



# LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL TERRITORY

2020–2021–2022–2023–2024

## MINUTES OF PROCEEDINGS

No 133

THURSDAY, 5 SEPTEMBER 2024

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

Dhawura nguna, dhawura Ngunnawal.

Yanggu ngalawiri, dhunimanyin Ngunnawalwari dhawurawari.

Nginggada Dindi dhawura Ngunnaawalbun yindjumaralidjinyin.

*This is Ngunnawal Country.*

*Today we are gathering on Ngunnawal country.*

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

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

### 2 DEATH OF MR TERRY SNOW AM

Mr Barr (Chief Minister) moved—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.

Ms Lee (Leader of the Opposition) and Mr Rattenbury (Leader of the ACT Greens) addressed the Assembly in support of the motion and all Members present having stood, in silence—

Question—passed.

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*Suspension of sitting:* The Speaker, at 10.23 am, suspended the sitting and announced that the Chair would be resumed at the ringing of the bells.

*Resumption of sitting:* The bells having been rung, the Speaker resumed the Chair at 10.28 am.

**3 GAMING MACHINE (COMPULSORY SURRENDER) AMENDMENT BILL 2024—AMENDMENTS BY MEMBER—SPEAKER’S RULING**

The Speaker made a statement concerning proposed amendments to the Gaming Machine (Compulsory Surrender) Amendment Bill 2024 circulated by a Member. Having considered the matter, the Speaker ruled the amendments out of order as they were not within the scope of the Bill.

**4 PETITIONS AND MINISTERIAL RESPONSE—PETITIONS AND RESPONSE NOTED****Petitions**

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

Mr Pettersson, from 120 residents, requesting that the Assembly amend the *Electoral Act 1992* to extend the right to vote in ACT elections to 16 and 17 year olds (e-Pet 015-24).

Mrs Kikkert, from 58 residents, requesting that the Assembly call on the ACT Government to work with the Cook community to determine and implement improvements to the Lyttleton Circuit and Teague Street neighbourhood playgrounds (Pet 043-24).

**Ministerial response**

The Clerk announced that the following response to a petition had been lodged:

Ms Cheyne (Minister for City Services), dated 4 September 2024—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.

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

Debate ensued.

Question—put and passed.

**5 SEXUAL ASSAULT (POLICE) REVIEW REPORT—GOVERNMENT RESPONSE—MINISTERIAL STATEMENT—PAPER NOTED**

Ms Berry (Minister for the Prevention of Domestic and Family Violence) made a ministerial statement concerning the Government response to the Sexual Assault (Police) Review Report and presented the following paper:

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

Ms Berry moved—That the Assembly take note of the paper.

Question—put and passed.

**6 NATURE PRESERVATION—ASSEMBLY RESOLUTION OF 31 OCTOBER 2023—GOVERNMENT RESPONSE—MINISTERIAL STATEMENT—PAPER NOTED**

Ms Vassarotti (Minister for the Environment, Parks and Land Management) presented the following paper:

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

Ms Vassarotti moved—That the Assembly take note of the paper.

Question—put and passed.

**7 ENVIRONMENT, CLIMATE CHANGE AND BIODIVERSITY—STANDING COMMITTEE—  
CONSIDERATION OF STATUTORY APPOINTMENTS—STATEMENT BY CHAIR—PAPER**

Dr Paterson (Chair), pursuant to standing order 246A and Continuing Resolution 5A, made a statement concerning consideration of statutory appointments by the Standing Committee on Environment, Climate Change and Biodiversity.

*Paper:* Dr Paterson, pursuant to Continuing Resolution 5A, presented the following paper:  
Environment, Climate Change and Biodiversity—Standing Committee—Schedule of Statutory Appointments—10th Assembly—Period 1 January to 30 June 2024.

**8 PLANNING, TRANSPORT AND CITY SERVICES—STANDING COMMITTEE—  
CONSIDERATION OF STATUTORY APPOINTMENTS—STATEMENT BY CHAIR—PAPER**

Ms Clay (Chair), pursuant to standing order 246A and Continuing Resolution 5A, made a statement concerning consideration of statutory appointments by the Standing Committee on Planning, Transport and City Services.

*Paper:* Ms Clay, pursuant to Continuing Resolution 5A, presented the following paper:  
Planning, Transport and City Services—Standing Committee—Schedule of Statutory Appointments—10th Assembly—Period 1 January to 30 June 2024.

**9 INTEGRITY LEGISLATION AMENDMENT BILL 2024**

The order of the day having been read for the resumption of the debate on the question—That this Bill be agreed to in principle—

Debate resumed.

Question—That this Bill be agreed to in principle—put and passed.

Leave granted to dispense with the detail stage.

Question—That this Bill be agreed to—put and passed.

**10 PUBLIC SECTOR MANAGEMENT AMENDMENT BILL 2024**

The order of the day having been read for the resumption of the debate on the question—That this Bill be agreed to in principle—

Debate resumed.

*Papers:* Ms Burch (Speaker) presented the following papers:

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

Question—That this Bill be agreed to in principle—put and passed.

Leave granted to dispense with the detail stage.

Question—That this Bill be agreed to—put and passed.

**11 JUSTICE AND COMMUNITY SAFETY LEGISLATION AMENDMENT BILL 2024**

The order of the day having been read for the resumption of the debate on the question—That this Bill be agreed to in principle—

Debate resumed.

Question—That this Bill be agreed to in principle—put and passed.

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*Detail Stage*

Clause 1 agreed to.

Clause 2—

On the motion of Mr Rattenbury (Attorney-General), his amendment No 1 (see [Schedule 1](#)) was made.

*Paper:* Mr Rattenbury presented a supplementary explanatory statement to the Government amendments.

Clause 2, as amended, agreed to.

Clause 3—

On the motion of Mr Rattenbury, pursuant to standing order 182A (b), by leave, his amendment No 2 (see [Schedule 1](#)) that was minor and technical in nature was made.

Clause 3, as amended, agreed to.

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

*New part including new clause—*

Mr Rattenbury sought leave to move an amendment that had not been considered or reported on by the Scrutiny Committee.

Objection being raised, leave not granted.

*Suspension of standing orders—Minister to move an amendment:* Mr Rattenbury moved—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.

Debate ensued.

Question—put.

The Assembly voted—

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

And so it was resolved in the affirmative, with the concurrence of an absolute majority.

Mr Rattenbury moved his amendment No 3 (see [Schedule 1](#)) which would insert new Part 3A including new clause 10A in the Bill.

Debate continued.

Question—put.

The Assembly voted—

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

And so it was resolved in the affirmative.

Clause 11 agreed to.

*New part including new clauses—*

On the motion of Mr Rattenbury, new Part 4A including new clauses 11A and 11B (his amendment No 4—see [Schedule 1](#)) was inserted in the Bill.

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

*New part including new clause—*

On the motion of Mr Rattenbury, new Part 7A including new clause 16A (his amendment No 5—see [Schedule 1](#)) was inserted in the Bill.

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

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Question—That this Bill, as amended, be agreed to—put and passed.

## **12 GAMING MACHINE (COMPULSORY SURRENDER) AMENDMENT BILL 2024**

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

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### *Detail Stage*

Clause 1 agreed to.

Clause 2 agreed to.

Clause 3 agreed to.

Clause 4 agreed to, after debate.

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

Clause 7—

On the motion of Mr Rattenbury (Minister for Gaming), pursuant to standing order 182A (b), by leave, his amendment No 1 (see [Schedule 2](#)) that was minor and technical in nature was made.

*Paper:* Mr Rattenbury presented a supplementary explanatory statement to the Government amendments.

Clause 7, as amended, agreed to.

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

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Question—That this Bill, as amended, be agreed to—put and passed.

### 13 QUESTIONS

Questions without notice being asked—

*Paper:* Mr Parton, by leave, presented the following paper:

Sulwood Drive—Copy of photos (3).

Questions continued.

### 14 PRESENTATION OF PAPERS

The Speaker presented the following papers:

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

Answers to Question on Notice—

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.

### 15 PRESENTATION OF PAPERS

Mr Gentleman (Manager of Government Business), 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 Elected 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).

**16 PRESENTATION OF PAPER**

Ms Berry (Minister for the Prevention of Domestic and Family Violence) presented the following paper:

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

**17 CANBERRA THOROUGHBRED PARK REDEVELOPMENT**

Ms Clay, pursuant to notice, moved—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.

Miss Nuttall moved the following amendment: 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.”.

Debate continued.

Question—put.

The Assembly voted—

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

And so it was negatived.

Mr Steel (Special Minister for State) moved the following amendment: 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 park 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.”.

Debate continued.

Question—put.

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		

And so it was resolved in the affirmative.

Question—That the motion, as amended, viz:

“That this Assembly:

- (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.”—

be agreed to—put and passed.

## 18 INFRASTRUCTURE COST ESTIMATES

Ms Lee (Leader of the Opposition), pursuant to notice, moved—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.

Mr Barr (Treasurer) moved the following amendment: 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.”

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.

## 19 VALEDICTORY

Ms Burch (Speaker) made a statement concerning her retirement from the Assembly.

Mr Barr (Chief Minister), Ms Lee (Leader of the Opposition) and Mr Rattenbury (Leader of the ACT Greens), by leave, also made statements.

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*Suspension of sitting:* The Speaker, at 4.59 pm, suspended the sitting and announced that the Chair would be resumed at the ringing of the bells.

*Resumption of sitting:* The bells having been rung, the Speaker resumed the Chair at 5.02 pm.

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## 20 INFRASTRUCTURE COST ESTIMATES

The order of the day having been read for the resumption of the debate on the motion of Ms Lee (Leader of the Opposition) and on the amendment moved by Mr Barr (Treasurer) (*see entry 18*)—

Debate resumed.

Question—put.

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		

And so it was resolved in the affirmative.

Question—That this motion, as amended, viz:

“That this Assembly:

- (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.”—
- be agreed to—put and passed.

## 21 PAPERS PRESENTED ON 5 SEPTEMBER 2024—PAPERS NOTED

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

Debate ensued.

Ms Stephen-Smith (Minister for Children, Youth and Family Services), by leave, was granted an extension of time.

Question—put and passed.

## 22 MEMBERS' STATEMENTS

Members' statements being made—

*Paper:* Ms Davidson presented the following paper:

Rising Tide Quiz, undated.

Members' statements continued.

## 23 ADJOURNMENT

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

Debate ensued.

Question—put and passed.

And then the Assembly, at 6.15 pm, adjourned until a day and time to be fixed by the Speaker.

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

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**Tom Duncan**  
Clerk of the Legislative Assembly

## SCHEDULES OF AMENDMENTS

### Schedule 1

#### JUSTICE AND COMMUNITY SAFETY LEGISLATION AMENDMENT BILL 2024

Amendments circulated by the Attorney-General

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**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.

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**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*

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**3**

**Proposed new part 3A**

**Page 5, line 12—**

*insert*

### **Part 3A                      Corrections Management Act 2007**

<b>10A</b>	<b>Treatment of convicted and non-convicted detainees Section 44 (4) and example</b>
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*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.

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**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.

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**5**

**Proposed new part 7A**  
**Page 9, line 13—**

*insert*

## **Part 7A                      Parentage Act 2004**

**16A            Counselling**  
**Section 28A (2)**

*omit*

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**Schedule 2**

**GAMING MACHINE (COMPULSORY SURRENDER) AMENDMENT BILL 2024**

Amendments circulated by the Minister for Gaming

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**1**

**Clause 7**

**Proposed new section 10N (3)**

**Page 7, line 19—**

*omit*

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