed new part 4A

Page 6, line 9—

insert

Part 4A Crimes Act 1900

**11A Persistent sexual abuse of child or young person under special care
Section 56 (3)**

omit

unanimously

11B Section 56 (3), new note

insert

Note For circumstances in which a majority verdict is a sufficient verdict in a proceeding for an offence against s (1), see the *Juries Act 1967*, s 38.

5

Proposed new part 7A

Page 9, line 13—

insert

Part 7A Parentage Act 2004

**16A Counselling
Section 28A (2)**

omit

Schedule 2

Gaming Machine (Compulsory Surrender) Amendment Bill 2024

Amendments moved by the Minister for Gaming

1

Clause 7

Proposed new section 10N (3)

Page 7, line 19—

omit

Questions without notice taken on notice

Lakes and waterways—water quality

Mr Rattenbury (*in reply to a question by Ms Lawder on Thursday, 5 September 2024*):

In the spring of 2023, the ACT Healthy Waterways team conducted an experimental harvest of water plants from one of the floating wetland platforms on Lake Tuggeranong. This harvest and subsequent export of the plants (either for mulching or disposal) is one of two methods by which the platforms can remove nutrients from the lake, serving as a measure of the wetland's effectiveness as a nutrient filter. The other method, denitrification, is more challenging to measure and only removes nitrogen, not phosphorus.

The primary goals of this harvest were to quantify the amount of nutrient pollution absorbed by the plants and to observe the rate of plant regrowth. We aim to perform up to three harvests from late spring to early autumn, potentially tripling the nutrient export from the lake via the wetland platforms. Another experiment is planned for the summer of 2024-25.

There is no regular program of harvesting of macrophytes from any of Canberra's lakes managed by TCCS (i.e. excluding Lake Burley Griffin, which is managed by the National Capital Authority). However, TCCS does assist with the management of organic material in our lakes via stormwater maintenance activities.

The ACT has more than 270 gross pollutant traps (GPTs) found at various entry points to creeks, channels, floodways, ponds and lakes. GPTs play an important role in keeping rubbish, litter and organic material out of waterways. They act as the first water pollution control point in the stormwater network.

The cleaning frequency of each GPT is between two (2) to six (6) times per annum depending on catchment size, season and amount/intensity of rainfall. Occasionally, there is a requirement to extract sediment, organic material and rubbish from waterways such as creeks, channels and ponds. More recent examples of this type of work involved the extraction of sediment and organic material from channel and ponds within the suburbs of Gordon, Hume and Denman Prospect.

Currently, Roads ACT is running some trials at selected GPT sites with the aim of optimising cleaning frequency to improve water quality. These trials involve the installation of monitoring cameras to record and report on the amount of material within GPTs. If the current trials are successful, it is anticipated the trial will be expanded to additional GPTs in the future.

Another initiative that is currently underway is a program to modify and upgrade GPTs to improve their performance, maintainability and efficiency of pollution removal. As part of this program three GPTs were upgraded last financial year.

According to the National Capital Authority, which manages Lake Burley Griffin, they have no regular program for harvesting macrophytes. Instead, they monitor

macrophyte growth and conduct harvesting as needed to mitigate impacts on lake assets and improve access for lake users and commercial operators. The last significant harvesting occurred during the 2019/20 drought when the growth of water plants in East Basin and Central Basin significantly affected use of the lake.