



Debates

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Tuesday, 19 September 2017

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Tuesday, 19 September 2017

MADAM SPEAKER (Ms Burch) took the chair at 10 am, made a formal recognition that the Assembly was meeting on the lands of the traditional custodians, and asked members to stand in silence and pray or reflect on their responsibilities to the people of the Australian Capital Territory.

Ministerial delegations to China and Hong Kong

Ministerial statement

MR BARR (Kurrajong—Chief Minister, Treasurer, Minister for Economic Development and Minister for Tourism and Major Events) (10.01): The government is committed to engaging with potential international partners and investors to raise Canberra's profile in order to attract talent, capital and international business. This, of course, requires a structured and sustained effort. The ACT does not have the resources of other states or territories, so we have to be both strategic and tactical in how we engage internationally. We know that our ability to make successful connections will drive economic growth, which is why we are putting effort into developing relationships in our key target markets.

It was for this reason that I attended a delegation to our sister city Beijing and on the way home from Beijing I led a delegation to Hong Kong, between 26 and 30 August this year. This was aimed at growing Canberra's international visitor economy and promoting our city as a trade and investment destination, to drive economic growth and diversification.

The specific objective of the visit to Beijing was to attend the Australian tourism ministers meeting, along with other state and territory tourism ministers, at the invitation of the Hon Steven Ciobo MP, the federal Minister for Trade, Tourism and Investment. In Beijing we also attended a tourism industry briefing, hosted by Mr Gerald Thomson, the Deputy Head of Mission of the Australian Embassy in Beijing.

The tourism ministers meeting was held in China in recognition of the 2017 China-Australia Year of Tourism. The China-Australia Year of Tourism celebrates the close relationship between our two countries, increases people-to-people links, and fosters growth and our ability to capitalise on tourism opportunities. The China National Tourism Administration, the CNTA, was invited as a special guest to mark the occasion. The chairman of the CNTA delivered a presentation on the year of tourism from China's perspective and highlighted opportunities for further cooperation between our two countries.

Members may not be aware that China is one of Australia's fastest growing and highest spending international visitor markets. Over 1.2 million Chinese tourists visited Australia last year, and this is forecast to nearly double by 2020. These same Chinese tourists spent \$9.7 billion in Australia to the year ending March 2017, accounting for just under a quarter of the total visitor spend in our economy. More generally, international tourist arrivals to Australia are at record highs, with

8.5 million visitors to the year ending March 2017. This has resulted in record spending of \$39.8 billion in the Australian economy to March 2017.

Tourism provides a source for growth across Australia's capital cities and regional areas. In the Canberra context, China remains our largest international market. For the year ending March 2017, some 45,000 Chinese visitors arrived in the ACT, accounting for 21 per cent of the total international visitor arrivals in our city and representing a 25 per cent increase over the previous year.

All state and territory tourism ministers, with the exception of Victoria, attended the tourism ministers meeting. The discussion focused on a range of initiatives to help the tourism industry maintain its competitiveness. These initiatives included: labour and skills reform to support the tourism industry as a major employer of Australians; data and research to inform the development of the next long-term tourism strategy; importantly for Canberra, a discussion on aviation capacity and access, particularly acknowledging the 2016 agreement that removed all capacity restrictions between Australia and China for airlines of both countries, creating unlimited growth potential for Australian tourism, trade and investment; infrastructure investment and regulatory reform, to ensure that Australia remains competitive and can meet the needs and expectations of visitors to our capital cities and those dispersing into Australia's regional areas; visa reform, to make it more responsive and easier to understand and navigate for international visitors; and, finally, a discussion on marketing and the importance of producing effective, coordinated marketing campaigns to drive international demand for Australia.

The tourism ministers meeting in Beijing provided the ACT government with up-to-date information on Australia's trade, investment and tourism policy and strategy in relation to China, as well as providing an important understanding of China-to-Australia tourism from the Chinese perspective. Ministers received an update from Tourism Australia on their marketing activities—in particular, the events delivered and planned as part of the China-Australia Year of Tourism. The meeting also provided a platform to exchange ideas with other state and territory tourism ministers, to join together in growing our international visitor economy for the benefit of the country as a whole as well as for the respective states and territories.

Specifically, I took the opportunity to raise the importance of aviation in the context of the Hong Kong-Australia free trade agreement negotiations, and the opportunity that this presents to attract airlines to regional airports. I also congratulated the New South Wales government on their very wise selection of the Snowy Mountains region as their regional focus area for Austrade and Tourism Australia's five-year regional tourism infrastructure investment attraction strategy, which, due to its close proximity to us here in Canberra, will present additional opportunities for the Canberra region. It is worth noting that we, of course, nominated the Canberra region as our regional focus—the city of Canberra and the surrounding areas—so we will be able to partner very effectively with the New South Wales government in support of this regional tourism initiative.

On leaving Beijing—I was there for 38 hours or thereabouts—the delegation flew home via Hong Kong. This visit focused on promoting infrastructure, property and

hospitality investment opportunities in Canberra, as well as seeking collaboration opportunities on smart city technologies.

Hong Kong is ranked by the World Bank in 2017 as amongst the top 30 economies in the world. It is home to a highly educated workforce and renowned as a globally significant financial, commercial, trade and transport hub. Whilst having legal autonomy from mainland China, its connectivity to China is nevertheless very important. As a priority market for the ACT, regular and targeted engagement with Hong Kong is critical to driving business-to-business opportunities, facilitating investment flows and trade between our two cities.

In Hong Kong I met with the President of the China Communications Construction Company, CCCC International Holding Ltd. It is the financing platform for the overseas business of the China Communications Construction Company Ltd, which is a Fortune 500 company focusing on the investment, design and construction of transportation infrastructure such as ports, highways, bridges, railways, airports, dredging and municipal works. Members may be aware that CCCC acquired John Holland in Australia in 2015. John Holland, as part of the Canberra Metro consortium, has been chosen to deliver the first stage of the capital metro light rail project.

Canberra is a planned city and successful by design, and the ACT government is seeking to facilitate investment in new infrastructure in the city, with inspired, world-class architecture. As detailed in the ACT infrastructure plan update 2016-17, the ACT government is delivering the largest ever infrastructure investment program for our city as part of our commitment to strengthen our growing economy. Over \$2.9 billion will be invested in infrastructure in Canberra over the four years to 2019-20. The meeting with CCCC provided the opportunity for me to outline Canberra's future key infrastructure projects and the second stage of Canberra's light rail network, and we explored the potential for CCCC to participate in these projects.

A key focus for the government is to promote forward hospitality investment and to attract world-class international hotels to the city. Whilst in Hong Kong, I met with senior representatives of both the Marriott group and Shangri-La Hotels and Resorts. The meeting with the Marriott group followed on from a successful meeting with their Australian representatives in Sydney earlier this year. These meetings in Hong Kong gave potential investors a greater understanding of Canberra, its economic strengths and, importantly, the government's plans for growth through world-class developments, including hotels. They also provided an opportunity to market sites of interest from the Canberra property investment prospectus and for the ACT government to gain additional insights from investors into these market segments.

The government is committed to building an innovation ecosystem that creates wealth and jobs in the 21st century knowledge economy. This commitment to accelerating innovation, creating investment opportunities and supporting companies underpins the ongoing diversification of the territory economy. To this end, I met with Hong Kong's Secretary for Innovation and Technology, Mr Nicholas Yang, to learn about the Hong Kong government's developments in the innovation and technology sector, and to discuss the alignment between Canberra's and Hong Kong's economic drivers in the area of innovative, knowledge-based economic growth.

I also met with the Smart City Consortium and toured its facility. The Smart City Consortium is a professional organisation in Hong Kong established to promote the building of smart city infrastructure. It is a platform that pulls experts and stakeholders together to provide professional advice to government for the formulation of smart city policies and measures. The meeting and the tour allowed us to learn about collaboration efforts among the various industry sectors to guide the development of Hong Kong as a smart city and to uncover the potential to collaborate with Hong Kong on some smart city research projects.

As part of the Hong Kong visit I also met with Consul-General Ms Michaela Browning and Deputy Consul-General Mr Ken Gordon of the Australian Consulate-General in Hong Kong. This was an opportunity to brief and update the consul-general on the ACT government's high level priorities, and on key ACT developments and projects, and to be briefed on the work of the consulate-general in facilitating trade and investment links between Australia and Hong Kong.

In conclusion, this delegation is consistent with previous delegations in aiming to establish strong and enduring connections between Canberra and international partners, continuing the advancement of priorities and objectives detailed in Canberra's international engagement strategy which I launched a year ago, in September 2016. I would like to acknowledge the support provided to the delegation by the Department of Foreign Affairs and Trade and Austrade. I acknowledge in particular Mr Dan Tebbutt, Senior Trade Commissioner for Austrade in Beijing; Ms Michaela Browning, the Consul-General in Hong Kong; Mr Ken Gordon, the Deputy Consul-General in Hong Kong; and Mr Sam Guthrie, the Senior Trade Commissioner for Austrade in Hong Kong.

I also wish to express my sincere thanks and appreciation for the courtesy and hospitality extended to the delegation in Hong Kong by Mr Nicholas Yang, the Secretary for Innovation and Technology in Hong Kong; Mr Lu Jianzhong, the President of China Communications Construction Company International Holdings; Mr Eric Yeung, President of the Smart City Consortium; Mr James Doolan, the Regional Vice-President of Hotel Development in the Asia-Pacific for Marriott International Inc; and Mr Justin Kuok, Manager of Investment Management and Business Development for Shangri-La Hotels and Resorts. I present the following paper:

Tourism Ministers meeting in Beijing and Hong Kong business delegation—
August 2017—Ministerial statement, 19 September 2017.

I move:

That the Assembly take note of the paper.

Question resolved in the affirmative.

Leave of absence

Motion (by **Mr Gentleman**) agreed to:

That leave of absence be granted to Mr Pettersson for today due to illness.

ACT Health—system-wide data review quarterly update Ministerial statement

MS FITZHARRIS (Yerrabi—Minister for Health and Wellbeing, Minister for Transport and City Services and Minister for Higher Education, Training and Research) (10.16): Thank you for the opportunity to update the Assembly on the important issue of ACT health data. As the Assembly is aware, and as I have regularly informed colleagues, I am pleased to advise that work is continuing on the important ACT Health system-wide data review that is due for completion by 31 March 2018. The effective and efficient delivery of quality health services to the people of Canberra is a high priority, and to do this we need accurate and timely data so that we can monitor and track our performance.

Madam Speaker, as I have explained in my previous reports to the Assembly, earlier this year I ordered an urgent, comprehensive, system-wide review into ACT Health's data and reporting after the ACT Health Directorate did not provide data to external bodies for annual reporting requirements, including the comparison of the performance of states and territories. This review has been designed to ensure robust quality assurance of ACT Health's data into the future, as outlined in the terms of reference I tabled in this place in March this year.

In the interests of being open and transparent I resolved to keep members informed of progress, and today I am pleased to provide the second update. The plan for this review, which is due for completion by the end of March next year, involves a range of activities to be completed over three milestones. These milestones are 30 June 2017, 30 September 2017 and 31 March 2018. Milestone 1 comprises the activities due for completion by 30 June 2017.

As specified, a range of system-wide review activities have been completed and are known as the milestone 1 deliverables. In summary, the milestone 1 activities addressed: pillar 2, phase 1, establishing revised governance processes and protocols for data management, reporting and analysis; pillar 3, phase 1, the development of a framework for the provision of essential data reports derived directly from source systems in the interim process; and pillar 5, provision of a detailed road map to address existing recommendations from the Auditor-General and other ACT Health external advisers.

Specifically, I am pleased to advise of the following. The activities of pillar 2, phase 1 involved the development of processes and protocols, including the following: the implementation of formalised change processes for source systems, datasets and data queries; the documentation of clear delineation of responsibility for managing different stages of the extraction, transformation and reporting and analysis of data;

and the implementation of clearly defined quality assurance and clearance steps for all data reporting and analysis.

In addition, work schedules and steps for key reporting obligations have been defined. The activities of pillar 3, phase 1 covered reporting obligations. The works undertaken in this pillar included the identification and consolidation of the vast quantum of reports produced across the directorate. I am pleased to advise that a thorough process has been followed to identify and capture all internal and external reporting obligations. As a result, a range of essential internal and external reports have been identified, based on their classification as funding, legislative and/or reputation.

Milestone 1 activities identified the interim processes required to generate 69 essential and priority external reports and 16 essential and priority internal reports, with a new scorecard for clinical areas with a range of metrics such as financial, activity, quality and safety, accountability and budget indicators, and a subset relevant to each division.

The review panel also wants to ensure that historical approaches of isolated work practices are addressed, and this continues as clinicians and corporate partners are engaged and educated. I am pleased to advise that work continues unabated on these activities as we approach the due date for milestone 2 of 30 September 2017.

Madam Speaker, providing assurances for ACT Health data collection, analysis and reporting is a complex matter, which is why the Canberra Hospital executive receives a range of monthly benchmark reports that summarise key performance metrics to enable them to accurately manage their clinical services. These reports are being reviewed to ensure that clinicians have the critical information necessary to run their areas.

ACT Health is prioritising and undertaking essential data reporting covering key performance metrics and activity data to a range of government bodies, including the Australian Bureau of Statistics, the Australian Institute of Health and Welfare, the Independent Hospital Pricing Authority, the National Health Funding Body and the Productivity Commission. This includes submissions to a range of agencies, such as the Independent Hospital Pricing Authority and the National Health Funding Body.

Of course, the community and other stakeholders also have an interest in ACT Health data to understand the performance and quality of our health system. I have asked Health and the review panel to consider the provision of information for these purposes. They have advised me that ACT Health are very confident of providing the full range of 2016-17 reporting metrics in the ACT Health annual report, to be tabled in the Legislative Assembly next month. Following the tabling of the annual report, the review panel has advised that reports outside the essential reports should be considered individually, given the core focus on the system-wide review development activities. Following the tabling of the 2016-17 annual report, the review panel will continue to advise on the progress of authenticating data for reporting purposes, pending the finalisation of the review in March 2018.

Madam Speaker, I am pleased to advise members that ACT Health is also continuing to engage in ongoing communication with key stakeholders, to keep them informed of

progress, including the Australian Institute of Health and Welfare, the Independent Hospital Pricing Authority and the National Health Funding Body.

Once the essential reports were identified, the data required to produce the reports was mapped to the source system in order to facilitate generation of the essential reports. Additionally, in order to ensure data integrity, the 2016-17 datasets were locked down once the essential reports were generated to ensure that these reports can be replicated. This process supports the quality of the data being used in additional essential reports and ensures that ACT Health internal and external reporting requirements can be maintained.

Pillar 5 activities included the development of detailed road maps to address existing recommendations from the Auditor-General and ACT Health external advisers. To date, a single report outlining 175 recommendations has been consolidated. Each recommendation has been categorised and prioritised, and an estimated date of completion has been identified. The single report details progress against each recommendation and will be independently assessed in four phases, the first being the baseline assessment. A final report will be provided after the last assessment in March 2018.

Each recommendation within the report has been assigned to a core primary output and linked to a domain within the ACT Health informatics strategy. The ACT Health informatics strategy is designed to provide a library of information and ensure that the right level of governance is in place to support this fundamental area of work. The strategy comprises security and privacy, governance, change management, quality, metadata, workforce, communication, performance reporting and data management domains. Each domain road map identifies: relevant external review and audit recommendations; relevant terms of reference outputs; mandatory reference material, such as national standards; other recommendations as a result of a gap analysis with staff; required policy and procedures; and work packages to address all recommendations. Naturally, the domains will be updated as new issues are identified.

Madam Speaker, I am pleased to report that general feedback from review panel members is that the program of work for the system-wide review is on track, and members were complimentary of the work undertaken to date by the Health Directorate. The review panel continues to meet regularly and will continue as we go forward. A recommendation from the review panel was for expansion of the panel to include other specialist fields, specifically from an academic institution. As a result of this recommendation, the Director of the Research School of Population Health in the Australian National University College of Medicine, Biology and Environment has accepted an invitation to join the review panel.

Madam Speaker, to ensure that there is transparency and a high degree of governance in this work, the review panel will continue to provide oversight of the system-wide review activities and provide my office with fortnightly status updates. Within ACT Health there have been internal changes to ensure the system-wide review has the focus and the attention it requires to fulfil the requirements of this large and complex piece of work. System-wide review staff continue to focus on reviewing and

developing policies, procedures and processes to ensure that all documentation and administrative aspects of this review are robust and transparent.

Existing staff are continuing to be engaged and are taking the lead on delivering the review work packages. This approach ensures that existing staff are engaged and accountable and, most importantly, that the Health Directorate builds capacity and capability in this critical area of work. Recruitment has been completed for several management positions, including data warehouse management, reporting and analysis, workforce and costing. As I have advised previously, where necessary, subject matter experts are, and will continue to be, engaged to ensure that the right resources are available if a need is identified. Strategies will continue to establish capabilities in complex areas such as metadata and options for the new warehouse.

Madam Speaker, a key objective in all this work is to ensure that the ACT Health informatics strategy is robust, so the review panel has called for the root cause analysis to be finalised as soon as possible to enable emerging activities to be incorporated within the domain activities. I am pleased to report that this analysis is now close to completion. The agreed analysis approach includes prioritising the root cause analysis within the review program of works to ensure that the results are readily available early on to inform any system development work; assigning the analysis process to ACT Health's quality, governance and risk division for management to ensure a level of peer review of the process; agreement of the core problem statement; and a recommendation from the external review panel that all recommendations identified from the root cause analysis are mapped to the packages of work being undertaken within the ACT Health informatics strategy to ensure that they are not lost, as has happened in the past.

In June 2017 ACT Health engaged an external auditor to conduct an independent assessment of the 175 data integrity recommendations that were provided over several years and establish a baseline status against each. A range of meetings with a range of staff within ACT Health and the hospitals have been held to determine the status of each recommendation. This work was achieved under pillar 5 and, importantly, the process of consolidating and categorising the recommendations was quality assured by the external auditor. This ensured that the recommendations were transparent and independent.

The independent assessment is to be conducted in a four-phase approach, with the first phase allowing for a baseline of the status of the recommendations to be established. The next three phases will occur in September and December of this year and March 2018, with an update of the progress made and validation of the effectiveness of implementation of the recommendations. A final report will be provided after the final assessment in March 2018. In my last statement on this matter to the Assembly, I advised that ACT Health had met with the Auditor-General to determine how best to report back to their office on these matters. This discussion is ongoing.

Before concluding today, I would like to sincerely thank members of the review panel for their comprehensive advice on how to improve reporting and access to health data. I would also particularly like to acknowledge the very hard work of staff in the

ACT Health Directorate and the patience that has been shown by external bodies while we work through this important review. I present the following paper:

ACT Health System Wide Data Review Quarterly Update—September 2017—
Ministerial statement, 19 September 2017.

I move:

That the Assembly take note of the paper.

Question resolved in the affirmative.

Recidivism rates Ministerial statement

MR RATTENBURY (Kurrajong—Minister for Climate Change and Sustainability, Minister for Justice, Consumer Affairs and Road Safety, Minister for Corrections and Minister for Mental Health) (10.28): Today I rise to make a ministerial statement on recidivism rates in the ACT. I would like to thank Mrs Jones for raising this important subject and for providing me with the opportunity to talk about the work that the ACT government is doing to reduce recidivism.

The extended through-care program is one plank in our commitment to reduce recidivism by 25 per cent by 2025. The program commenced in June 2013 with funding from the ACT government. It provides support to all female detainees returning to the community and for men who have been sentenced. It is a voluntary program and available to those with or without further supervision orders. The through-care unit's engagement with an offender begins pre-release and continues for a period of 12 months after release. The program aims to reduce recidivism by successfully reintegrating clients into the community.

In January 2017 the University of New South Wales prepared *Evaluation of ACT extended throughcare pilot program—final report*. The report found that support during the transitional stage of release can reduce return-to-custody rates. The report examined the perspectives of clients and stakeholders on whether the program impacted on rates of recidivism. It also examined the administrative data to assess the return-to-custody episodes.

The report suggested that the return to custody rate for detainees has reduced and that those returning to custody are remaining in the community for longer periods on average. It also noted that outcomes for Aboriginal and Torres Strait Islander women were particularly good, noting the very small sample size, but that return-to-custody outcomes for Aboriginal and Torres Strait Islander men remain high.

The evaluation also showed that although there were some limitations with the data, the benefits to the community outweigh the cost of establishing and running the program. The evaluation provided important evidence for the government in its commitment to continue funding the extended through-care program.

The results for Aboriginal and Torres Strait Islander men, for example, showed that we needed to provide targeted support to this group. The 2017-18 budget does exactly that by funding an identified position of Aboriginal and Torres Strait Islander through-care officer. This officer will help to ensure that assistance in transitioning from custody to the community is targeted and culturally appropriate.

With respect to the recidivism rate, the parliamentary agreement for the Ninth Legislative Assembly commits to reducing recidivism by 25 per cent by 2025. An approach for developing a long-term recidivism plan is currently being prepared to set a pathway for achieving recidivism targets for the justice system. These targets are being constructed in collaboration with a broad range of stakeholders. The recidivism plan requires an understanding of what works, backed up by planning, innovation, efficiency and community engagement. The plan will need to be carefully balanced to ensure that public safety is maintained and further improved.

Reducing recidivism in the ACT requires shared responsibility across the justice system so that a change in one part of the justice system does not negatively impact another part of the justice system. By taking a balanced and shared approach to reducing recidivism, the targets can be not only achieved but also sustained. Reducing recidivism also requires the support of the human services system. We are already progressing a broad range of justice responses that address recidivism. Reducing crime and maintaining public safety is part of our core business. I would like to take a moment to outline a number of these current, and new, initiatives for the Assembly.

The initiatives include commitments embedded in our justice system such as restorative justice phases 1 and 2, facilitated victim and offender conferences for young people and adults for less serious and some serious offences at all points of the justice system; the Aboriginal justice partnership, a strategic partnership with the Aboriginal and Torres Strait Islander Elected Body aimed at reducing the over-representation of Aboriginal and Torres Strait Islanders in the justice system as victims and offenders; Aboriginal community justice programs, which are community-based programs aimed at reducing the over-representation of Aboriginal and Torres Strait Islander offenders in the justice system; the Galambany circle court, which provides a culturally relevant sentencing option in the ACT Magistrates Court for eligible Aboriginal and Torres Strait Islander people who have offended; and the high density housing program, which is a multi-agency service facilitation initiative that works with high and complex needs residents on Ainslie Avenue to prevent or reduce opportunities for crime, develop pro-social and law abiding community engagement and facilitate access to justice, health, education and employment services.

Some additional, more recent, initiatives to reduce recidivism include justice reinvestment trials and initiatives such as the Yarrabi Bamirr trial, a community-based, family-centric service support model with Aboriginal and Torres Strait Islander families to improve life outcomes and reduce or prevent contact with the justice system; the development of a bail support trial for Aboriginal and Torres Strait Islander people to reduce the number of Aboriginal and Torres Strait Islander people on remand and reduce the amount of time spent on remand; and also the development

of a drug and alcohol court aiming to achieve behavioural change that reduces reoffending, improves health outcomes and maintains social connections.

ACT Corrective Services also runs and facilitates numerous programs in the Alexander Maconochie Centre to address the rate of reimprisonment. Rather than detailing each of these programs, I will make available to members two tables that set out criminogenic and offence-specific programs and programs available for detainees who identify as Aboriginal and Torres Strait Islander. These programs are designed to address specific offences of detainees and to facilitate resilience and better decision-making. The aim is to ensure that detainees are better equipped with a skill set to understand their offending and make different choices when they return to the community.

Let me now turn to the government and non-government organisations outside of the extended through-care program that are engaged to facilitate detainees re-entering the community. I am pleased to outline the funding that is provided to these organisations and for what services the funding is provided. ACT Corrective Services engages with many government and non-government agencies in its delivery of the through-care program. ACT Corrective Services links clients with Wellways, through the detention exit mental health community outreach program; EveryMan Australia; St Vincent de Paul; Woden Community Services; Toora coming home program; Karinya House; and OneLink.

Outside of the scope of the extended through-care program, ACT Corrective Services provides \$54,649.64 in funding to the Community Services Directorate to be used in the administration of Prisoners Aid ACT. Former detainees, once living in the community, can of course take advantage of all ACT government health, community and social services. However, further detail on supports provided to former detainees living in the community is best covered by the Minister for Health and Wellbeing or the Minister for Community Services and Social Inclusion.

Madam Speaker, in summary, reducing recidivism in our community is a joint effort across the ACT government. Reducing recidivism is only possible where we have appropriate supports in the community as well as for those leaving custody. I will continue to work with my colleagues to build a safer Canberra community. I present a copy of the following paper:

Recidivism rates—Ministerial statement, 19 September 2017.

I move:

That the Assembly take note of the paper.

Question resolved in the affirmative.

Community sector reform—co-contribution expenditure Ministerial statement

MS STEPHEN-SMITH (Kurrajong—Minister for Community Services and Social Inclusion, Minister for Disability, Children and Youth, Minister for Aboriginal and

Torres Strait Islander Affairs, Minister for Multicultural Affairs and Minister for Workplace Safety and Industrial Relations) (10.37): Further to recommendation 79 of the Select Committee on Estimates 2015-2016, I am pleased to provide the Assembly with an update on the community sector reform program and how the co-contribution levy funds were and will continue to be invested.

In 2012, when the levy was established, the ACT community sector was facing a number of fundamental challenges. The equal remuneration case for the community sector was about to be determined, creating a liability for employers in the sector to pay salary increases over a nine-year period of between 23 per cent and 45 per cent, depending on the classification of the worker. At the same time, forward thinking around the establishment of the national disability insurance scheme suggested it would have a profound impact on the delivery of services to people with disabilities, as well as on the organisations that provided these services.

A new regulator for charities, the Australian Charities and Not-for-profits Commission, ACNC, was also in the process of being established. The ACNC would be the regulator for the more than 100 organisations in the ACT that focus on supporting the most disadvantaged individuals, families and groups in our community. These organisations are mostly not-for-profit. At the time, this group of entities employed about 4,000 workers in the ACT and received approximately \$160 million in funding from the ACT government for the delivery of services. Many also received funding from the commonwealth.

What the ACT government needed to facilitate as we headed into this period of uncertainty was a sustainable community sector; that is, a community sector that over the next 10 to 20 years and beyond would have the capacity to play its part in achieving the positive social impact in the community that both the government and the sector seek. In that context I wish to acknowledge the hard work of the ministers who have come before me in this portfolio, particularly the Chief Minister, who launched the human services blueprint, and the Deputy Chief Minister, who last year delivered a new 10-year ACT community services industry strategy.

The community sector reform co-contribution levy was all about sector sustainability. The levy was set at 0.34 per cent of the funding provided to the sector by the ACT government and has delivered significantly more in benefits to the sector than it has generated in revenue. It is important to note that the levy was not applied to smaller community sector organisations, nor was it levied from funds earmarked for direct delivery to people through specific service packages. Overall, it raised around \$500,000 a year.

In supporting sustainability, the levy had three fundamental purposes. First, the levy was used to assess the amount of financial support needed by community sector organisations for the impact of the equal remuneration case. As members would be aware, in making the equal remuneration order in 2012 the Fair Work Commission recognised that the gendered nature of caring work had contributed to a gap between pay rates in the social, community and disability services industry and those for comparable work in state and local governments.

I have previously expressed concern that prices being set by the National Disability Insurance Agency are seeing disability support workers made redundant and re-hired at lower levels, undermining the intent of the ERO, but that is another story. The estimated cost to the ACT over the ERO phase-in period to 2020 is \$69.87 million, which includes the commonwealth's share for the increase to ACT services funded by the commonwealth through ACT funding agreements. A small portion of the levy was used at the establishment of the equal remuneration case to determine the amount of support for each organisation each year, including any negotiations.

The ACT committed in 2012 to providing over \$30 million in support for the impact of the ERO to community sector employers. Since commencing the community sector reform program in 2012-13, more than \$8.7 million has been disbursed to community sector organisations in the form of support for the equal remuneration order. There is another three years of support still to come.

Second, a number of initiatives have commenced to strengthen the capacity of the community sector in the ACT to deliver social outcomes at a time of considerable financial pressure and change. Major initiatives include more than 40 bundles of consulting assistance over a two-year period, each worth \$20,000, to community sector organisations. This assistance was accessed from a panel of consulting organisations procured through the levy and made available to community sector organisations. They were able to use this support for strategic purposes, such as having their strategic plans assessed, or for practical purposes, such as assistance with developing service costing models.

An outcomes-based approach to funding service delivery was identified by the community sector reform advisory group as a significant reform. Work undertaken by the reform program supported a shift from an output to an outcome perspective for the children, youth and family services program and for the special homelessness services program, with resulting changes reflected in new service funding agreements. The implementation of the out of home care strategy, a step up for our kids, provided the opportunity to design an outcome model for out of home care from the ground up.

Third, levy funds were used for red tape reduction. This component of the program commenced in 2013-14. The first batch of red tape reduction measures focused on changes to procurement, contracting and reporting arrangements, which have led to a reduction in red tape impact on the community sector in the ACT equivalent to approximately \$2.6 million per year.

Initiatives included reduced financial reporting requirements for community sector organisations from twice to once a year and reducing the reporting requirements in other areas, for a saving of approximately \$150,000 per year. Simplified audit requirements through changes to the regulations of the Associations Incorporation Act 1991 reduced the cost of audits for small and medium sized community sector organisations, leading to sector savings of approximately \$800,000 per year. Smaller local service providers in receipt of relatively modest support payments were transferred from complex service funding agreements to simple, low-risk, recurrent grants. These changes produced administrative savings to the sector worth approximately \$650,000 per year.

A new streamlined relationship management system for the Community Services Directorate was introduced, producing further savings estimated at \$200,000 per year for the sector. The maximum term of funding agreements was extended from three years to up to five years. There was a review and redevelopment of the suite of contractual arrangements for community sector funding in conjunction with the sector. The BNG business tool was procured for community sector organisations, providing electronic support for a range of regulatory requirements. The system has the potential to deliver significant savings to community sector organisations in reduced effort to ensure regulatory provisions are met.

The levy ended on 30 June 2017. But the work does not stop there. Funds raised from the levy will support priorities identified under the ACT community services industry strategy 2016-26. The industry strategy, which sets out a 10-year vision for the community services industry, was developed and will be implemented in partnership with the sector. The joint community government reference group—JCGRG—is responsible for the industry strategy, and a subcommittee of the JCGRG is developing the strategy's first implementation plan, focusing on workforce capability.

Support continues to be provided in the form of equal remuneration payments, and this will continue until 2020. The community sector industry strategy envisages three three-year action plans, the first of which is focused on workforce capability and sustainability of the community sector. Funds remaining from the co-contribution levy, which totalled just over \$671,000 as at 30 June 2017, will support priorities identified under the strategy.

I was pleased to open the strategy forum, held in June, which brought together a range of community sector organisations to look at the development of a workforce plan. Multicultural and volunteer-led organisations were represented at the workshop alongside large and small community service providers. Four themes emerged from the sector's feedback: the need to grow the workforce to support current and future needs, to improve retention of the current workforce, to strengthen capability and career development and to cultivate leadership and succession planning.

The workforce plan will recognise the workforce development projects already underway, including almost \$1.3 million committed to disability workforce development in the context of the NDIS, and the need to avoid duplication while building on existing initiatives.

Finally, avoiding regulatory duplication was a priority of the reform program. One of its key initiatives was realised when the Minister for Regulatory Services introduced a bill to address duplication in the Associations Incorporation Act and the Charitable Collections Act for charities registered with the ACNC. This bill was passed on 6 June and came into effect on 1 July.

The work of regulatory reform continues, with the Chief Minister, Treasury and Economic Development Directorate and the Community Services Directorate continuing to consult on further reducing red tape and unnecessary administrative burdens on community sector organisations.

Along with my colleagues, I look forward to continuing to support the viability and capacity of the community sector organisations that provide such important services to Canberra's most vulnerable residents. I present the following paper:

Community sector reform—Co-contribution expenditure—Ministerial statement,
19 September 2017.

I move:

That the Assembly take note of the paper.

MS LEE (Kurrajong) (11.48): I thank the minister for her statement this morning in respect of the ACT government's work in applying the co-contribution levy funds. At the time the levy was established in 2012, the sector was facing a number of challenges, particularly in respect of salaries for workers in the disability sector to reflect the value of the important work they do for our community. The minister also suggests that forward thinking was taking into consideration the introduction of a national disability insurance scheme. I am not entirely convinced that the NDIS played a significant part, or, indeed, any part, in rationalising the application of a levy at that time.

However, we move to 2017 and we do see a number of gaps in the disability sector in terms of provision of services for the Canberra community. I note the minister's last words in respect of looking forward to continuing to support the viability and capacity of the community sector organisations that provide such important services to Canberra's most vulnerable. Perhaps it is nothing more than unfortunate timing, but the front page of today's *Canberra Times* tells us that Canberra families with particular needs face the prospect of losing respite care from organisations such as Marymead. Families in the ACT have come to rely on respite care for the ongoing sustainable care of their loved ones, and they now face the real threat that it will no longer be available.

The minister and I have spoken on this and many other issues, and I acknowledge and thank her for her willingness to engage with me across a number of issues in the disability portfolio. I have written to her and also to my federal colleagues on this particular issue of respite care, as the matter apparently relates to there not being sufficient funding available under the NDIS schedule for such care in the ACT. My concern and my questions to the minister have always revolved around what assurances the ACT government will give and what actions the ACT government will take to ensure that such people, and any number of other valuable services, associations and individuals in the disability sector, do not fall through the cracks because there is no synergy at this stage with the NDIS.

I accept that there are teething problems, as is the case with the introduction of any new scheme, especially one of this magnitude, but for the families who face the real prospect of having no help and no relief for them and their children, it matters little whether it is the responsibility or the fault of the ACT or the federal government. These families are ACT residents. They live here; they work here; their children

attend schools here; they access health and other services here; and they contribute to the great community that is Canberra. It is the responsibility of a caring government that they not be allowed to fall through the cracks and be abandoned while jurisdictional disputes get resolved.

I once again reiterate to the minister and this government: do not forget these Canberrans. Again I make it clear that I will always be willing to work with her and this government to make sure that we do not. I also acknowledge and undertake the duty of my privileged role to continue to press my federal colleagues to do what we can to protect and provide for Canberra families when they need us most.

Question resolved in the affirmative.

Planning and Development Amendment Bill 2017

Debate resumed from 24 August 2017, on motion by **Mr Gentleman**:

That this bill be agreed to in principle.

MS LAWDER (Brindabella) (10.51): I rise to speak today about the Planning and Development Amendment Bill 2017. I will talk to three distinct parts of it. Firstly, it provides a planning assessment framework for the storage of hazardous materials. Secondly, it allows for a development application proponent to apply for an environmental significance opinion, or ESO, from the planning and land authority when the proposal relates to a contaminated site; if the authority provides an ESO stating that the development will not have a significant environmental impact, the proposal is removed from the impact track. Thirdly, the amendment requires that all draft variations to the Territory Plan be referred to the planning committee.

You can see from those three distinct areas that the bill covers a wide range of information. We will be supporting the bill today, although we have a couple of amendments. I believe the minister is also circulating a couple of minor amendments, which we will also be supporting today.

When talking about the storage of hazardous materials, under the current planning assessment framework the storage of dangerous substances might commence on a site without the need for planning assessment and approval. For example, a warehouse may move from storing bottled water to storing some dangerous substances without the need for any information to be kept or provided to the planning authority. So the planning and land authority would not necessarily be notified of the commencement of storing dangerous substances, and that type of activity does not fall under the planning assessment framework.

Under the changes proposed in this amendment bill, Access Canberra will maintain a register of dangerous items so that each block can be assessed, and all holders of dangerous substances will have six months to get their premises onto that register. During the briefing from the directorate, we did ask about whether there would be an audit to ensure that all dangerous substances are registered. We were advised that there would not be an audit, so how the compliance activity will take place will be

interesting to follow. We were also advised during the briefing that the rules would not be retrospective.

My understanding from that briefing is that this amendment to the act has come about from the recommendations from the Lloyd review into the Mitchell chemical fire in 2011. The review was released four years ago, in 2013. It begs the question as to why it has taken six years after the fire, four years since the report, to enact these changes.

The second part of the bill provides for a more flexible approach when considering development proposals on contaminated sites. The bill allows for a development proposal involving contaminated land to be removed out of the impact track if the planning and land authority provides an environmental significance opinion, ESO, stating that the proposal is not likely to have a significant adverse environmental impact. One of the examples given during the briefing was a petrol station site, with someone wishing to build on only a small part of that site which is not where the contaminated area might be.

If the ESO is provided, the development will be assessed in the merit track or may even be an exempt development. As an ESO is less onerous and quicker than an EIS, yet still retains proper and adequate oversight of the environmental impacts, this does seem like a logical measure that we will support. The change is a change that reduces red tape and allows for businesses and developers to get on with advancing the community where it is appropriate.

Thirdly, the bill amends the act to require that all draft Territory Plan variations be referred to the planning committee. The committee must decide if they will conduct an inquiry into the draft plan variation within 15 working days and, if they do decide to review, conduct the review within six months, or three months in relation to light rail. There will be some amendments circulated specifically relating to this particular part, and we will talk about that later.

I note that the obligation to refer draft variations to the committee does not apply to technical amendments. We have seen in the past how technical amendments can be used to sneak things in unknown to the public. The example we have seen more recently is changes to CFZ land. They are meant to be minor and technical in nature, but the government has a track record of making substantial changes and dressing them up as technical amendments, to the dismay of many members of the community.

Technical amendments could have been included in this particular amendment. Without including them, the government is referring amendments to the committee to say that they are consulting without actually consulting on changes that the community believe are very substantive changes. It is ironic that technical amendments which are meant to be minor in nature can be the most substantive but are not referred to the committee.

I have spoken in this place many times about the need for consultation with the community. Again, in my briefing with the directorate, I asked them who they consulted with outside of government, but I was told that there had not been any consultation taking place. I once again remind the minister of the importance of

communication with people in the community by those in the know, those who work in this area, who may be better placed to understand if there may be unintended consequences of these changes.

Despite these minor comments, we support the bill in the hope that it provides certainty around the storage of dangerous substances, that it reduces red tape and that it allows for better consultation. I thank the minister and his directorate for bringing these changes forward. I would also like to thank the minister and his office, and the directorate, for their timely and informative briefing and for answering our questions on the matter. I look forward to supporting this bill and the amendments that are being circulated.

MR RATTENBURY (Kurrajong) (10.58): Madam Speaker, the Greens will be supporting the Planning and Development Amendment Bill, the amendments presented by Mr Gentleman, and some of the other amendments which we will discuss in due course. We believe they make important improvements to three aspects of our planning processes.

The first aspect is the inclusion of a planning assessment framework for the storage of hazardous materials on a property. Planning assessments for new development applications do consider the presence of dangerous substances on that site. However, there is currently a gap with regard to warehouses that have already been through the planning approval process but then change the make-up of what is being stored on site to include hazardous materials. In these cases, the presence of hazardous materials on the site was never considered as part of the original planning approval. This bill introduces a section to trigger a new assessment under these circumstances so that planning authorities can introduce new protections where necessary to ensure that those substances are being stored safely.

Under the new legislation, the planning and land authority must be notified, and a development approval is required in relation to the storage of dangerous substances on site. The DA is assessable in the impact track and is subject to an EIS, unless the planning and land authority produces an environmental significance opinion, an ESO, to say this is not required. The new provision only applies to sites that are registrable premises because of the quantity of dangerous substances proposed to be stored there.

The requirement for a DA in these circumstances is in addition to the existing regulations under the Dangerous Substances Act. This is important because the DA process takes into account the suitability of the site and its proximity to residential areas and community facilities such as childcare centres. In these circumstances it is appropriate to review the storage of dangerous substances from a planning perspective to ensure that the necessary safeguards are in place to avoid any risk of injury or loss of life. This new provision is a result of recommendations from the review of the 2011 Mitchell chemical fire, and I am pleased to see the government taking these recommendations on board. It is important that we put in place the necessary precautions so that this kind of event can be avoided in the future and we learn the lessons from that incident, one that caught many people by surprise but did provide us with some salient points to focus on as a result of that experience.

The second aspect of this bill relates to the need for an impact track assessment and an EIS for developments that occur on contaminated sites. Currently the act rightly requires these proposals to go through the highest level of impact assessment due to the potential risks associated with contaminated land. However, there are some scenarios where the proposal's impact is likely to be relatively minor, and in these circumstances the requirement for an EIS is disproportionate and overly burdensome.

The new section proposed in this bill provides for greater flexibility in these situations by allowing the proposal to be assessed in the merit track if the planning and land authority produces an environmental significance opinion saying that the proposal is not likely to have a significant adverse environmental impact. The example that has been put forward as part of the debate is a proposal to erect a sign on a site that includes contaminated land but where the proposed development is on the uncontaminated part of the block. In this case an ESO could confirm that the need to produce an EIS is disproportionate to the risk associated with the proposal, making the process faster and more efficient both for the proponent and for government.

Another example that has occurred to me in reflecting on this legislation is a bit of a historical one but is one that used to crop up regularly where we had sheep dip sites on rural blocks. You can imagine the large scope of a rural block; a sheep dip may well be in one corner of it and there may be a proposal to do something else a significant distance away. I think this would be another example where the presence of that old contaminated site, the sheep dip, would not impact on the proposed new development. That would be another example I could imagine being appropriate under this legislation.

The Greens believe that this measure balances the benefits of red tape reduction with the need to keep strong environmental protections in place for proposals that would impact on contaminated sites. While the default remains that developments on contaminated sites should be assessed in the impact track, the bill allows for a merit track assessment only if and when an ESO confirms that this is appropriate. The ESO is also a notifiable instrument which will ensure that there is adequate transparency in the assessment process. The Greens will be supporting this change because it introduces a red tape reduction, but not at the expense of environmental oversight.

The third and final aspect of this bill is a parliamentary agreement item. I will only touch on it briefly, as Ms Le Couteur will expand further on the point later in the debate. This section changes the process for draft Territory Plan variations so that the minister is required to refer the draft variation to the appropriate Assembly committee for consideration. In line with the amendment that is going to come forward, the committee will then have 20 days to decide whether a report on the proposal is required; if so, the minister must wait up to six months for the committee to report before the draft variation can be progressed. This will provide an opportunity for greater scrutiny and transparency of Territory Plan variations, and it will allow the community to be involved in these decisions through the committee process. This is about making sure that planning decisions are being made in the best interests of the community, and the Greens are pleased to be supporting this change.

Planning and development have a great impact on the sustainability and livability of our city. Each of the changes proposed in this bill is about making sure that our planning system anticipates and responds appropriately to some of the many complex situations that can arise as our city grows and evolves. Whether it is improving regulation and safety requirements for storing dangerous substances, improving the efficiency of assessing development applications or increasing the transparency and consultation around Territory Plan variations, each aspect of this bill aims to make our planning system more coherent and accessible for ACT residents. I thank Minister Gentleman and his staff for their work in developing these changes, and the Greens will be supporting the bill as amended.

MS ORR (Yerrabi) (11.04): I rise in support of the Planning and Development Amendment Bill 2017. I will be talking about the amendments made by the bill in relation to the assessment of development proposals involving land on the contaminated sites register. These amendments are a red tape reduction measure. Presently all development applications on land on the contaminated sites register must be assessed in the impact track and an environmental impact statement prepared.

In a nutshell, the bill removes this automatic requirement for developers to get an environmental impact statement when they can demonstrate that the work they want to do on the site will not disturb the soil or impact on the environment in a significant way. Instead, the proposal will be able to be assessed using the lower regulatory burden of an environmental significance opinion. The planning and land authority will be the entity that provides the environmental significance opinion.

I would first of all like to talk briefly about the contaminated sites register. Section 21A of the Environment Protection Act 1997 establishes the register of contaminated sites. Sites are included on the register if the Environment Protection Authority requests a review of an assessment of contaminated land by an approved contaminated land auditor or if it has received notification of the need for an audit from an approved auditor. A site can only be removed from the register once it has been assessed, remediated if necessary, and independently audited as suitable for the proposed land use and no ongoing management is required.

I am informed that there are presently 161 sites on the register, which can be accessed on the ACT government website. There is also a contaminated sites environment protection policy, which is administered by the EPA and contains information relating to the assessment and remediation, including management of contaminated land, and aims to minimise the risk of adverse impacts of contaminated land on the environment and human health. As you can see, Mr Assistant Speaker, the government takes very seriously the issue of contaminated land and has processes in place to ensure the protection of the environment and human health.

I now turn to the amendments made by the bill. Item 7 of schedule 4 of the Planning and Development Act requires any development proposal on land on the contaminated sites register, regardless of the proposal's potential impact or whether it engages the contaminated land, to be assessed in the impact track and an environmental impact statement prepared unless an environmental impact statement exemption applies.

An environmental impact statement is the highest level of impact assessment under the Planning and Development Act. While careful assessment of development proposals on contaminated land is a priority, it has become apparent that the regulatory burden associated with preparing an environmental impact statement may not always be appropriate for the relatively minor issues that can arise from consideration of a development proposal on a contaminated site.

For example, a development proposal to erect a sign on a block containing contaminated land is automatically placed into the impact track by operation of the schedule 4 trigger and requires an environmental impact statement to be prepared. A sign is usually a very minor development and may not even impact, or be located on, the part of the site which contains the contamination. Requiring an environmental impact statement in these circumstances may be an unnecessary regulatory burden.

In an effort to cut red tape and reduce unnecessary regulatory burden, the government came to the view that the best way forward was to permit a proposal to be taken out of the impact track if an option is provided by the Planning and Land Authority to the effect that the proposal will not have a significant adverse environmental impact. It is the government's view that this process ensures that proposed developments on contaminated land will be properly and carefully scrutinised but in a way that is not unnecessarily burdensome for proponents.

Mr Assistant Speaker, this is not something new. This sort of process is already available under the Planning and Development Act. Under schedule 4 of the act, a proposal impacting on an endangered species or the clearing of more than half a hectare of native vegetation can be taken out of the impact track if the Conservator of Flora and Fauna provides an environmental significance opinion indicating that the proposal is not likely to have a significant adverse environmental impact.

Similarly, a proposal involving a heritage place or object can be taken out of the impact track if the Heritage Council produces an environmental significance opinion that the proposal is not likely to have a significant adverse impact. As you can see, Mr Assistant Speaker, the process proposed by the bill is something that has already been in practice for some time now and has been accepted by industry and the community.

However, it is important to note that development proposals on contaminated sites could still require assessment in the impact track if they trigger any of the other items in schedule 4 of the Planning and Development Act. For example, a development proposal might require an environmental impact statement if it was likely to result in significant impacts on protected matters, such as a matter of national environmental significance. Likewise, if a particular recycling facility was proposed, it might also be captured by one of the waste management triggers in schedule 4 and require an environmental impact statement. The specific clauses of the bill that set up the new processes are clauses 15 and 12.

Clause 15 amends item 7 of schedule 4 to provide that the impact track does not apply to a development proposal involving contaminated land if the Planning and Land

Authority produces an environmental significance opinion indicating that the proposal is not likely to have a significant adverse environmental impact. Clause 12 of the bill substitutes a new section 138AA(1)(b) to permit an environmental significance opinion to be applied for in relation to item 7 of schedule 4. If the environmental significance opinion is provided, the development will be assessed in the merit track or may even be exempt development if the criteria are met. This process is the same as applies for other impact track matters where an environmental significance opinion is provided.

In preparing the environmental significance opinion, the planning authority is required by clause 13 of the bill to consult a number of entities. Those entities are the Work Safety commissioner, the Environment Protection Authority, the emergency services commissioner, the Director-General of ACT Health and, if an area neighbouring the ACT is affected, the council for that area.

In conclusion, the proposed amendments are a red tape reduction measure. An environmental significance opinion is a less onerous and quicker process than preparing an environmental impact statement, but it is considered a process that provides for proper and adequate oversight of the environmental impacts of a proposed development on contaminated land.

Clause 13 of the bill requires the authority to consult a number of entities in preparing the environmental significance opinion, including the environment protection order. It is the government's view that the bill provides a more appropriate process for the assessment of development proposals on contaminated sites. It is also an example of the government keeping a careful eye on how the planning processes are working out in the real world and making adjustments to the legislation as and when required, to reduce red tape. I commend the bill to the Assembly.

MR GENTLEMAN (Brindabella—Minister for Police and Emergency Services, Minister for the Environment and Heritage, Minister for Planning and Land Management and Minister for Urban Renewal) (11.12), in reply: I thank members for their comments and their input on this bill. As we have heard, the bill amends the Planning and Development Act 2007 to implement three measures. I will summarise these and talk about two of the measures in detail. Ms Orr has already detailed the third measure.

One set of amendments provides a planning assessment framework for the storage of dangerous substances, as recommended by the review of the 2011 Mitchell chemical fire. I am sure everyone remembers that fire. The government undertook an investigation after the fire. The amendments are based on the recommendations of the report on the fire done by Lloyd's Register Rail Ltd on 30 July 2012.

The second set of amendments is a red tape reduction measure. Presently, all development applications involving land on the contaminated sites register must be assessed in the impact track and an environmental impact statement, otherwise known as EIS, must be undertaken. The bill removes this automatic requirement for developers to get an environmental impact statement when they can demonstrate that the work they want to do on the site will not disturb the soil or impact on the

environment in a significant way. Instead, the proposal will be able to be assessed using the lower regulatory burden of an environmental significance opinion. The planning and land authority will be the entity that provides the environmental significance opinion.

The third set of amendments made by the bill requires all draft variations to the territory plan to be referred to the relevant Legislative Assembly committee and for the committee to decide whether it will inquire into the variation. This measure removes the current discretion of the minister to refer or not to refer a draft variation to the committee. At this point I confirm that there will be minor amendments to the bill, as we have heard, in relation to these amendments to the Territory Plan variation process. I will refer to these in more detail shortly.

First of all, I would like to talk about the new planning assessment framework for the storing of dangerous substances and then the amendments requiring a draft Territory Plan variation to be referred to the relevant Assembly committee. The bill closes a loophole whereby a warehouse can be used to store dangerous substances without proper planning consideration on the site's suitability. The measure requires development approval for the storage of dangerous substances above a specified level. A development application will then be considered with regard to the Territory Plan and criteria in the planning legislation, including issues relating to the nature of the surrounding area, particularly its proximity to residents, childcare centres and schools. Businesses storing small amounts of chemicals, such as pool cleaners, will not be caught by this bill.

In addition, I would like to emphasise that this set of amendments will be commenced by notice to allow for a period of six months of consultation with industry and the community by the planning and land authority about the new provisions. At the moment the storage of dangerous substances may commence on a site without the need for a planning assessment if the storage is consistent with the terms of the relevant lease. For example, a warehouse may transition from storing soft drinks to storing dangerous substances without consideration of the site's suitability in relation to its surroundings or notification to the planning and land authority. This is because current planning approval only applies to physical on-site works or changes to a lease such as the actual construction of a warehouse or the addition of a new use to a lease.

There are over 800 leases in industrial zones of the ACT that permit warehousing and storage and there are also leases in other zones, such as commercial zones, that allow these uses. There is potential for the storage of dangerous substances to commence at any of these sites without requiring planning approval. Some of the industrial sites are within 100 metres of residential areas and community uses such as childcare centres. For these reasons it is the government's view that the storage of dangerous substances in the territory needs to be more proactively and appropriately regulated from a planning perspective to help minimise the risk of another Mitchell fire scenario occurring.

The primary policy outcome the government had in mind was to ensure that the planning process was activated only when the number of dangerous substances was sufficient to require planning approval. We did not want to regulate, for instance, pool

shops that store pool chemicals or hardware stores storing chemicals such as weedkillers. In setting this threshold, consideration was given to the relevant operation of the Dangerous Substances Act 2004 and the Dangerous Substances (General) Regulation 2004. The dangerous substances legislation provides for a hierarchy of substances that require certain levels of regulation, depending on the level of danger present.

I would now like to go into some detail about these amendments. The first point that I would like to make is that this bill makes the storage of dangerous substances an action that requires a development application and approval under the Planning and Development Act. The bill does this through an amendment to existing section 134 of the act. In essence, existing section 134 exempts the use of land, as opposed to bricks and mortar construction, from requiring development approval provided the use is authorised by a lease and provided the use is not associated with new physical construction itself requiring approval. The exemption in the act has the effect that merely changing what is stored on premises does not require development approval.

Clause 9 of the bill inserts a new section 134(3A) that removes this exemption in the circumstance when a lessee wants to begin storing a dangerous substance at or above a specified quantity. Development approval will be required even if the proposed storage is a use that is authorised by the relevant lease. For example, where a lease has an authorised use of storage and stores soft drinks on the site and the use is changed to storing dangerous substances at or above the specified quantity, a development approval will be required to store the dangerous substance. This allows the site, such as a warehouse in an industrial area, to be assessed from a planning perspective as to the suitability of the premises being used to store a dangerous substance rather than soft drinks.

The specified quantity or threshold that I refer to is what new section 134(3A) refers to as the “placard quantity”. The concept of the placard quantity is based on a hierarchy of regulation in the dangerous substances regulation 2004. Specifically, this requirement applies to storage of dangerous substances at or above the placard quantity, as defined in section 204 of the dangerous substances regulation. Section 208 of the dangerous substances regulation requires premises that store the placard amount of dangerous substances to be registrable premises. A number of other requirements also apply, including the requirement to have the premises identified through a placard. Schedule 1 of the regulation sets out what is the placard amount for each type of dangerous substance.

As the placard quantity amount is considered to be the appropriate level at which the premises needs to be registered under the dangerous substances legislation, this is considered to be the appropriate threshold for planning matters to be engaged. Storage of dangerous substances below the threshold provided by section 208 of the Dangerous Substances Regulation will be dealt with under the existing planning scheme. For example, a vet storing chemicals for the purposes of a business would be covered by a development approval to use the premises as a veterinary surgery.

The other key reform in relation to dangerous substances relates to the assessment track that will apply to any development application for approval of storage of

dangerous substances at the placard quantity. Schedule 4 of the Planning and Development Act sets out the type of development that must be assessed in the impact track and involve the production of an environmental impact statement. Clause 14 of the bill inserts a new item 11 into schedule 4. This new item requires a development proposal that involves the storage of dangerous substances at or above a placard quantity to be assessed in the impact track, subject to certain exemptions which I will refer to shortly.

As I noted earlier, there are a number of exceptions to this. The impact track will not apply if the proponent applies for and obtains an environmental significance opinion from the relevant agency to the effect that the proposal is not likely to have a significant environmental impact. In this case, the relevant agency is the planning and land authority itself. An application for an environmental significance opinion in this matter, as for other existing matters, will require an application in writing to the agency, under section 138AA of the act. Clause 12 of the bill amends the existing section 138AA to include this new item as a matter that may be progressed in this way.

Once an application is made, the agency must provide an opinion as to whether it concludes that the proposal is or is not likely to have a significant environmental adverse effect or impact. In making the assessment in this case, the relevant agency is required to consult with a number of entities. This is the effect of clause 13 and new sections 138AA(3) and (4), which list the entities that the planning and land authority must consult when preparing an opinion. The list includes the Environmental Protection Authority and the Work Safety Commissioner, among others. I would also note that the environmental significance opinion is a notifiable instrument and so will be publicly available.

Mr Assistant Speaker, there is a further exemption to this requirement. This exception is of a transitional nature. This requirement will not apply to existing storages of dangerous substances, provided the relevant premises are registered on the placard quantity register, as required by the Dangerous Substances Regulation, before the relevant date. I referred to clause 9 earlier as the clause that removes the standard use exemption from the storage of dangerous substances at the placard quantity. The new section 134(3A), inserted by clause 9, specifically provides that this measure will not apply to operations that already store dangerous substances at the placard quantity, provided the relevant premises are in fact on the register by the relevant date. The relevant date is the date of commencement of clause 9.

The intention is for clause 9 and the related provisions to commence by notice six months after the notification of the amendment act. This transitional exception is in place to ensure that there is not an unacceptable level of uncertainty imposed on existing business operations. This will also result in a situation where continuing an authorised use on a site will not require development approval to continue storing the placard quantity of a dangerous substance. This is because these storage sites are already appropriately regulated, as they are known sites registered under the Dangerous Substances Regulation. This approach also avoids any issues of retrospectivity in applying the new provisions in the bill.

Clause 9 of the bill also means that those who are storing certain quantities of dangerous substances and have not registered the premises by the time the amendments commence will be required to lodge a development application to continue storing the substances. This result is necessary to ensure that such storage is known and regulated and is considered fair and appropriate, given the proposed transitional period of six months.

The government is of the view that the bill is a considered and reasonable way of monitoring from a planning perspective the storage of certain quantities of dangerous substances to ensure the safety of the community. I would like to repeat, because I think it is important, that those parts of the bill that relate to the new planning assessment framework for dangerous substances will be commenced by notice, so the government has a period of six months to make industry and the community aware of the new provisions before they commence.

I would now like to turn to the third set of amendments made by the bill that relate to the referral by the minister of the draft Territory Plan variations to the relevant committee of the Legislative Assembly. (*Extension of time granted.*)

At present, after public consultation but before the draft variation to the Territory Plan becomes a Territory Plan variation, section 73 of the Planning and Development Act provides discretion to the minister to refer a draft variation to the appropriate Legislative Assembly committee. If the minister refers a draft variation to the committee, the minister may not take action in relation to the draft variation until the committee reports on the draft variation, or six months has passed since the draft variation was referred to the committee.

In accordance with the parliamentary agreement of the Ninth Legislative Assembly, clause 4 of the bill amends section 73 to replace the minister's discretion to refer a draft variation to the committee with a requirement that the minister must refer the draft variation to the appropriate committee within five working days after the day the public availability notice for the variation is notified. New section 73(3), inserted by clause 4, requires the committee to tell the minister within a specified number of days after the draft plan is referred to the committee whether or not it will prepare a report on the draft variation. If the committee does not notify the minister that it will be reporting on the draft variation, then clause 5, new section 73A, permits the minister to exercise their powers under section 76 of the Planning and Development Act and approve the draft variation or refer it back to the planning and land authority.

Mr Assistant Speaker, if the committee notifies the minister that it will be reporting on the draft variation within the required time, the minister will not be permitted to take action in relation to the draft variation until either the committee reports on the variation or six months has passed since the referral to the committee, whichever is earlier, as is currently the case under the Planning and Development Act. The obligation to refer draft variations to the committee will not apply to special variations, nor to technical variations under part 5(4) of the Planning and Development Act, as these amendments are minor in nature.

At this point I turn to the proposed amendments related to these provisions referred to earlier. The first area of amendments relates to the scenario in which the minister refers a draft variation to the relevant committee of the Assembly and the requirement for the committee, under the new section 73(3), to notify the minister as to whether it intends to report on a variation.

As it stands, new section 73(3) requires the committee to notify the minister of its intention within the 15 working days. I understand that this period of 15 working days has been the subject of some discussion with the office of Ms Nicole Lawder MLA and also of Ms Caroline Le Couteur MLA. I acknowledge concerns raised as to the practicality of the period and note that the amendments will increase this period from 15 working days to 20 working days. The small extension is in keeping with proposed mechanisms in the bill and as such is only a minor amendment. I thank members for the discussion on that particular issue.

I now turn to the second area of amendments to the bill. This also relates to the bill's provisions on the Territory Plan variations. The government amendment relates to the time period in which the Assembly committee must report on a draft variation if the report is, in fact, undertaken. The default period for completing the report is six months. If the minister does not receive a report in this time, the minister can proceed to approve the variation and present it to the Assembly.

Under the existing act, there is scope for the minister to request a reporting period of less than six months but not less than three months if the variation is related to light rail and the minister is satisfied that the shorter period will minimise risk of delay to the development of light rail. The option of the shorter reporting period for variations related to light rail has been carried over into the amendment bill in the new context of mandatory variation referrals. Unfortunately, the new provisions on light rail, in their new location, do not sufficiently mirror the existing ones. This is contrary to the government's intention to make no substantive changes.

Government amendment No 1 amends clause 4 by inserting new sections 73(2A) and 73(2B). The effect of these new sections is to ensure that the existing approach to light rail variations is unchanged but for the mandatory referral of these and other variations. In particular, the amendment restores the express mention of the factors that the minister must be satisfied on before requesting the committee to report in the shortened period.

I note at this point that government amendment No 4 amends a cross-reference in the new section 75(1)(c)(i) inserted by clause 7. This is a consequential amendment only. Government amendment No 1 is minor in nature because it is consistent with the existing framework in the bill, which already includes the possibility of a shortened reporting period in relation to light rail of not less than three months. The amendment does not add a new mechanism or limitation but confirms the criteria on which a shortened reporting period can be requested, consistent with the existing act—criteria which the minister would arguably need to have in mind, of course, in making such a request in any event.

Mr Assistant Speaker, to return to the bill as a whole, this is a relatively small bill but a very important one. It improves the safety of the community by introducing new planning requirements for the storage of dangerous substances if the quantities are sufficient to be a potential hazard to the community and the environment. The amendments relating to contaminated land reduce red tape without compromising the scrutiny of environmental impacts of a proposal involving contaminated land or a reduction in public safety. The compulsory referral by the minister of the draft Territory Plan variations to the relevant committee of the Assembly honours a government agreement. I commend the bill to the Assembly.

Question resolved in the affirmative.

Bill agreed to in principle.

Detail stage

Clauses 1 to 3, by leave, taken together and agreed to.

Clause 4.

MR GENTLEMAN (Brindabella—Minister for Police and Emergency Services, Minister for the Environment and Heritage, Minister for Planning and Land Management and Minister for Urban Renewal) (11.33): Pursuant to standing order 182A(b), I seek leave to move amendments to this bill that are minor and technical in nature.

Leave granted.

MR GENTLEMAN: I move amendment No 1 circulated in my name [*see schedule 1 at page 3919*]. I table a supplementary explanatory statement to the government amendments. This amendment inserts, as we have discussed, new section 73(2A) and 73(2B). New section 73(2A) sets out the circumstances in which the minister may request the committee to report on a light rail related draft Territory Plan variation within a period that is shorter than the standard six-month period. New section 73(2B) gives the minister the power to request the committee to report within a period of less than six months.

Amendment agreed to.

MS LAWDER (Brindabella) (11.34): I move amendment No 1 circulated in my name [*see schedule 2 at page 3920*]. As we alluded to in our speeches earlier, I have moved this amendment because I do not believe 15 working days is sufficient for the workings of the committee. In general terms it may be, but in some instances it would be difficult for the committee to meet the 15 working days deadline—for example, over the Christmas break, when there may be a number of members away, or even during the July period, when there are estimates committee hearings over many days and, again, a number of members may be away. More recently, as an example, in the 31 days in August, we had three sitting weeks and then another week when quite a

number of members were interstate on Assembly and other business. It would have been difficult for the committee to meet in that time frame. I believe everyone is in agreement that we will change it from 15 to 20 working days, so I commend the amendment to the Assembly.

MS LE COUTEUR (Murrumbidgee) (11.36): I rise to support both the bill as a whole and Ms Lawder's amendment, and I will speak about why we are making the changes to require all Territory Plan variations to be referred to the appropriate committee. As Minister Gentleman mentioned, this is a parliamentary agreement item. The reason the Greens felt this was important enough to have as a parliamentary agreement item was that we felt it should not be up to the minister to decide whether or not something was important enough, interesting enough or controversial enough for the community to want to have full and proper consultation on it. We thought that the committee would be in a better position to make that sort of judgement than the minister.

One of the other reasons why we felt it had to be done was the very poor record of the previous Assembly. I have just had my office do a quick count, and in the previous Assembly there were over 30 Territory Plan variations approved. However, there were only four actual inquiries done—on Mr Fluffy, light rail, the Reid bus layover and the Cooyong Street urban renewal area. Not having been a member of the previous planning committee, I have no idea how many of them were referred to the planning committee and the planning committee said no, it did not want to look at them, and how many the minister simply did not refer. It does seem to be a fairly poor record that only four variations out of 30 were looked at in the previous Assembly. I will admit to being a submitter on one that was looked at by the planning committee—the Mr Fluffy one—and on another which the planning committee did not look at, the Riverview Ginninderry one.

Talking more broadly about amendments, I also note the comments that Ms Lawder made about technical amendments. This is an area that could potentially be misused and has been misused. I draw to members' attention the fact that I have sitting on the notice paper a bill about technical amendments. I certainly think that work needs to be done on technical amendments so that we do not inadvertently or even advertently—I am not sure what has happened in all cases—have things that are probably not technical amendments being passed as technical amendments. My legislation on the notice paper says that if it is controversial then it is not a policy or error correction and thus cannot be a technical amendment.

Going back to what I was talking about before, public consultation is particularly important on Territory Plan variations for two reasons: (1) by definition, if it is a Territory Plan variation, it is a significant change of some sort; and (2) a lot of Territory Plan variations cover the whole of Canberra. For these, in many instances, public consultation is hard to organise. The current Territory Plan variations in this vein are the ones about end-of-trip facilities and active living. They are both good Territory Plan variations and important subjects, but, because they cover everybody, you cannot put up a notice so that everyone who will be affected will see it; thus many people who are affected do not get to see it.

I also support Ms Lawder's amendment which seeks a change from 15 to 20 working days. I echo what she said about the workability or otherwise of the 15 days and that 20 days would be a much more workable amount of time for all concerned. Thank you, Ms Lawder, for your amendment, and thank you, Minister Gentleman, for implementing this parliamentary agreement item.

MR GENTLEMAN (Brindabella—Minister for Police and Emergency Services, Minister for the Environment and Heritage, Minister for Planning and Land Management and Minister for Urban Renewal) (11.40): I thank members for their contributions. As I discussed earlier, this amendment is about the requirement for 15 working days, which has been the subject of discussion between my office, Ms Lawder's office and Ms Le Couteur's office. I want to thank my staff for the work they have done, as well as directorate officials, in ensuring that this is agreed to.

Amendment agreed to.

MS LAWDER (Brindabella) (11.41): I move amendment No 2 circulated in my name [*see schedule 2 at page 3920*]. It is consequential to the previous change and it is for the same reasons.

Amendment agreed to.

Clause 4, as amended, agreed to.

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

Clause 7.

MR GENTLEMAN (Brindabella—Minister for Police and Emergency Services, Minister for the Environment and Heritage, Minister for Planning and Land Management and Minister for Urban Renewal) (11.42): I move amendment No 4 that has been circulated in my name [*see schedule 1 at page 3919*]. Government amendment 4 changes a cross-reference in new section 75(1)(c)(i) inserted by clause 7 as a consequence of government amendment No 1. The new cross-reference is to section 73(2B), which permits the minister to request a report within a period of less than six months for a light rail related variation but only in the circumstances set out in new section 73(2A), also inserted by government amendment No 1. Essentially, a draft plan variation must be related to light rail and the minister must be satisfied that the shorter period will minimise the risk of delay to the development of light rail.

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.

Crimes (Food or Drink Spiking) Amendment Bill 2017

Debate resumed from 24 August 2017, on motion by **Mr Ramsay**:

That this bill be agreed to in principle.

MR HANSON (Murrumbidgee) (11.44): The Canberra Liberals will be supporting this bill, but we will be expressing a note of caution on one aspect as well. Firstly, as to the reasons that we support the legislation, I will go to the Attorney-General's tabling speech. He said:

The new legislation in this bill creates a more comprehensive statute that ... criminalises giving people a substance with the intent to cause harm.

The last part there, "intent to cause harm", is very important, and I will address it in more detail later. But it does identify the shortcoming in the current law that this bill seeks to address.

The bill follows some recent cases which have shown that existing laws can be difficult to apply. Research shows the full extent of the problem; these are, unfortunately, not isolated incidents. The Australian Institute of Criminology report referenced in the explanatory statement to the bill shows an estimated instance of up to 4,000 cases of drink spiking in Australia. Four out of five victims were found to be female, and a third of those cases had been linked to sexual assaults. That is the nature and extent of the problem. Clearly a solution is needed. The Model Criminal Law Officers Committee, part of the Standing Committee of Attorneys-General, developed a report that noted a legislative gap and recommended that jurisdictions create the legislation to address this issue. The report recommended a broad approach, and it noted that food or drink spiking can take place in a number of different ways. This bill in large part reflects the recommendations of that report.

The operative clauses create two new categories of offence. The first offence is when a person gives or causes another person to be given food or drink, or causes another person to consume food or drink, and the food or drink contains an intoxicating substance, and the person is not aware that the food or drink contains the intoxicating substance, and the person intends a person to be harmed by the consumption of the food or drink. The second clause is about when the food or drink contains more of an intoxicating substance than the person would reasonably expect it to contain, and the person intends a person to be harmed by the consumption of the food or drink. The maximum penalty for these offences is 500 penalty units, or imprisonment for five years, or both.

The bill also includes some important definitions. "Impair" includes "further impair". "Intoxicating substance" includes any substance that affects a person's senses or understanding. It can be seen by these definitions that the legislation is attempting to capture the many ways that spiking can or may occur, but in each case it must be done with the intent to cause harm.

As I stated, the “intent to harm” element in this legislation is an integral part of the offence and an important part of protecting against misuse. This intent to cause harm is so important in this bill that I want to place certain matters on the record. First, the definition of “harm” in the bill is as follows:

harm, to a person, includes impairment of the senses or understanding that the person might reasonably be expected to object to in the circumstances.

That is from section 28AA of the bill. The main substantive change in this legislation is that the entire offence will be made out when a person administers a substance, or more of a substance, with the intent to cause harm, whether actual harm was committed or not. As the explanatory statement notes:

The offence is committed whether or not the harm actually occurs.

This does raise matters which need careful consideration and note. This section creates a criminal offence, one with the serious penalty of up to five years imprisonment. We should not be doing this lightly. It is the intent to cause harm provision that offers protection against misapplication. It is a matter which the Canberra Liberals are alive to and support. As the explanatory statement notes:

As with the model offence, the offences proposed in the Bill are not intended to capture behaviour that is a normal part of Australian social life and is not intended to cause harm. Because the new offences require a fault element of intention to cause harm, people providing extra alcohol in drinks provided to their friends would not be covered by the new offences. The definition of harm in the Bill includes impairment of the senses or understanding that the person might reasonably be expected to object to.

I note that the defences available in the Criminal Code 2002 will also apply, including that if a person makes a mistake of fact they will not be criminally responsible. The bill also creates a specific defence for medical practitioners who give an intoxicating substance in the course of practising the health profession. Therefore, there is a legitimate balancing of the aim the bill purports to deliver—that is, to effectively protect against a current and all too frequent offence—and the risk of over-application.

The balance of this has been the subject of debate during our consultation, with the Law Society and the Bar Association noting that, if criminal sanctions are to be created, care needs to be taken with drafting. I note their concerns and I thank them for their input in our consideration of this bill. I formally recognise their input into this debate. However, after our discussions, and the assurances of the government that the intent is not to be so broad as to be draconian but to be wide enough to be effective, we will be supporting the bill, noting the concerns that the Bar Association and the Law Society have raised. But we will be watching the application of these laws with those concerns foremost in our minds.

In conclusion, the tabling speech sums up the legislation. The attorney stated:

These new provisions will allow police, prosecutors and the courts to focus more on the facts of alleged drink spiking cases and less on legal technicalities about which statute should be applied.

That is a goal and a method that we should support.

I would like to thank those who have assisted in our consultations, including the Law Society, the Bar Association, the Human Rights Commission and the Victims of Crime Commissioner, as well as the Attorney-General's office. During all those discussions, the most important consideration was the protection of victims. I trust that this law will assist all those who suffer from these sorts of crimes. As I said, the Canberra Liberals will be supporting this bill.

MR RATTENBURY (Kurrajong) (11.52): The Greens will also be supporting the Crimes (Food or Drink Spiking) Amendment Bill 2017. And we will continue to support other efforts to increase safety for those enjoying Canberra nightlife, such as the CBR NightCrew program, which provides water and roving safety patrols in Civic to help keep Canberrans safe at night.

It is important that the community gets a strong message that spiking food or drink is not acceptable and is in fact a criminal offence. We know that it is hard to prove, especially if the spiking is with additional alcohol. That is why I am particularly pleased that the need to prove intent of further offending is not required, that it simply is an offence in and of itself to spike someone's food or drink, regardless of whether there is an intention to assault or not, if harm is caused. Harm, for this purpose, includes an impairment of the senses or understanding that the person might reasonably be expected to object to in the circumstances. The definition of harm is broad, as perhaps it must be, to allow for a range of currently un-codified or disputed offences to be captured by the amendment.

Sometimes there is no intent on the part of the spiker or spikers to commit any further crime other than to see what the effect of the substances will be on the victim. Whilst this may be considered a prank, and most "prank spikers" would not consider their actions to be criminal or to constitute an assault or actual harm, this legislation provides for the possibility of prosecution if the spiking results in impairment or further impairment of the senses of the victim.

It is no surprise that four out of five, which is the vast majority, of victims of food or drink spiking are female. Spiking of drinks is a well-known tactic for the perpetration of sexual assault and/or date rape. Law enforcement agencies will also attest to the fact that a majority of cases or complaints brought to them do not usually involve illicit substances or these substances on their own; it is most usually a case of unwitting consumption of alcohol.

We have an obligation to ensure that we have effective prosecution and punishment of offenders, because their behaviour is simply unacceptable. This legislation protects an individual's right to safety both in and outside of the home. With this legislation, it is clear that any drink spiking, whether with alcohol or other substances, with intent to cause harm will be a criminal offence.

In order to help the community understand these laws better, and to support people to understand that these are in fact quite serious offences with serious potential penalties,

I do think it will be necessary that the relevant area of Justice and Community Safety consider some community promotion activities and possibly some direct communication with a range of services. I also think there would be scope for working with our local bars and pubs on these changes.

As Mr Hanson rightly identified, there are serious consequences in this legislation. We certainly believe there should be; we believe this is a serious social problem that warrants a response under the criminal law. But in bringing in such a serious offence, we need a degree of awareness-raising about this. I think there would be a number of avenues that we could think about to pursue that, and I would be pleased to see the Justice and Community Safety Directorate give some strong consideration to how that might be done. I am particularly mindful of our younger students as they come through the programs that cover similar areas, whether they might include a component there. I will simply leave that thought as part of this debate, but I think there is great value in ensuring that members of the community understand their rights and obligations around drink spiking.

What I would say at the end of this discussion is that if you suspect you are a victim, you should be supported to understand that there is legal recourse available to you. This law may also go some way to changing the attitudes and behaviours of the negative aspect of our heavy binge-drinking culture. It is not okay to try to reduce somebody's capacity to make decisions by simply plying them with alcohol. This legislation makes it clear that that is a crime, that it has serious consequences. I thank the Attorney for bringing this bill forward. It is an important protection for people in our community who otherwise might be taken advantage of. The Greens are pleased to support this legislation.

MS BERRY (Ginninderra—Deputy Chief Minister, Minister for Education and Early Childhood Development, Minister for Housing and Suburban Development, Minister for the Prevention of Domestic and Family Violence, Minister for Women and Minister for Sport and Recreation) (11.56): I am pleased to be able to support the passage of this bill that creates two new offences of food and drink spiking.

As the Minister for Women and the first ACT Minister for the Prevention of Domestic and Family Violence, I think that this is a very serious issue and all of us need to take it very seriously. These are offences which impact women at a higher rate in our community. As a government, we have committed as a priority to making our community safer. We are doing so through a whole bunch of different and new initiatives. We are asking our whole community to help us to do that. But sometimes we need to do more than just ask for it and patiently work towards behaviour change; sometimes we need to change the laws so that offences exist in legislation that protect the victims of food or drink spiking.

Research conducted in 2004 on drink spiking by the Australian Institute of Criminology found that in that year there were an estimated 3,000 to 4,000 incidents of drink spiking; one third of these incidents were linked to sexual assault; four out of five victims of drink spiking were female; about two-thirds to three-quarters of incidents occurred at a licensed premises; and the vast majority of victims were aged under 34 years.

Based on these findings, we know that younger women are at greater risk of drink spiking than any other members of our community. Interpersonal violence in any form is not acceptable in our community, and the government takes the issue of sexual assault seriously. Of course, not all victims of drink spiking are sexually assaulted, but we know that there is considerable under-reporting of the crime, which is common also in other forms of personal violence.

The Australian Institute of Criminology found that in 2002-03 between 60 and 70 per cent of drink spiking incidents involved no additional victimisation other than the act of drugging a person without their knowledge, and only one-third of incidents involved sexual assault. At present, it is difficult for police to lay an appropriate charge for drink spiking incidents. If the victim is not seriously or fatally injured or does not experience sexual assault, a suitable charge is not available.

Even where sexual assault is not involved, victims experience considerable distress from the incident. Commonly reported effects include memory loss, nausea, vomiting, lethargy, dizziness and unconsciousness. The new offences recognise the seriousness of being victimised in such a way. They address the gap in our legislation to ensure that all victims of drink spiking have access to justice.

The Canberra Rape Crisis Centre advised that alcohol is the substance that is mostly used in drink spiking incidents. The new drink spiking offence also covers circumstances where a person expects to be given a drink containing alcohol but is given a drink which contains more than the alcohol that was expected, if the person giving them the drink intended to cause them some harm. The Canberra Rape Crisis Centre is supportive of these new offences, as young women regularly seek support from the Canberra Rape Crisis Centre after a drink spiking incident has occurred.

Drink spiking causes victims to become traumatised in a compounded way. We all hear stories from people, mainly women, who have continually questioned themselves because they have either trusted someone to handle their drink and ended up the victim of an incident or, as is common, experience anxiety, regret and self-doubt about whether they actually were drugged or not. Victims are often unaware that the memory loss and other effects they are experiencing are a result of drink spiking. It is more difficult for victims of crime to overcome the trauma they experience if they are unaware of the details of the crime. The new offences will provide access to justice to victims to assist them to overcome trauma.

There are some challenges in the enforcement of a drink spiking offence. In 2015-16, 16 incidents involving drink spiking were reported to ACT Policing. It is likely that this offence is underreported, either due to the delay in victims realising that their drink was spiked or through victims not realising that their drink was spiked at all due to the high level of intoxication. If a victim is delayed in realising that their drink was spiked, they may miss the short time frame available to participate in medical testing to confirm drink spiking. Memory loss and unconsciousness may make it difficult for victims to participate in testing. To address this difficulty with collecting evidence, it is important that we continue to raise awareness about drink spiking across Canberra. The more aware of drink spiking the community is, the more likely it is that a person will attend a police station or a hospital if they suspect that their drink has been spiked.

These offences are part of a comprehensive approach to enhance women's safety in Canberra. The ACT women's plan 2016-26, tabled in the Assembly in August 2016, sets out the key directions and priorities for improving outcomes for women and girls living in the ACT. The priorities to be addressed over this 10-year period include health and wellbeing as well as safety. These new offences are designed to encourage anyone considering endangering the health or safety of a member of our community by spiking their food or drink to reconsider their actions.

These new offences are a step forward in addressing the different ways abuse is perpetrated against women and demonstrate the whole-of-government commitment to ending all forms of abuse. This bill sends a strong message that drink and food spiking is not acceptable in our community. I am pleased to commend the bill to the Assembly.

MS CHEYNE (Ginninderra) (12.03): Sadly, we all learn from a young age that we need to be sensible and take care when we head out for a night on the town. Catch up with friends, explore the city and have fun, but also watch how much you drink, make sure you have money for a taxi home and make sure your phone is charged. Young women in particular pick up the cues from their friends and family that they need to stay alert. It is a sad truth that I am sure every woman in this chamber can attest to and one which I wish was, and which should be, unnecessary. The onus should never have to be on the person going out having to watch out for themselves. Be prepared—just in case.

One of the darkest sides of our drinking culture is spiking. As women and as members of the community, we learn to watch out for that one too. Drink spiking is covert by its very nature and even the most vigilant can fall victim to it. Food and drink spiking is a complex issue, so we need to make sure we are tackling it from every angle. Cultural change is crucial. People must learn to always choose respect over manipulation. But cultural change is a slow-moving beast and we need to make sure that our legal framework can operate effectively to detect, deter and punish drink and food spiking in the meantime. The purpose of this bill is to amend our criminal law to better achieve this.

As we have heard, food and drink spiking is scarily prevalent in our community. I know these are statistics that have already been stated, but I think it is worth underlining them again and again. A 2004 report from the Australian Institute of Criminology estimated that there were between 3,000 and 4,000 cases of drink spiking from 2002 to 2003. The data is getting old now but it still serves as a startling reminder of how common drink spiking is, particularly considering it is a crime that suffers, as we heard from the Deputy Chief Minister, from chronic under-reporting. A 2007 report from the Standing Committee of Attorneys-General notes that there is no "typical" case of drink spiking. There is no standard when it comes to the location, victim, intoxicating substance used or motives of the perpetrators.

While many people may have read media reports about the use of Rohypnol or GHB, many cases of drink spiking are much more basic and much more common than we might think. The most common intoxicating substance used in spiking is actually

alcohol. It is either added to non-alcoholic drinks or more of it is added to alcoholic drinks than should be. Dr Bridget McPherson, formerly of RMIT, published her PhD on drink spiking in 2007. As part of her research she surveyed 805 people between the ages of 18 and 35 around Australia. Her findings are quite shocking. Dr McPherson reported that 43 per cent of drink spikers had added intoxicating substances to drinks “for fun”. I will say that again: individuals are intentionally trying to make others intoxicated, without their knowledge and against their will, for fun.

Drink spikers seem to be under a complete delusion when it comes to the severity of their actions. Twenty-nine per cent of perpetrators said they did not want to gain control of another person but thought it would “put people in the mood” for consensual sex. Perpetrators tended to believe that this sort of behaviour was acceptable. Let us be clear on this: spiking someone’s food or drink so that you can manipulate them to any degree is completely unacceptable.

The Australian Institute of Criminology report confirms that women are the main targets, accounting for 80 per cent of victims, and young women in particular. Twenty per cent to 30 per cent of reported cases, as we have heard, involved sexual assault and five per cent involved robbery.

I will quote from an editorial from the Tasmanian newspaper the *Examiner*, which I think sums it up very well:

The perpetrator either wants to rob the victim or cause them physical and emotional harm, such as sexual assault.

Drink spiking is never funny, even as a so called friendly prank. Just who, among your mates, is an expert in managing a substance-induced coma?

There will always be predators, in public places where alcohol is served, who are prepared to spike drinks in order to commit a crime, involving theft or assault.

It is difficult to anticipate a victim’s response. They could become seriously ill or even die. Everybody has a story about how a friend’s drink was spiked and had a bad reaction, or was spiked and was horrified at the clinical possibilities.

I am sure this is true right around the chamber, and I will share a story anonymously that I know of personally. A young man and two young women, university students, were out drinking. They had had a few drinks but they were not wildly drunk. The man and one of the young women were in a relationship and were drinking the same drink and may have easily been drinking each other’s drink. The young man became very ill very quickly, within 10 minutes, and blacked out. Not only was this very scary for the young man who, fortunately, woke the next day only with a loss of memory—still very serious but noting it could have been much worse—but also it was very scary for his girlfriend and friend, who themselves were put in very difficult positions for young people, in having to worry about his care and make decisions about what to do when they did not know exactly what to do and did not know exactly what was going on.

As I touched on before, we know that drink spiking is often a very gendered crime. In fact, Victoria's excellent Better Health website tells us—and the Deputy Chief Minister mentioned this before—that it is women who are under 34 who are most often the targets; women just like me. The Better Health website states:

Studies show that most victims are not aware of the dangers of drink spiking. For example, many victims do not think they are at risk of drink spiking. Travelling to and from a venue, particularly at night, is generally seen as a greater threat to personal safety than drink spiking. A victim may no longer consider an unknown person to be a stranger after talking to them for a while. They are then more likely to accept a drink from them.

Going back to how I started my speech, Australia's cultural approach to drink spiking places the burden on people who are trying to have a good time to be vigilant and to be watchful rather than deterring it from happening in the first place. If we do any search online about drink spiking, time and again it is all about "tips to protect yourself and your friends" when you are out, that you need to avoid being an easy target, and "safety suggestions". Here is an example from the Better Health website of some of their tips:

Party with trusted friends. Discuss how you will watch out for each other while at the venue.

Buy your own drinks. Watch the bartender prepare your drink.

Don't accept any drinks from strangers.

Accompany the person to the bar if you do wish to accept the offer of a drink from a stranger. Take the drink from the bartender yourself.

Be wary if a stranger buys you a drink and it's not the type of drink you requested.

Don't take your eyes off your drink. If you have to leave the table ... ask a friend to watch over the drinks.

Buy drinks that come in bottles with screw-top lids. Carry the bottle in your bag when you go to the toilet or have a dance.

Don't consume your drink if you think it may have been spiked. Discuss your concerns with the manager or host.

Tell the manager or host immediately if you see someone spike a drink or if you suspect that drink spiking may be occurring.

Those are a lot of instructions on how to have a good time. While they are good tips, and I certainly advocate responsible drinking and encourage responsible behaviour, it does place the burden on those who are going out and wanting to have a good time, on those who are not doing the wrong thing. Frankly, women should not have to be told to be vigilant in any circumstances, to be careful or to be alert, to be constantly on the

lookout for someone who wrongs them; yet, for now, we have to. But there is work that the government can do to try to effect cultural change.

For the range of reasons I have described, it is important that our legal and justice frameworks are equipped to deter and punish perpetrators who spike another person's food or drink. Currently, we are relying on a patchwork of criminal offences to pursue a case of food or drink spiking, and different offences apply depending on the circumstances of each case. For example, which offence a person is charged with could depend on the intoxicating substance used and whether or not the victim's life was endangered. This leads to inconsistency in how spiking cases are prosecuted and the penalties that are applied.

The bill will resolve this issue by introducing new offences specifically targeting food and drink spiking, and, as Minister Rattenbury said, in and of itself. The bill introduces two new offences for food or drink spiking. These two new offences are, broadly stated, to ensure that they can be applied to all cases of improper food or drink spiking. If a person gives you or causes you to consume food or drink which, unbeknownst to you, contains an intoxicating substance, and that person intends to cause you harm, they can be prosecuted. And "harm" does not just mean physical injury. If that substance would impair your senses to an extent that you would reasonably be expected to object to, the offence is made out.

Equally, if a person gives you or causes you to consume food or drink which contains more of an intoxicating substance than you would reasonably expect, and that person intends to cause you harm, they can be prosecuted. This covers the case where your beer has been spiked to contain more alcohol than it should and the person doing so intended to cause you harm. It is not necessary for the harm to actually occur. It is not necessary for you to actually consume the intoxicant. If someone tries to spike your food or drink and does it so that they can cause you harm, and they intend to cause you harm, they have committed an offence and they will be liable to 500 penalty units, five years imprisonment, or both.

Clearly, spiking food or drink is a very serious issue. The physical, emotional and psychological harm that it can cause to a victim who has been made to feel vulnerable or suffered a further crime while intoxicated cannot be overstated. Some people may spike another person's drink for a prank, but it is no laughing matter. To be made to lose control and become vulnerable to harm as a victim of food or drink spiking is nothing short of horrendous.

This bill ensures that our legal system is equipped to prosecute food and drink spiking no matter the location, substance or victim, or the harm that occurs. If you spike food or drink and do so for the purpose of harming another person, there is no doubt about it—you are a criminal.

MR STEEL (Murrumbidgee) (12.14): I rise today to speak in support of the Crimes (Food or Drink Spiking) Amendment Bill 2017, which introduces new offences criminalising food and drink spiking in the ACT and associated penalties. Through this bill the government is acting to make sure that Canberra's nightlife is a safer place for all Canberrans. We are addressing an identified gap in the criminal law and

are supported by recommendations from law reform bodies and long-term evidence around the issue of drink spiking.

I want to focus my remarks on the structure of the new offences and their interpretation. In July 2003 the Australian Institute of Criminology was commissioned by the Australian Attorney-General's Department to conduct a national project on drink spiking where the AIC estimated that there were between 3,000 and 4,000 cases of spiking in Australia in that year. The AIC recommended that each jurisdiction review its criminal law provisions in terms of their applicability to different forms of drink spiking and the appropriate maximum penalties. Drink spiking was also identified as an emerging issue under the ministerial council drug strategy.

In this bill, the government has also directly responded to a report prepared by the then Model Criminal Code Officers Committee, or MCCOC, submitted to the Standing Committee of Attorneys-General. The MCCOC provided a model for drink and food spiking laws for jurisdictions to adopt into their own criminal statutes, and this new offence reflects the recommendations of the MCCOC report.

The ACT already has offences in section 27 of the Crimes Act of administering a stupefying or overpowering drug or injurious substance intending to commit an indictable offence against the person, punishable by at least 10 years' imprisonment, and the offence carries a maximum penalty of 15 years' imprisonment. This is a very serious offence. But the weakness in the continuum of the law lies at the least serious end of the scale of culpability.

The MCCOC noted that the current law provides only incomplete coverage for this category of drink spiking as it does not necessarily apply to drink spiking with alcohol and it does not apply generally where there is intent to commit an indictable offence. The offence intended must be an offence against the person that carries a maximum penalty of 10 years' imprisonment or more.

That is why it was recommended that all Australian jurisdictions enact an offence of "mere" drink spiking without further intent, that the offence be summary and that the offence extend to any substance, any classification of poison, substance, drug, alcohol, traditional aphrodisiac et cetera, which is likely to impair the consciousness or bodily function of the victim or which is intended to do so whether or not the spiked drink is drunk wholly, partly or at all. It was specifically recommended that the ACT amend our criminal laws to close the gaps, and our government has acted to address these gaps in the bill.

As the Attorney-General has outlined, the bill amends the Crimes Act 1900 and introduces a new section 28AA dealing with food or drink spiking. Section 28AA will provide for two new offences with two sets of physical elements—or actus reus—under subsections (1) and (2). For both offences the physical elements must be established that the person gives or causes another person to be given food or drink or alternatively causes another person to consume food or drink. The offence in subsection (1) deals with a situation where the food or drink contains an intoxicating substance and the other person is not aware the food or drink contains the intoxicating substance. The offence in subsection (2) deals with a situation where the food or drink

contains more of an intoxicating substance than the other person would reasonably expect it to contain.

The fault element—or mens rea—of the offences must also be established. The fault element is that the person intends a person to be harmed by the consumption of the food or drink. This bill recognises that food and drink spiking comes in a range of forms with different substances, so the definition of intoxicating substance includes any substance that affects a person’s senses or understanding, and this includes alcohol. The mens rea for the offence—that is, the intention for a person to be harmed—provides an important safeguard. As the explanatory statement notes:

... the offences proposed in the bill are not intended to capture behaviour that is a normal part of Australian social life and is not intended to cause harm.

The definition of “harm” in the bill is:

... impairment of the senses or understanding that the person might reasonably be expected to object to in the circumstances.

The explanatory statement to the bill is clear that people providing extra alcohol in drinks provided to their friends is not covered by the new offences.

I think this is important to point out—and to clarify for anyone that is not aware of how legislation is interpreted in the ACT to now do so. For that we rely on chapter 14 of the Legislation Act 2001, which provides under section 142 that in working out the meaning of an act the explanatory statement for the bill may be considered. So I think the intention in the bill is clear, but I also think the intention in the explanatory statement for the bill is clear in the type of behaviour that is being targeted. That intention can certainly be considered in terms of the non-legislative material when looking at the intention of the bill. It is behaviours that the person might reasonably be expected to object to; so intention to harm is based on the reasonable standard, not a subjective standard, an important protection in the bill.

There is also an important defence provided for in the bill for people practising a health profession, although the bill places the onus on them to prove the intoxicating substance was given to another person in the course of practising a health profession.

I mentioned that the gap this bill addresses is the absence in our criminal law of a lower level offence of drink spiking or food spiking, as other offences under ACT laws target higher levels of culpability, which also attract higher levels of imprisonment up to 15 years. This bill provides that offenders can be sentenced to a lower level of imprisonment of five years, which is consistent with a lower level of culpability, and financial penalties may apply.

This bill provides for a maximum penalty of 500 penalty units associated with the offences. At the time of speaking, under section 133 of the Legislation Act 2001, the monetary value of a penalty unit is \$150 for individuals, and this means that those charged with drink or food spiking in the ACT under these new offences may be liable to pay up to \$75,000 in penalties.

This bill is a welcome reform to our law to address identified gaps in our crimes statutes to keep Canberra's nightlife safer, especially for young people. I am pleased with the level of consultation that has been undertaken to inform the bill, and I hope these laws will mean that victims and witnesses are more likely to report drink spiking, law enforcement agencies will be more able to take decisive action and offenders will face consequences for their actions where they intended to harm.

By criminalising drink and food spiking we are sending a strong signal that drink spiking is unacceptable, but this bill also takes a balanced approach by using the test of a reasonable person when considering the fault element so as to not unduly penalise those who are providing extra alcohol in drinks for friends, for example, without intention to harm. I commend the bill to the Assembly.

MR RAMSAY (Ginninderra—Attorney-General, Minister for Regulatory Services, Minister for the Arts and Community Events and Minister for Veterans and Seniors) (12.23), in reply: In concluding this debate I wish to acknowledge and thank members for their contribution today on this important matter and express my appreciation to the opposition and the Greens for their support. The speeches today have highlighted a number of important areas of this bill and its effect.

The government is committed to maintaining a safe and vibrant night economy in Canberra, and the Crimes (Food or Drink Spiking) Amendment Bill is a criminal law reform that supports our comprehensive approach to safety. Already this year this government has delivered on safety. We have provided more police to enforce the law and targeted regulation changes to our licence industry and provided practical help for people who need it. This bill will help us to hold people responsible for a dangerous activity that disproportionately targets women and that disproportionately occurs in licensed establishments.

A 2009 study by the Australian Institute of Criminology found that one-third of drink spiking incidents are linked to other serious crimes, including sexual assault. This study also found that incidents of drink spiking are mostly prevalent at licensed premises. Addressing this crime is an important part of making Canberra safe for people who want to enjoy a night out.

We are getting down to business, making our night precincts both vibrant and safe. The 2017-18 budget provided funding for six additional police officers. They will focus on patrolling night precincts, and these additional police resources will also help to increase proactive liquor licensing enforcement activities, support regional targeting team officers being deployed to major ACT events and develop targeted campaigns with key ACT government stakeholders.

The government has also established the CBR NightCrew to support Canberrans enjoying a night out. The CBR NightCrew commenced in late 2016 and provides practical assistance to Canberrans, including basic first aid and a safe place to get support, with transport to get home safely.

Earlier this year, the government implemented laws that gave the Commissioner for Fair Trading the explicit power to require CCTV cameras at pubs and clubs. CCTV footage can be vital in identifying offenders and has already been used in cases involving drink spiking in the territory. We have actively listened to our community in developing these measures. Today's bill is the result of listening to our law enforcement community on how to better target drink spiking.

As has been noted, this bill will create two new offences to protect victims of food or drink spiking. Together they will broadly cover all forms of food or drink spiking, and they will ensure that it can be prosecuted effectively when it is discovered. New definitions in this bill will ensure that behaviours this community recognises as criminal can be prosecuted effectively.

The term "intoxicating substance" in this bill includes any substance that affects a person's senses or understanding. This means that the issue in a criminal case will be the effect of a substance on a person and not whether it meets the technical definition of what is a poison or medicine. This bill will provide fewer opportunities for technical arguments.

One of the offences in this bill applies where a person gives food or drink with an intoxicating substance to someone who is unaware that there is anything intoxicating in the food or drink. If it can be shown that the offender intended harm of any kind with this behaviour, the crime can be prosecuted. This new offence broadly covers the typical case of dropping a substance—a memory loss drug for example—into another person's drink while it is unattended.

The second offence this bill introduces deals with giving higher quantities of an intoxicating substance than a person would reasonably expect. This would apply in an instance when a person orders an alcoholic drink but it contains far more alcohol than they would have expected. The context of alleged criminal behaviour will be key to prosecuting this new offence.

An example of the importance of context would be where a person offers a slightly larger or stronger drink to a friend in a social setting and a reasonable person may not ordinarily object. That would not be a crime under this new law. However, giving someone a mixed drink with far more alcohol than they would expect on a first date could be criminal behaviour under this law. Giving the same drink to someone who says they only want a small amount of alcohol because they plan on driving could also be covered. If a reasonable person would have objected, had they known about the extra alcohol, that situation will be covered by this law.

Central to both of these new offences is an expanded definition of "harm". The Criminal Code at the moment defines physical harm as including unconsciousness, pain, disease or any physical contact a person might reasonably object to. Drink spiking can make a person drowsy but not necessarily unconscious. It also may cause no pain. At the point where the drink is spiked, the offender may not touch the victim at all and thus there is no contact to object to.

The definition in the Criminal Code includes psychological harm but specifically excludes emotional reactions such as distress, grief, fear and anger. For these reasons, today's bill will expand what counts as "harm" in relation to drink spiking. It specifically includes impairment of the senses or impairment of understanding. It means that, for criminal purposes, if a reasonable person would have objected to the level of impairment that results from drink spiking then that by itself counts as harm.

In developing this legislation the government sought feedback from the ACT Law Society and Bar Association. They suggested a more restrictive definition of harm might avoid unintended consequences or the criminalisation of normal social behaviour. I thank them for their contribution and their assistance in exploring this important reform.

The aim of these offences is certainly not to criminalise day-to-day social interactions in the territory. However, it is important that the definition of harm remain broad. Defining harm as we do in this bill will prevent offenders from disputing their responsibility on highly technical arguments. It sends the message that spiking someone's drink will not be tolerated, even if the person claims that it was a prank. What matters is whether a reasonable person would have objected to being impaired in that way.

As I mentioned, the government has engaged in broad consultation in developing these new laws. The legal profession was consulted. We also consulted with other key stakeholders in the justice system, including support services for victims. The Victims of Crime Commissioner and the Canberra Rape Crisis Centre had input into the creation of this bill. The Human Rights Commission and the Director of Public Prosecutions have also contributed to the development of this legislation.

We found through consultation that there is widespread support for laws that cover drink spiking comprehensively. I thank all people who have been involved in the consultations. These new offences include penalties of up to five years' imprisonment or a \$75,000 fine. These are appropriate penalties which reflect the seriousness of drink spiking incidents. They send a strong message that such conduct will not be tolerated.

This government is working hard to ensure that Canberra remains a safe place to live, to work and to visit. We have delivered a range of measures to ensure that Canberrans can enjoy what this city has to offer in safety. Our police and our prosecutors play an important role in detecting and prosecuting crime, and the six additional police this government has funded in the latest budget will be focused on our night precincts. This bill will give them better tools to hold offenders responsible for a crime that disproportionately targets the safety of our night-time economy. This bill is one more in a series of reforms that together will support a safer, stronger and more vibrant Canberra. I commend the bill to the Assembly.

Question resolved in the affirmative.

Bill agreed to in principle.

Leave granted to dispense with the detail stage.

Bill agreed to.

Sitting suspended from 12.32 to 2.30 pm.

Questions without notice
Government—ex gratia payments

MR COE: I have a question for the Treasurer. The Financial Management Act 1996 states that when act of grace declarations are made, “The notes must indicate in relation to each payment under this section the amount and grounds for the payment.” Published reports of act of grace payments reveal there are inconsistencies between reports in different years. Treasurer, have all act of grace payments included a non-disclosure clause?

MR BARR: That is a good question. I will need to take that on notice.

MR COE: I appreciate the compliment. Treasurer, will you release information on the grounds for each act of grace payment you have authorised as Treasurer, as is required by the Financial Management Act?

MR BARR: I have no problem with that, Madam Speaker.

MS LEE: Treasurer, has each act of grace payment that you have authorised as Treasurer been fully reported, as is required by the Financial Management Act?

MR BARR: I believe so but, given this line of questioning, I will ask officials to check the record.

Animals—dangerous dogs

MR MILLIGAN: My question is to the Minister for Transport and City Services. On Monday the *Canberra Times* reported yet another vicious dog attack. The dead body of Daisy, the beloved pet Cavalier King Charles Spaniel, was being attacked by five dogs in its backyard. The dogs were seized by officers of the directorate but the dogs have now been returned to the owners. Minister, why were these dogs returned to the neighbourhood and were all five dogs owned by the same person?

MS FITZHARRIS: I thank Mr Milligan for the question. Indeed, all members of the community, upon reading about this attack, would have been distraught. Can I say firstly that I believe it is the case that they were all owned by the same owner but I will double-check that and report back to the Assembly if that is not the case. I certainly regret that TCCS did not advise the neighbour that these dogs were being returned. That was a serious oversight and TCCS have apologised to the neighbour who lost her dog in July.

Certainly the decision to return the dogs was made after the registrar also made a decision to declare the three adult dogs dangerous dogs. The owners subsequently

applied for a special licence to keep the dogs. There are a number of restrictions on the enclosures in which the dogs were or are kept, which are part of the special licence for this particular household to retain these dangerous dogs.

I will be making a statement to the Assembly on Thursday in response to an earlier motion from the Assembly around this range of issues and note also that the estimates committee made a specific recommendation around criteria for dangerous dogs. I remain in conversation with TCCS about that particular issue and I will have more to say more broadly about this issue on Thursday.

MR MILLIGAN: Minister, why are you so unwilling to protect Canberrans by putting in place tough dog laws to protect the community?

MS FITZHARRIS: I am not unwilling and I have had this conversation, particularly with Mr Doszpot, who I know shares these concerns, and with a number of community groups around the territory. As I said, I will be making a statement on Thursday. The statement will outline the work that has been underway both in terms of the draft animal welfare strategy and the specific requirements that the Assembly put on me as the minister in the earlier motion. Again, I will have more to say about that on Thursday.

MR COE: Minister, was the owner of these five dogs appropriately licensed as an owner of four or more dogs?

MS FITZHARRIS: I do not know the answer to that question. I will take it on notice and report back.

Health—code of conduct

MS LE COUTEUR: My question is to the Minister for Health and Wellbeing and concerns the national code of conduct for healthcare workers, which governs a range of health services that may be offered, including reparative therapy, the outdated psychological practice of attempting to stop people being gay or lesbian. Minister, will you be implementing the national code of conduct for healthcare workers agreed to at COAG in 2015?

MS FITZHARRIS: In theory, I certainly think that if something was agreed to in 2015 by COAG, we will be implementing it, but I will take the question on notice and provide further detail at a later date.

MS LE COUTEUR: What alternative regulation regimes exist in the ACT to issue temporary and/or permanent prohibition orders regarding non-registered health practitioners who engage in unprofessional or dangerous practices?

MS FITZHARRIS: The specifics of that would be overseen by AHPRA, the Australian Health Practitioner Regulation Agency. Again, I will take the details of the question on notice.

Tourism—direct international flights

MS ORR: My question is to the Chief Minister. Chief Minister, given that we are coming up to one year of direct international flights to two destinations from Canberra, operated by Singapore Airlines, can you outline the flights' achievements over the year and the benefits to the ACT, including convenience and timeliness for Canberra-based international travellers?

MR BARR: I thank Ms Orr for the question. I certainly can provide some information. It is exciting that we are almost at the one-year mark of these direct international flights, something that the government worked very hard to achieve, when there were a fair number of people, it would be fair to say, who thought it was a bit of a pipedream.

Opposition members interjecting—

MR BARR: Very supportive, of course, yes. The first Singapore Airlines flight to Canberra touched down on 21 September last year as part of the capital express route linking Singapore, Canberra and Wellington. As I am sure members are aware, direct flights bring a range of practical benefits, more international visitors to the city and the potential for significant export opportunities. I think this also symbolises Canberra's emergence as a truly international city.

The best statistic—not strictly accurate but one that I am sure will find its way into the reporting from various ACT media outlets—is that this service is delivering 100 per cent more international flights than was the case previously. More accurately, flying the route four times a week is delivering almost 110,000 international seats through Canberra airport. I can advise members that 75 per cent of the passengers are arriving from Asia, including 29 per cent from Singapore, 12 per cent from India and 10 per cent from China. We have seen fairly significant growth in international visitor numbers, with the ACT seeing its highest ever number of visitors, who are spending the most that they have ever spent in our city. We have seen shipments of Canberra's finest produce leave overnight and hit the dining tables and restaurants in Singapore the next day. (*Time expired.*)

MS ORR: Chief Minister, how has Canberra's relationship with Singapore grown over the past year?

MR BARR: I thank Ms Orr for the question. As I was saying, our relationship with Singapore has strengthened by the fact that shipments of Canberra's finest produce leave overnight and hit the dining tables and restaurants of Singapore the next day, with much more potential arising from these opportunities into the future.

Perhaps more importantly, it is certainly assisting Canberrans getting into Asia for work or holidays or getting home again to see their families. Our relationship with Singapore specifically has grown significantly since the flights commenced. The direct aviation connection has provided a platform for Canberra to generate a range of

opportunities for increased economic and cultural engagement, not just with Singapore but throughout the South-East Asian region.

In the past year the ACT government and local businesses have undertaken numerous outreach activities to foster our trade and investment links with Singapore. This has included two targeted trade missions. In April, Canberra entrepreneurs had the opportunity to pitch before more than 100 Singaporean investors to showcase our city's capabilities and to encourage investment.

Discussions are also underway with Singapore Airlines and Changi Airport's airfreight centre to establish a freight hub in Canberra and to use Canberra Airport as a regional freight gateway. This, of course, avoids the congestion, time wastage and expense of Sydney Airport.

There is even potential to develop a rugby partnership that would result in the Brumbies staging an annual match in Singapore. As part of the development of this work, the ACT Brumbies held an exhibition match against Singapore's Asia Pacific Dragons in June.

Our city's competitive advantages are many and we want to put them on the radar of international investors. They need to know what we can deliver and we are determined to further promote Canberra's international credentials.

MS CODY: Chief Minister, how has the success of the Singapore flights encouraged other airlines and businesses to form international connections?

MR BARR: I thank Ms Cody for the supplementary. It certainly is an exciting time to be part of Canberra's international expansion and to see our reputation grow. Our businesses and people can compete with the best in the world, and we certainly now have a chance to show it. The success of the Singapore flights has presented opportunities for international relationships and ventures across business, tourism, the arts, culture, defence, innovation and entrepreneurship.

It is important to note that as part of the capital express, our connections to our new sister city of Wellington have led to a very strong relationship developing. I have welcomed Wellington's mayor to the city, just as he has hosted me—most memorably, only hours after a major earthquake in Wellington in November 2016. This has led to an MOU between the Canberra Business Chamber and the Wellington Chamber of Commerce to promote the expansion of trade, tourism and business. The Woodlands and Wetlands Trust at Mulligans Flat and the Sanctuary Trust in Wellington have also entered into a partnership and are sharing ideas and initiatives.

The success of the Singapore Airlines flights has encouraged other international airlines to consider Canberra as a destination. In answering that question, "Who else flies to your city?", it has been important to be able to say, "Singapore Airlines." And soon we will add Qatar Airways, as it has announced a daily service to Canberra via Sydney, commencing in February 2018. Through Qatar's network, that will connect Canberra with over 150 destinations in that airline's global network.

Children and young people—out of home care

MRS KIKKERT: My question is to the Minister for Disability, Children and Youth. Minister, you have repeatedly told this Assembly and the media that one of the main factors driving the 32 per cent increase in kids in out of home care since 2012 has been increased community awareness leading to increased reporting. Data from the AIHW, however, show that the number of children entering out of home care in the ACT actually declined in 2013 and has held steady since then. Minister, is it the case that children in out of home care are staying in such care for longer periods?

MS STEPHEN-SMITH: Without having the AIHW data in front of me, I am not willing to accept the premise of the question entirely. We certainly have seen both an increase in reporting—child concern reports—and an increase in the number of children coming into care over recent years. We have obviously responded to that with a record investment in this latest budget. Madam Speaker, I have now forgotten the question; I am sorry.

MRS KIKKERT: I will repeat it. Minister, is it the case that children in out of home care are staying in such care for longer periods?

MS STEPHEN-SMITH: Thank you, Mrs Kikkert, for repeating the end of that question. It is actually the case that under A step up for our kids, one of the fundamental premises of that strategy is that, if children come into care and they are not able to be returned to their birth parents, and in recognition of the trauma that is involved in bringing children into out of home care, we actually seek to ensure that they find a permanent, safe, secure and loving home where they can stay and grow and thrive. That is actually one of the fundamental premises on which the step up strategy is built.

Mrs Kikkert: A point of order. The minister actually didn't answer my question: is it the case that children in out of home care are staying in such care for longer periods?

MADAM SPEAKER: Mrs Kikkert, there is no point of order. I cannot direct a minister as to how to answer a question. Ask your supplementary question.

MRS KIKKERT: Minister, how exactly does increased community awareness result in children spending longer time in out of home care?

MS STEPHEN-SMITH: What I have repeatedly said is that increased awareness of the impact of family violence and indeed the impact of child abuse and neglect more generally have led to an increase in child concern reports. The fact that children are staying in permanent families where they are being supported to grow and thrive is actually not something that I have connected with an increased awareness of family violence. So I have connected an increased awareness of family violence to an increase in reporting and increased pressure on the child protection and out of home care system.

As I was saying—and I think I did answer Mrs Kikkert’s first question—finding permanent, safe, secure and loving homes for children who are not able to return to their birth families is one of the fundamental pillars of the step up for our kids strategy, and we do that because we understand that being in a home that is not safe is traumatic, coming into care is traumatic and moving backwards and forwards between different situations is particularly traumatic for children and young people. What we want them to do is have a safe, secure and loving home where they can grow and thrive, and that is one of the fundamental premises of the step up for our kids strategy.

MRS DUNNE: Minister, what data do you have that directly links increased community awareness with the fact that the territory’s children are spending more time in out of home care?

MS STEPHEN-SMITH: As I said, I have not actually linked increased awareness to children spending more time in out of home care. I think I have already answered that question.

Greyhound racing—transition package

MR PARTON: My question is to the Minister for Regulatory Services, in the gaming and racing space, and in particular greyhounds. Minister, I have seen a copy of a letter in relation to an ad hoc meeting of the industry task force team that is scheduled for this afternoon. The letter states:

CGRC—

Canberra Greyhound Racing Club—

staff members will be unavailable with race commitments. Local trainers and other participants will be either committed to racing activities or to their own work and businesses. The scheduled meeting time could not be at a more impractical venue or at a more inconvenient time, if genuine engagement was sought.

Minister, pray tell, how many industry participants attended this meeting this afternoon, given it was scheduled on the same day and at the same time as a local race meeting?

MR RAMSAY: I thank Mr Parton for his question. I note in passing that the Canberra greyhound club website mentions that their races are held on Wednesdays and Sundays, and I note that today is Tuesday. However, my observation is that the task force—

Mr Parton interjecting—

MADAM SPEAKER: Can you let the minister answer, Mr Parton?

MR RAMSAY: The task force wrote some weeks ago. I am aware that there was a response that came through from the CGRC yesterday in relation to a number of matters. My encouragement to the CGRC and to its members, to the people who are

affected by the ending of the racing industry, is that they make contact with the task force. The event that was held today is one thing that is occurring in the consultation. There will be others. I note that Mr Parton has also put on his social media site that if people are affected and want support, they should contact him.

Mr Coe: A point of order.

MADAM SPEAKER: Yes, a point of order?

Mr Coe: It is on whether the minister is being directly relevant. The question was: how many industry participants attended this meeting? To date, I do not think the minister has actually responded.

MADAM SPEAKER: The minister has 40 seconds left and he has made reference to meetings and multiple opportunities. So you may be directly relevant to that, if you can, minister.

MR RAMSAY: Indeed; thank you, Madam Speaker. As I was saying, my encouragement to Mr Parton, as people contact him, is that, in good faith, he would send those—

Mrs Jones: How many came forward?

Mr Coe: How many?

MR RAMSAY: Given that the meeting was scheduled to occur at 1.30 today, I will take on notice the details of the number of people from various places who were in attendance.

MR PARTON: Minister, was this meeting deliberately scheduled for a time inconvenient for industry members or was it an oversight by you and your team?

MR RAMSAY: No and no.

MR COE: Minister, why is it that you and your colleagues have consistently refused to attend the track to understand how the club and the industry work?

MR RAMSAY: I thank Mr Coe for his question, flawed as it is. We have not been consistently refusing to attend. I was invited to attend the meeting on this past weekend—

Mr Parton: Did you have something else on?

MR RAMSAY: Yes, indeed, I did have something else on. I was interstate for a family wedding as it turns out. I did pass on my—

Mr Coe: It's every Sunday night; you know this.

MADAM SPEAKER: Mr Coe—

Mr Coe: He has just said it is every Sunday night.

Mr Gentleman: I raise a point of order Madam Speaker. Mr Coe continues to interject even after you have asked him to be quiet. The minister is trying to answer the question. Interjections keep flying from the other side. I ask that we—

MADAM SPEAKER: Thank you, Mr Gentleman. I will ask for the standard of no interjections. Let the minister answer the question.

MR RAMSAY: There have been a number of ways in which I, my office, my directorate, Mary Durkin, the consultant it was working with, and the task force have been involved and have been consulting with the greyhound industry. We certainly encourage people who are involved to make contact with the task force so that support can be given as we move towards the end of the industry.

Public housing—Chapman

MR HANSON: My question is to the Minister for Housing and Suburban Development and relates to the public housing development in Chapman. Minister, what have been the government's changes, if any, in response to consultation and when will the final DA be lodged?

MS BERRY: This is very similar to a question I was asked by Mr Hanson during the last sitting period, and my response was that the plans for the Chapman public housing renewal development would be released with the DA. There had been considerable work with the Chapman community to ensure that the community could be involved in looking at the amenity of the development, how it would fit in with the community, the traffic and parking arrangements: all of those have been discussed.

Mr Hanson: On a point of order, Madam Speaker, if I could, on relevance. The question is about what changes now have been made by the government in response to the consultation, not actually about the consultation processes.

MADAM SPEAKER: Do you have anything to add, minister?

MS BERRY: I have answered the question.

MR HANSON: Minister, what is the maximum number of dwellings allowed to be built on the site in Chapman?

MS BERRY: I think the initial idea that was put to the community was that there could be around 30 dwellings put on the site. After a conversation with the Chapman community, that number has been reduced in consultation with the community. Of course, the support that my office and Housing ACT has had from public housing residents, who are looking forward to moving into homes that better suit their needs, has joined a really welcome response from the broader community about ensuring that public housing is built that best suits the need of our community.

This pre-DA consultation that has occurred during this program has been significant for many months, and the Chapman community has had many meetings with the housing task force to take into account all of their concerns. As to the concern about whether or not public housing would be built there, it was made clear to the community that there would be public housing built at Chapman, and we encouraged them to build.

The DA consultation, which will be coming up shortly, will also be additional to the ordinary amount of three weeks. There will be additional time for the community to be able to engage in that process.

MRS JONES: Minister, are there any other sites in Chapman being considered for public housing development of any sort?

MS BERRY: I am sorry; I did not hear the last part of the question.

MRS JONES: Sorry; are there any other sites in Chapman being considered for any public housing development of any sort?

MS BERRY: Not as far as I am aware at the moment.

Government—contracting policy

MR WALL: My question is to the Minister for Workplace Safety and Industrial Relations. Minister, your government is proposing policy that you have said will, and I quote, “include legislative, regulatory and administrative changes to ensure the government only awards contracts to companies that meet only the highest ethical and labour standards”. Minister, have you consulted with anyone other than unions on these proposed policy changes? If so, who, and if not, why not?

MS STEPHEN-SMITH: The government is in the process currently of developing what that policy will look like and what the different elements of that policy will be. We have a working group established with employee representatives and government representatives so that we can work through with them exactly how we get to a position that we will then consult on.

However, I have met with employer representatives as well and I have talked them through that process. I have discussed with them what the government’s objectives are and what some of the elements of that will look like.

MR WALL: I ask the minister to answer my original question: other than unions, whom have you consulted with, which peak industry bodies have been consulted and are you able to consult with the MBA?

MS STEPHEN-SMITH: I think in my original response I did say that I have spoken with a couple of employer organisations. One of those is the MBA.

MR PARTON: Minister, have you consulted directly with local businesses on this proposal? If not, why not; and if yes, what were the outcomes? With local businesses, is the question.

MS STEPHEN-SMITH: Thank you, Mr Parton. It was a relatively short question. So I did actually get that one. I cannot recall, off the top of my head, whether I have spoken with any local businesses in their role as local businesses. I have certainly spoken with a number of people about this as I have gone about my various discussions and consultations. I may have had some discussions specifically with local businesses about it, but I would make the point that what we are talking about is creating a fair system for government procurement that ensures that we meet the highest standards of both industrial relations and workers rights but also other ethical requirements.

Many of the complaints that we receive in relation to this matter are actually complaints from competing businesses that have been undercut by providers, contractors, that are doing the wrong thing. That is what we want to stop. We want to stop providers doing the wrong thing because it is the right thing for workers but it is also the right thing for businesses that are doing the right thing.

ACT public service—breastfeeding facilities

MRS JONES: Madam Speaker, my question is to the Chief Minister.

MADAM SPEAKER: Mrs Jones, you know my view on props. You have made your point. Can you please put it aside and get to your question. Thank you, Mrs Jones.

MRS JONES: My question is to the Chief Minister. I refer to your letter of 12 September this year in which you informed me of the audit of breastfeeding and pumping facilities for those undertaking these tasks in ACT public service buildings. Chief Minister, would you like to update the Assembly on the work which has been done across the public service to identify rooms lacking a lock on the door, and resolve the issue?

MR BARR: I thank Mrs Jones for the question and the advance notice, through certain processes, that this question was coming. I can advise the Assembly that across seven directorates, 37 buildings have either a dedicated breastfeeding room or capacity within the building for nursing mothers to use. Twenty-seven of these 37 have privacy latches fitted or alternative locking mechanisms. Work requests have been issued for three of the remaining 10 rooms to be fitted with privacy latches immediately and security on the final seven rooms is being further investigated. I have asked for security assessments and any necessary installations for these rooms to be completed as a priority.

MRS JONES: Minister, given this work now being undertaken, how do you think this will affect the work life of women who are still breastfeeding when returning to work?

MR BARR: I think I am being asked for an expression of opinion. But I will offer one: I imagine it will be positively received.

MS LEE: Chief Minister, you said that it was a matter of priority. When will this work be completed?

MR BARR: As soon as possible.

ACT Health—policy framework advisory group

MS CODY: My question is to the Minister for Health and Wellbeing. Minister the ACT government has just released an EOI for the advisory group for the draft territory-wide health services framework. What will this group do?

MS FITZHARRIS: I am very pleased to advise the Assembly that yesterday the expression of interest was released for the advisory group to guide the territory-wide health services framework. This advisory group will be a 10-member advisory group made up of a wide range of individuals. I encourage people, if they are currently considering whether they would like to play a role, to read the draft territory-wide health services framework and put in an expression of interest.

The advisory group will guide the work undertaken under the territory-wide health services framework, in particular, the work to establish a clinical centres specialty services plan as well as advise on models of care. One of the things that I will also be asking the group to do will be to consider how best the government and ACT Health engage specifically with stakeholder groups and the broader community.

MS CODY: What will the focus of the advisory group be?

MS FITZHARRIS: I thank Ms Cody for the supplementary. The focus of the advisory group will be to represent broad views within the community, to represent specialist, expert and clinical views, not necessarily to represent one particular clinical specialty or one particular group. Their focus will be on finalising the draft territory-wide health services framework. I am providing guidance to the speciality services planning; again, as I mentioned in my previous answer, particularly in the early stages, to provide advice on engagement with the broader community.

MR STEEL: Minister, how will the advisory group be composed, and what impact will this have on the framework?

MS FITZHARRIS: The advisory group will be a 10-member advisory group. We will try to get the broadest representation on this advisory group that we can, because we know that so many different stakeholders within our community have a strong interest in and a lot to offer on how we shape the important delivery of health services over the next 10 years. I will ask the advisory group to have a particular focus on making sure that we can be the healthiest city in the country—that Canberrans can stay healthy and well—and that within our health system, which is very complex, the system as a whole is really focused on the needs of the patients; that they work with

us to make sure the framework has patients at the centre of its thinking rather than seeing patients as a particular illness, disease or injury; that they guide the framework so that all the subsequent service planning can be focused on patients and their families trusting and understanding the health system they are in; and that, no matter at which point in time a patient enters the health system, they have services made available to them that are easy to understand and easy to navigate and, most importantly, focus on keeping Canberrans healthy and well.

Tuggeranong—CIT car park lighting

MS LAWDER: My question is to the Minister for Transport and City Services. Minister, I am aware that recently the Tuggeranong Community Council wrote to you requesting that lighting be installed in the car park behind Tuggeranong CIT. The Australian Human Rights Commission's report into sexual harassment at higher education campuses outlined the high rate of sexual harassment on or near campuses. Minister, why was no lighting placed in this car park prior to students being welcomed at the new campus?

MS FITZHARRIS: Yes, this issue has been raised with me. I will seek an update on that and try to understand when indeed lighting will be provided.

MS LAWDER: Minister, are there definitely plans to install lighting at the car park and, if so, when will that be?

MS FITZHARRIS: I refer to my previous answer and I will take the question on notice.

MR WALL: Minister, why was the lighting feature near the pedestrian crossing on Anketell Street considered a higher priority than lighting to improve the personal security of CIT students in the adjoining car park?

MS FITZHARRIS: Again I refer to my previous answers. I will get an update. I will take the question on notice and provide a response to the Assembly.

ACT Health—performance reports

MRS DUNNE: My question is to the Minister for Health and Wellbeing. Minister, in your statement today in relation to the system-wide data review, you said it will be finished by 31 March next year, by which time there will be six outstanding quarterly reports. Minister, will ACT Health also issue the six outstanding quarterly performance reports on that day and, if not, when will these reports be issued?

MS FITZHARRIS: As I indicated in my statement—the quarterly update earlier today around a system-wide data review—Health have advised me, on the advice of the review panel overseeing the review, that the annual report for 2016-17 will be tabled in the Assembly next month. The annual report includes the information that you could expect to find in the quarterly reports. As I also indicated in my statement earlier today, I will continue to provide updates to the Assembly through the quarterly reporting process, as well as taking advice from the review panel on the information

that can be provided prior to the conclusion of the review, which, as I have said on a number of occasions, will include publication of each quarterly report.

MRS DUNNE: Minister, if you ever get around to producing these outstanding quarterly reports, will the data presented in them—

Mr Gentleman: Point of order, Madam Speaker.

MADAM SPEAKER: Resume your seat, please.

Mr Gentleman: Supplementary questions must be brief and with no preliminary discussion.

Mrs Dunne: On the point of order, Madam Speaker. If I start a sentence with “if”, there is no preamble. It is an—

Mr Barr: No, it could well be that there is.

Mrs Dunne: No, there might be something afterwards but if the first word is “if”, there is no preamble.

MADAM SPEAKER: Thank you for raising the point of order but Mrs Dunne—

Mr Barr: It depends where you go next, Mrs Dunne.

Mrs Dunne: I didn’t raise the—

Mr Barr: It assumes coherence of delivery of the English language, which is not necessarily always the way.

Mrs Dunne: No, no.

Mr Hanson: On a point of order, Madam Speaker. Mrs Dunne is trying to respond to a point of order and Mr Barr is repeatedly interjecting.

Members interjecting—

MADAM SPEAKER: Order! Mr Hanson.

Mr Hanson: He is a serial pest and I ask that you ask that he be silent so that Mrs Dunne can make her point.

Mr Coe interjecting—

Mr Barr interjecting—

MADAM SPEAKER: I do appreciate the sense of humour you bring to this place at times, Mr Hanson. I will ask Mr Barr, equally Mr Coe, to remain silent. Their closeness at times does tend to be somewhat distracting.

Members interjecting—

MADAM SPEAKER: I should have gone straight to Mrs Dunne's question, yes.

MRS DUNNE: Starting again—

Members interjecting—

MADAM SPEAKER: Can we all calm down now. Mrs Dunne.

MRS DUNNE: Thank you, Madam Speaker. Minister, if you ever get around to presenting the six outstanding quarterly reports, will the information in them be presented in a consistent manner so that we will be able to have comparison across the period?

MS FITZHARRIS: Yes, to the extent possible, based on the recommendations provided to me through the review panel, which includes not only independent members from the National Health Funding Body and the Australian Institute of Health and Welfare but also, as I advised the Assembly this morning, a specific new addition to the review panel, an academic from the ANU.

I will take their advice because parts of the terms of reference for the system-wide review were to consider very seriously—indeed, it is one of the pillars of the review—the reporting to the public that is particularly relevant to the quarterly reports Mrs Dunne refers to.

MR MILLIGAN: Minister, what actions will you take to ensure that the statements that you have made in the Assembly are consistent with your statements to the Assembly since November 2016?

MS FITZHARRIS: I believe the question started with “what efforts will you make”. I will make every effort—

Mr Milligan: Actions.

MS FITZHARRIS: I will undertake every action available to me on the advice of ACT Health. In addition, since establishing the review panel in February, I will also take on board the recommendations of the review panel.

Hume—waste to energy plant

MS LEE: My question is to the Minister for Housing and Suburban Development. Minister, in question time on 14 September in answer to a question about the settlement date for the sale of land in Hume to the FOY Group, now IGE, you replied:

... the Foy Group has not met the requirements of the contract at this stage. It is still under a settlement process, which was the last advice I have received.

Four days later, yesterday, the *Canberra Times* reported a new settlement date of 20 October. Minister, when were you advised of the 20 October settlement date and who made that decision?

MS BERRY: The decision to revise the settlement date for the land in Hume was advised to me on Friday.

Mrs Dunne: Who made the decision?

MS BERRY: The Suburban Land Agency.

MS LEE: Minister, on what basis was the decision made to extend the settlement date for the third time?

MS BERRY: I am advised that the decision was made to revise the date for the settlement to ensure that a settlement could be reached.

MS LAWDER: Minister, what assurance can you give that the government will terminate the contract if this new deadline is not met or, in any event, seek recovery of penalties under the contract?

MS BERRY: I can confirm that if settlement is not reached, the government will pursue penalties. I am advised that the revised settlement date is the date for settlement to be reached.

National Multicultural Festival—planning update

MR STEEL: My question is to the Minister for Multicultural Affairs. Can you please update the Assembly on the government's progress in organising the 2018 National Multicultural Festival.

MS STEPHEN-SMITH: I thank Mr Steel for his question. Earlier this year, the National Multicultural Festival celebrated its 21st birthday. The 22nd event will be staged on Friday, 16 February to Sunday, 18 February 2018. While Canberrans get to see the benefits and successes of multiculturalism year round, the National Multicultural Festival serves to highlight, showcase and celebrate the wonderful diversity of our city.

Each year, the festival organisers work very closely with a range of stakeholders. Next year's festival will be no different. The festival project team has undertaken extensive consultations with CBD business owners along with residents, embassies, entertainment and showcase coordinators, contractors and Volunteering and Contact ACT to ensure that further improvements are made to the 2018 festival. This consultation has also informed the 2018 National Multicultural Festival participation policy.

The festival team has also held several consultation sessions concerning the 2018 festival footprint. This involved working with a range of government agencies to

ensure all aspects of the footprint comply with regulatory, safety and security requirements. The festival team is negotiating to secure a suitable headline act and supporting acts as well as attract new corporate sponsors. They are reviewing procurement contracts and collaborating with Volunteering and Contact ACT to develop a revised plan to engage volunteers.

The festival program for the 2018 event will be available in January. The program will be accessible in printed format via the National Multicultural Festival website and via the smartphone app.

MR STEEL: Minister, how can local multicultural communities and organisations apply to participate in the festival?

MS STEPHEN-SMITH: I thank Mr Steel for his supplementary question. There is always a great deal of interest in participating in the festival, and many multicultural communities plan year round for their involvement. Applications are currently open to those who wish to participate in the festival as an entertainer or a stallholder. Spaces are available to not-for-profit community groups and local businesses hosting food stalls across the weekend; for diplomatic missions on Saturday, 17 February; and for information stalls for promotional or educational purposes on Sunday, 18 February. Local multicultural community groups who wish to showcase their cultural traditions through performances will be given preference in the allocation of performance slots on the stages during the 2018 festival.

Applications to participate in the festival as an entertainer or stallholder are received by the SmartyGrants online application platform. Applicants can access the platform by following the link available on the National Multicultural Festival website, which also hosts copies of the participation policy and the terms and conditions for stallholders and entertainment participants. Applications close at midnight on 30 September 2017. An assessment panel will convene to review the applications and determine the entertainment program and the allocation of stalls. The outcomes of these processes will be announced over the coming months.

To ensure that there is an opportunity for broader community participation in the festival, a communication plan has been developed to circulate information throughout the Canberra region. In addition to a notice in the weekly multicultural e-newsletter, each of last year's participants has been sent an email inviting them to participate again in 2018. There has also been a mail-out to embassies and high commissions.

MS CHEYNE: Minister, what is the government doing to ensure that the 2018 Multicultural Festival builds on the successes of the 2017 Multicultural Festival?

MS STEPHEN-SMITH: I thank Ms Cheyne for her supplementary question. In 2017, 4½ thousand volunteers gave their time during the Multicultural Festival to ensure that the celebration ran smoothly and was successfully enjoyed by the more than 280,000 people who flocked to the heart of Canberra over just one weekend. The 2017 festival was more inclusive and welcoming than ever before, with special

sanctuary spaces included to give festival-goers the chance to find a quiet space away from the hustle and bustle.

Disability organisations were consulted to design and deliver improvements to make the 2017 festival more accessible and user-friendly for people with disabilities. A women's safety audit was also undertaken to ensure that the footprint was a safe place that promoted inclusion and participation of all people in our community. With seven performance stages and some 400 stalls, the 2017 festival certainly set a high bar.

The ACT government is committed to ensuring that the 2018 Multicultural Festival builds on these successes and the lessons of the 2017 festival. Following the 2017 festival, there have been a number of debrief sessions conducted by the office of multicultural affairs. These engaged with key groups, including festival contractors, inclusion and participation staff who managed the festival in 2017 and other government representatives. The ACT government has also reviewed the results of a survey prepared by Volunteering and Contact ACT from the 2017 festival. The survey showed the level of satisfaction from festival participants and has enabled development of a strategic plan to improve the festival for next year.

I am confident that the 2018 festival will once again be a focal point of the multicultural calendar and will bring our city together to celebrate our diversity.

Government—support for veterans

MS CHEYNE: My question is to the Minister for Veterans and Seniors. Can the Minister inform the Assembly why it is important to help veterans transition from the ADF to civilian employment and what value they can bring to an organisation?

MR RAMSAY: I thank Ms Cheyne for her question. The ACT government is certainly committed to honouring and supporting those in our community who have served our country through the Australian Defence Force. One of the ways that we can do this is by assisting in the transition to civilian employment. ADF personnel are some of the most highly trained and skilled employees in the country and they are a valuable asset to our local community. They are trained to be leaders in a wide variety of fields, often having to perform complex and technical roles under intense pressure. It is for this reason that our veterans would be an asset to many organisations throughout our city.

But for those who have been in the ADF for a long period of time, particularly for those who joined the ADF at a younger age, the process of applying for either private or public sector jobs may not be one that they have done in a while. Like many highly skilled individuals who are specialists in their field, ADF personnel can sometimes also speak a slightly different dialect from those who are in the civilian workforce. That is why the ACT government is working to build resources to help those ADF members who wish to transition to civilian life in the ACT. We are looking at our own processes and our resources in the ACT public service as well as speaking with our Veterans Advisory Council and ex-service organisations to see how it is that we can smooth the transition into the private sector.

We are doing this so that these highly skilled and experienced citizens can continue to be an integral and connected part of the ACT community. Employment is an important factor in feeling connected and valued. Giving our veterans a helping hand in transitioning to civilian employment is one way of honouring the commitment these skilled individuals have made to this country.

MS CHEYNE: Can the minister inform the Assembly how the ACT government as an employer can help support veterans who wish to transition to civilian employment?

MR RAMSAY: I thank Ms Cheyne for the supplementary question. The ACT public service is the second-largest employer in the territory, so I will be seeking to ensure that we set a good example as an employer of veterans. As such, the government is seeking to implement a number of strategies to help those who are looking to transition to the ACT public service.

One of these is a rank-level match matrix, to help ADF members compare ADF ranks and experience with the levels and responsibilities in the ACT public service. This will help bridge the gap between defence-speak and public service speak. We will also look to flag jobs with “Defence Force experience desirable” where we see particular synergies between the skills and training of the ADF with a job in the public service. We are looking at the way we advertise jobs, after the success of other states in highlighting jobs suitable for veterans on their own veterans employment pages. There are many innovative ways of engaging with younger veterans, outside the usual public service gazette, and we will be exploring these. The government will also look to increase its engagement with ADF transition seminars so that we can promote employment possibilities in the public service directly with those who are looking to transition.

This government knows the value veterans can bring to an organisation, and we are committed to helping those who wish to make this transition to civilian life. Many jobs in the ACT government are a natural fit for those with Defence Force skills. Whether it is a military police officer moving to the professional standards unit, an electronics technician becoming an electrical inspector or a defence attaché working in stakeholder management and international engagement, there are a large number of jobs in the public service here in the ACT that would benefit from the extensive skills and experience that Defence Force members can bring.

MS ORR: Can the minister update the Assembly on what the government is doing to ensure the program is developed in a way that will meet the needs of veterans transitioning out of the ADF?

MR RAMSAY: I thank Ms Orr for the supplementary question. I believe that good policy comes from good listening, and the government will shortly instigate a survey of veterans in our public service to find out their experience of transitioning to civilian life in the ACT public service. We are redesigning our HR systems to allow veterans to self-identify so that we have a good idea of the kinds of jobs that they are seeking and obtaining. In doing this we will seek to find what was helpful to veterans who were looking to transition to civilian life as well as what some of the barriers are to them doing this successfully.

I have been engaging with my counterpart veterans ministers to discuss what more can be done, to share ideas and to leverage off each other's experience. I have met with the federal minister twice this year to discuss how we can best support veterans transitioning and how the territory and federal governments can work together on this. I am currently preparing for the annual defence ministers roundtable where all the veterans ministers for each jurisdiction will come together to share information and experience with this year's theme of transition.

I have also met with the New South Wales veterans minister and public servants to look at their successful employment program and to see what lessons we can learn from them. I have also recently appointed a new and expanded Veterans Advisory Council. Many of the appointees I have chosen for this body have mentioned to me the importance of helping with the transition to civilian employment. One of the early priorities of the council will be to provide advice on how this can be best supported. I will ensure that anything the government designs is evidence based and meets the needs of those who are seeking to serve.

Mr Barr: This must be a record. I ask that all further questions be placed on the notice paper.

Supplementary answers to questions without notice Public housing—Chapman

MS BERRY: I was asked a question by Mr Hanson regarding the number of dwellings planned for the Chapman public housing renewal site. I indicated that there were around 30. There were 29 initially. That number has been revised to 20. I have emailed Mr Hanson the link on the Chapman public housing renewal process so that he can keep himself up to date.

Health—code of conduct

MS LE COUTEUR: I ask that the minister for health take my second question on notice as well. She answered that AHPRA looked after health practitioners, but I am advised that it is only for registered ones.

MADAM SPEAKER: Procedurally, I think we are in a grey area. Is leave granted for the question to be asked again?

Leave granted.

MADAM SPEAKER: Can you repeat the question, and then it can be taken on notice.

MS LE COUTEUR: My question was: what alternative regulation regimes exist in the ACT to issue temporary and/or permanent prohibition orders regarding non-registered health practitioners who engage in unprofessional or dangerous practices?

MS FITZHARRIS: I will take the question on notice.

Papers

Mr Rattenbury presented the following papers:

Recidivism rates—Ministerial statement—Summary of programs offered by Corrections Program Unit—

Criminogenic and Offence Specific Programs.

Programs offered specifically for Aboriginal and Torres Strait Islander detainees.

Mr Ramsay presented the following paper:

Civil Law (Wrongs) Act, pursuant to subsection 4.56(3), Schedule 4—Professional Standards Councils—Annual report 2016-2017.

Heavy Vehicle National Amendment Regulation 2017

Paper and statement by minister

MR RATTENBURY (Kurrajong—Minister for Climate Change and Sustainability, Minister for Justice, Consumer Affairs and Road Safety, Minister for Corrections and Minister for Mental Health) (3.26): For the information of members I present the following paper:

Heavy Vehicle National Law as applied by the law of States and Territories—Heavy Vehicle National Amendment Regulation 2017 (2017 No 329), together with an explanatory statement.

I ask leave to make a statement in relation to the paper.

Leave granted.

MR RATTENBURY: Today I am tabling the Heavy Vehicle National Amendment Regulation 2017 and supporting explanatory statement. The Legislation Act 2001 requires subordinate laws, including national subordinate laws, to be presented to the Legislative Assembly.

The Heavy Vehicle National Amendment Regulation 2017 is a national subordinate law. The Heavy Vehicle National Law applies in the ACT under the Heavy Vehicle National Law (ACT) Act 2013 which commenced on 10 February 2014. Regulations under the Heavy Vehicle National Law are agreed by the Council of Australian Governments Transport and Infrastructure Council, passed through the Queensland parliament and hosted on the New South Wales legislation register.

The Heavy Vehicle National Amendment Regulation 2017 gives effect to a number of minor maintenance amendments. These amendments were developed through the maintenance process managed by the National Transport Commission in consultation with jurisdictions and industry stakeholders and agreed by the Transport and Infrastructure Council.

The amendment regulation amends four national regulations: the Heavy Vehicle (Fatigue Management) National Regulation; the Heavy Vehicle (General) National Regulation; the Heavy Vehicle (Mass, Dimension and Loading) National Regulation; and the Heavy Vehicle (Vehicle Standards) National Regulation.

As I said earlier, the amendments are minor. They are not expected to have any significant impact on heavy vehicle operators and most of the amendments simply tidy up the national regulations. I have tabled the Heavy Vehicle National Amendment Regulation and supporting explanatory statement.

Papers

Mr Gentleman presented the following papers:

Subordinate legislation (including explanatory statements unless otherwise stated)

Legislation Act, pursuant to section 64—

ACT Teacher Quality Institute Act and Financial Management Act—

ACT Teacher Quality Institute Board Appointment 2017 (No 4)—
Disallowable Instrument DI2017-214 (LR, 4 September 2017).

ACT Teacher Quality Institute Board Appointment 2017 (No 5)—
Disallowable Instrument DI2017-215 (LR, 4 September 2017).

ACT Teacher Quality Institute Board Appointment 2017 (No 6)—
Disallowable Instrument DI2017-216 (LR, 4 September 2017).

ACT Teacher Quality Institute Board Appointment 2017 (No 7)—
Disallowable Instrument DI2017-217 (LR, 4 September 2017).

Civil Law (Wrongs) Act—Civil Law (Wrongs) Professional Standards Council
Appointment 2017 (No 2)—Disallowable Instrument DI2017-213 (LR,
28 August 2017).

Environment Protection Act—Environment Protection (Fees) Determination
2017 (No 2)—Disallowable Instrument DI2017-223 (LR, 7 September 2017).

Firearms Act—Firearms (Use of Noise Suppression Devices) Declaration 2017
(No 3)—Disallowable Instrument DI2017-218 (LR, 29 August 2017).

Land Titles Act—Land Titles Amendment Regulation 2017 (No 1)—
Subordinate Law SL2017-29 (LR, 11 September 2017).

Medicines, Poisons and Therapeutic Goods Act—Medicines, Poisons and
Therapeutic Goods Amendment Regulation 2017 (No 1)—Subordinate Law
SL2017-27 (LR, 24 August 2017).

Official Visitor Act—Official Visitor (Disability Services) Appointment 2017
(No 2)—Disallowable Instrument DI2017-207 (LR, 24 August 2017).

Planning and Development Act—Planning and Development (Lease Variation
Charges) Determination 2017 (No 2)—Disallowable Instrument DI2017-208
(LR, 22 August 2017). Prohibited Weapons Act—Prohibited Weapons (Noise
Suppression Devices) Declaration 2017 (No 3)—Disallowable Instrument
DI2017-219 (LR, 29 August 2017).

Public Health Act—

Public Health (Notifiable Conditions) Determination 2017—Disallowable Instrument DI2017-210 (LR, 28 August 2017).

Public Health (Reporting of Notifiable Conditions) Code of Practice 2017 (No 1)—Disallowable Instrument DI2017-211 (LR, 28 August 2017).

Public Place Names Act—Public Place Names (Denman Prospect) Determination 2017 (No 2)—Disallowable Instrument DI2017-209 (LR, 24 August 2017).

Road Transport (Driver Licensing) Act—Road Transport (Driver Licensing) Amendment Regulation 2017 (No 1)—Subordinate Law SL2017-28 (LR, 28 August 2017).

Road Transport (General) Act—

Road Transport (General) Application of Road Transport Legislation Declaration 2017 (No 6)—Disallowable Instrument DI2017-224 (LR, 7 September 2017).

Road Transport (General) Driver Licence and Related Fees Determination 2017 (No 2)—Disallowable Instrument DI2017-212 (LR, 31 August 2017).

Work Health and Safety Act—

Work Health and Safety (Work Safety Council Employer Representative) Appointment 2017 (No 1)—Disallowable Instrument DI2017-220 (LR, 29 August 2017).

Work Health and Safety (Work Safety Council Employer Representative) Appointment 2017 (No 2)—Disallowable Instrument DI2017-221 (LR, 29 August 2017).

Work Health and Safety (Work Safety Council Member) Appointment 2017 (No 1)—Disallowable Instrument DI2017-222 (LR, 29 August 2017).

International engagement

Discussion of matter of public importance

MADAM ASSISTANT SPEAKER (Ms Lee): Madam Speaker has received letters from Ms Cheyne, Ms Cody, Mr Hanson, Mrs Jones, Ms Lee, Ms Orr, Mr Parton and Mr Steel proposing that matters of public importance be submitted to the Assembly. In accordance with standing order 79, Madam Speaker has determined that the matter proposed by Mr Steel be submitted to the Assembly, namely:

The importance of international engagement to support economic and job growth opportunities in the ACT

MR STEEL (Murrumbidgee) (3.29): I am pleased to speak today on the importance of international engagement for the ACT. Our government has championed Canberra as a confident, bold and outward-looking city. We are reaching out to the world and the world is reaching out to embrace us. This is so important to foster growth—economic growth and job growth—here in the ACT.

Engaging with our nearby neighbours in Asia and the Pacific as part of a deliberate strategy of international engagement is vitally important to our growing city, and our government is committed to showing off the world's most livable city and what we have to offer to the rest of the world.

In Canberra's international engagement strategy from last year, the Chief Minister succinctly outlined the government's understanding of the importance of international engagement: building our profile and promoting Canberra as a place to invest, to do business, visit and study, cementing our position as a city of global significance.

Today I want to highlight the importance of our relationships and engagement with Singapore, China, Japan, and New Zealand in particular, four of the five countries that we have deliberately set about to engage with over the coming years. We are now truly living in the Asian century and our government absolutely acknowledges where the future of the world lies in terms of our engagement.

This Thursday will mark exactly one year since international flights began between Canberra and Singapore. The direct capital express route is critical to bringing our global city closer to travel and business hubs in South-East Asia. As outlined in the international engagement strategy, this new route has an important purpose in working towards our government's goal to grow the value of international and domestic expenditure from tourism to \$2.5 billion by 2020. This will be further aided by the announcement by Qatar Airways that flights from Canberra to Doha will begin on 12 February next year.

Tourism to Australia, and to Canberra, is growing and is a priority market for our government. We are beginning to see significant success as we grow Canberra's brand awareness across the world. For the year ending June 2017, international visitors to the ACT exceeded 220,000 people, a 9.1 per cent increase from the previous year. Expenditure from these visitors was \$535.4 million, which represents a 27.3 per cent increase from the previous year. This demonstrates that not only are more people coming to our city but more money is being spent on these visits, which means more jobs and more growth for our economy.

Not all of these visits are for leisure. Business travel increased by 2.8 per cent and the total visitor nights for business travel totalled 426,000 nights, which is a significant 136 per cent increase from the previous year. Along with Canberra embracing international visitors—both for business and for leisure—it is essential that we meet regularly with our international friends and partners face to face to spruik Canberra's economic strength and potential.

In fact, just on Monday a delegation of Canberra businesses and businesspeople from the private sector travelled to Singapore to discuss how IT infrastructure can be more effectively rolled out across our country. The delegation included Veritec and Canberra Data Centres, two locally situated businesses. The chief executive of Canberra Data Centres, Greg Boorer, said the similarities between Canberra and Singapore provide Canberra businesses with unique opportunities to do business.

We cannot sit back and wait for the world to fall into our lap; we must actively engage. That is why our Chief Minister recently attended the tourism ministers meeting in Beijing and Hong Kong, which was held in late August. Promoting greater tourism from China is an important goal of our government. As the Chief Minister outlined to the Assembly this morning, 45,000 Chinese visitors arrived in the ACT, accounting for 21 per cent of total international visitor arrivals, a 25 per cent increase from last year.

Of the 1.2 million Chinese tourists that visited Australia last year, 45,000 visited Canberra, which represents 3.75 per cent of that cohort. Given that the ACT makes up just 1.7 per cent of the Australian population, this is an excellent per capita result for our territory, showing that, despite our small size, we are attracting international visitors at a greater proportion than the rest of the country and demonstrating that our strategy is working.

Canberra is an education destination and we need to make sure that Canberra continues to be an attractive student destination to bolster our export economy. As outlined in the “Canberra: Australia’s education capital” strategy, there are more than 11,000 Canberrans who were born in China—2.9 per cent of our population—and 22,500 with Chinese ancestry. When we look at the part of our city taking in the Australian National University, postcode 2601, this figure swiftly rises to 21 per cent of Canberrans in the postcode who were born in China, including Hong Kong.

As at December 2015, there were 12,830 international students studying in Canberra. Of those, Chinese students, in addition to those from Hong Kong, made up 6,402 people, or 49.9 per cent, almost exactly half our international student cohort. There are also now more than 14,000 international students in our city, as of 2016. We are also on track for strong growth in 2017, with student visa grants showing a 22 per cent increase in the first quarter of 2017 compared to the first quarter of 2016.

This demonstrates why, in the international engagement strategy, education and research are identified as one of the key capability areas of the ACT economy. Our city’s education sector contributes \$2.7 billion to the economy and creates 16,000 jobs. In particular, the international education aspect of the sector contributes \$579 million and 6,000 jobs to the ACT economy. Of these figures, Chinese students account for a significant proportion of our international students, who come to gain a world-class education at our country’s best institutions.

Every international student who has a positive experience living in Canberra will help drive future travel from friends and relatives and act as advocates, innovators and exemplars, as alumni, to help raise the profile of Canberra and the Canberra institutions in which they studied.

The ACT also has a positive relationship with Japan. Japan has the third-largest economy in the world and we have a strong sister-city relationship with Nara. The education sector is a vital export for Canberra and there are more than 24 universities in Japan which offer exchange programs with the ANU.

With the light rail project, the Mitsubishi Corporation acts as a member of the Canberra Metro consortia. The strong relationship that we have with our sister city provides us with a platform to enhance our engagement with one of Australia's largest trading partners. This will be further enhanced through "Australia now", a celebration of Australia which will be held in Japan in 2018, as a country of strategic significance. Canberra will be involved in "Australia now", raising our profile as an innovative, contemporary and creative city and as an attractive and safe place to explore, study, invest, conduct business and to live. This is an opportunity to consolidate partnerships and exchange people and links with people in Japan.

But let us not forget that the capital express does not stop in Canberra. The route from Singapore Airlines travels to Singapore and also to Wellington, as the capital of our nearby neighbour, New Zealand. We have had a sister-city relationship with Wellington since July 2016. In our international engagement strategy the government has outlined education, tourism, ICT, defence, spatial science, health and renewable energy as just some of our key capability areas.

In our sister-city agreement with Wellington, there is a shared commitment between our Chief Minister and the Wellington mayor to facilitate partnerships and tourism promotion, jointly supporting innovation and technology start-up ecosystems, biodiversity initiatives, mutual exchange regarding renewable and sustainable energy supply, and delegations that connect businesses between each of the cities. New Zealand will always be a close partner of Australia and building a strong relationship between our two capital cities will also benefit the economy and provide more job opportunities for Canberrans and Wellingtonians.

I am very pleased to have been able to bring forward this matter of public importance to the chamber today. International engagement is vital to support economic and job opportunities in the ACT. We must continue to engage with confidence and engage based on the deliberate strategy our government has put in place to benefit all Canberrans.

MR COE (Yerrabi—Leader of the Opposition) (3.39): It is a pleasure to talk about such an important issue and I very much thank Mr Steel for bringing forward this matter of public importance; that is, the importance of international engagement to support economic and job growth opportunities in the ACT. We on this side stand in complete unity with the government on the importance of this strategy and the importance to Canberra of getting this role of government right.

Of course, there are many benefits to trade and investment in our region. Trade promotes economic growth, builds wealth and raises household incomes. Trade does bring down the cost of goods and brings much more diversity and choice to our markets as well. It supports and creates jobs and creates new markets for Australian products and, in particular, products from here in Canberra and indeed the region.

There are many, many benefits in getting involved in a global promotion of the region. I think for a long time, as Mr Steel hinted at, Canberra has either thought that we were too small to engage in overseas trade or we have simply piggybacked on other

jurisdictions. We on this side of the Assembly do commend the ACT government for the work they have done in promoting the ACT abroad and, in particular, for their assistance in bringing ACT businesses to other markets, most notably Singapore, New Zealand, China and Japan.

There are many other opportunities that I think must not be overlooked. The most obvious one, and the nearest to Australia, is Indonesia. There is a tremendous opportunity, I believe. The middle class is growing at an extraordinary rate in Indonesia. With that comes disposable income. With that comes a demand for additional goods and services, and I believe the ACT is very well placed to meet some of that demand that will grow out of Indonesia.

For the year ending March this year, the ACT had 214,000 international visitors. This was up 7½ per cent on the previous year. There were 4.55 million international visitor nights, and this was down. However, it was based, I think, on a particularly good year; that is, to March 2016. To that end, I think we have to make sure that we are looking at a trend series rather than simply year by year. There is about \$520 million of international expenditure here in the ACT, and the average international visitor spend was \$114 per night.

There are approximately 16,000 people employed in the tourism sector here in the ACT. That makes it a considerable part of the ACT economy, especially when you factor in just how many jobs are located in the public sector. In the private sector, to have 16,000 in one sector, in one industry, is a considerable portion of that employment.

It is important to note the many opportunities that Canberra does have and that we are yet to reach our potential in. Of course, education, finance and associated services, IT, food and hospitality are just some of the opportunities that we have. Canberra is, I think, punching above its weight in each of those, but there is still considerably more that could be done in order to expose these sectors and these industries to the world.

The Canberra Liberals are supporters of the autonomous vehicles sector and the opportunities that exist in that space. I note that the government is keen to undertake a trial and is indeed undertaking a trial, but I think there is considerably more that can be done to actually make the ACT a far more attractive space for investment in autonomous vehicles. The vice-president of research and development for General Motors, based in Detroit in the United States, said that Australia was the best country in the world for autonomous vehicles and Canberra is the ideal choice for such investment. With that said, I really do urge the ACT to take up that opportunity that has been presented and made obvious by General Motors' vice-president of research and development.

With regard to the international markets, hands down the largest number of international visitors comes from China. The UK and the USA are still steady but they are decreasing. That is understandable when you consider the opportunities that are now opening up with regard to New Zealand and Singapore but also India and Indonesia. The Canberra Liberals firmly believe that the relationship with India has considerable opportunity. We think there is a lot that can be done in that space and the

Canberra Liberals are very keen to play a part in that relationship, as we are with all international opportunities. The starkest ones are India, China, Indonesia, Singapore, New Zealand and Japan, but there are many other opportunities that exist.

It is not the role of the Assembly or the government to necessarily railroad investment or railroad opportunities, but it is the role of this place to ensure that we are removing all barriers and doing what we can to actually provide genuine opportunities so that Canberra becomes an attractive place for people to take risks and to create investment opportunities.

It is not, I think, for the ACT government to go to great lengths to try to pick winners, because that is fraught. Whilst there might be some times where there is a case for particular investments, what would be better would be to make the ACT a place that is attractive and conducive to this sort of risk-taking and this kind of investment. In doing so we are far more likely to get more sustainable and viable business opportunities rather than ones that are somewhat artificially created.

In conclusion the opposition again thanks Mr Steel for bringing forward this matter of public importance. We stand together with the government in promoting the ACT to the world.

MR BARR (Kurrajong—Chief Minister, Treasurer, Minister for Economic Development and Minister for Tourism and Major Events) (3.47): I thank Mr Steel for raising this MPI today and Mr Coe for his constructive contribution. As I have said in this place on numerous occasions, the future for our city is to be more nationally and globally connected. In the simplest terms, we are not going to grow wealthy selling to ourselves. The key to economic and job growth for our city is in exporting—exporting our knowledge, our skills, our human capital and products that are designed and made in Canberra, whether that is a phased-array radar or a tinny of Capital Brewing's coast ale.

Canberrans voted last year for an agenda that was for a more outwardly looking, internationally engaged city. They voted to seek more opportunities for this city outside Australia, and we are committed as a government to supporting Canberra and the surrounding region, its businesses and organisations, in their international market development endeavours. We have a clear strategy in place to do this. We support this by promoting our knowledge-based industries and investment opportunities nationally and internationally.

I have established the role of the Commissioner for International Engagement, reached across the aisle in the spirit of bipartisanship in that particular appointment and launched the ACT government's international engagement strategy. These have been important milestones, but they also create the operational framework for delivery of the government's agenda.

Facilitating new investment in Canberra is also the primary vehicle for opening pathways for trade and for exports. A strategic focus on key sectors is important to how we project ourselves and our investment offerings internationally. The key sectors of defence, spatial technologies and cybersecurity are a major focus of

government effort and we are working on investment attraction strategies in partnership with these sectors. This process involves bringing together our internationally renowned research base with lead companies across these sectors.

Securing direct international flights has contributed significantly to the capacity for Canberra businesses to advance opportunities in the international marketplace, particularly in those key sectors I have mentioned. In simple terms, international flight connectivity brings people, companies and organisations closer together. Connectivity opens up new markets, new capital investment opportunities and the exposure to, and exchange of, talent.

The government will continue to work closely with Canberra Airport as well as regional industry groups to advance further opportunities for international flights and for freight and will capitalise on the opportunities that are presented for our region. In this context Singapore is very much a priority market for the ACT, but Singapore is also not short of international partners. We have to be in these markets on a repeat basis, with a strong narrative and a compelling offering.

As I mentioned in question time and earlier today in my ministerial statement, our focus on the South-East Asian region, particularly Singapore, is paying dividends by driving business-to-business opportunities, encouraging new trade opportunities, supporting freight development and, as we have heard from Mr Steel and Mr Coe, bringing an impressive number of tourists to our city.

Important and effective bridging initiatives are, of course, trade and investment delegations. The government, with numerous industry partners, has delivered several trade missions to create tangible opportunities for Canberra and region businesses. Trade delegations are often a way of providing a soft landing for local companies with export capability in new markets and bringing them together with existing exporters so that they can market strategies and experience. Trade missions are also about promoting our city and branding our territory and setting up opportunities for local businesses to pursue further trade and export links.

Through these initiatives there is no doubt that Canberra businesses have been much more outward looking. Some examples of this include the success of the Canberra online transaction business eWAY. Its acquisition by the American company Global Payments for \$US50 million is an impressive recent example. Others include the Shaw Vineyard Estate opening a range of wine retail outlets in China, and Canberra start-up Mineral Carbonation International signing a \$100 million MoU with Singaporean company ArmorShield Holdings, which has extensive networks and experience doing business in China. Canberra businesses involved in trade missions which have secured significant deals as a result include ONTHEGO SPORTS, QuintessenceLabs, Bottles of Australia, the Cogito Group and Seeing Machines.

As I discussed this morning, I attended the tourism ministers meeting in Beijing last month, which provided some further information and opportunity on Australian trade, investment and tourism policies and strategies in relation to China. We are continuing to pursue further engagement with China and particularly have an emphasis on aviation development in that context. The Australia-China free trade agreement, as

I mentioned this morning, has opened the skies, and I think there is significant potential for greater connectivity between Canberra and China.

As other speakers have mentioned, and I want to reinforce today, we are Australia's knowledge capital. Our higher education sector is growing significantly. Our universities are attracting the best and brightest students from across the Asia-Pacific, and the ACT government is working very closely with our universities to encourage their further growth. We want them to continue to secure the best students and staff and we want those students and staff to enjoy productive careers in Canberra after their studies or contracts have ended.

Through being more internationally engaged we are creating world-leading knowledge jobs that not only attract but also keep the world's best talent in our city. People do flock to where the best talent is and we are seeing, with our new and internationally renowned vice-chancellors at both the ANU and the University of Canberra, that talented people will follow the best. Through Study Canberra and the Canberra brand we are attracting economic growth through international student engagement.

On the topic of the CBR brand, the government continues to invest significantly in the brand which provides a cohesive and creative approach to marketing our city nationally and internationally. I can say that the brand has been a very strong platform for communication on recent international missions, including programs delivered as part of our engagement in Wellington, the Singapore investor showcase event and other international engagement opportunities. I can advise the Assembly that through the Canberra brand the Commissioner for International Engagement is bringing his usual enthusiasm and passion for raising the profile of Canberra, our knowledge economy and our broad business community with a diverse range of international markets.

Inbound tourism is a growing and priority market for the ACT and of course a major contributor to strengthening the relationship between the ACT and Singapore. We have cooperative marketing partnerships in arrangements with Singapore, Malaysia, Hong Kong, China, India, New Zealand and the UK, all aimed at promoting the ACT as an attractive international tourism destination. Working in these cooperative marketing partnerships enables the ACT government to work with overseas travel wholesalers and key distribution partners to promote Canberra and the region as an attractive international tourism destination. And the recent tourism data, I think, is reinforcing this effort.

For the year ending June 2017, international visitors reached over 220,000, a nine per cent increase on the year before. Visitor expenditure increased 27 per cent, well above the national average. Business travel was up. Visitor nights for business travel increased 136 per cent over the same period last year, with an average length of 15 days, representing an increase there of around 130 per cent.

As you can see from this very impressive data, we are achieving the outcomes we are striving for, but we recognise the continued importance of international engagement to support economic growth and job growth in Canberra. Our long-term strategies are

indeed paying off and we will continue our focus in these priority markets that will include Indonesia and India in the future as well.

Discussion concluded.

Adjournment

Motion (by **Mr Gentleman**) proposed:

That the Assembly do now adjourn.

Mr Bogey Musidlak

MRS DUNNE (Ginninderra) (3.57): I want to pause tonight to reflect on the life of Boguslaw, known as “Bogey”, Musidlak. Bogey died suddenly on 27 August. As he was a long-term Canberra resident, I think it is appropriate that this Assembly notes his passing, as we all owe our election to his vision and foresight.

As Malcolm Mackerras said in a recent obituary, Bogey was the father of Hare-Clark in Canberra. Bogey was the president for many years of the Proportional Representation Society, an organisation which has come about to further the use of the single transferrable vote. The eyes of many members will glaze over, but the single transferrable vote is a very important thing. It is used most commonly in Australia, more commonly in Australia than anywhere else in the world, and it does produce very fair electoral systems. Malcolm Mackerras’s obituary, and also Malcolm Baalman’s online obituary earlier this month, spoke warmly of the importance of the work that was done by Bogey Musidlak in promoting proportional representation and the single transferrable vote in Australia and specifically in Canberra.

Bogey was born in September 1953, and he came to Canberra as a resident in 1976. He had a Polish father and a Ukrainian mother, who met in a prisoner-of-war camp during World War II. For those who knew Bogey—I knew him well, and my husband, Lyle, also knew him well; he worked very closely with him during the 1992 Hare-Clark voting system referendum—Bogey was an unusual character. He was a bit of a hoarder but entirely driven. During the electoral system referendum, his effort and drive were the principal things that saw Hare-Clark become the preferred electoral system in the ACT.

When there was discussion in 1991 about whether we should change the electoral system, the options that were put forward were Hare-Clark and single-member electorates. At the time when it was first mooted, the *Canberra Times* reported that its poll had shown that there was 25 per cent support for the Hare-Clark electoral system in the ACT, but by the time of the referendum in February 1992 74 per cent of Canberrans had voted for Hare-Clark. This, which has been described by Malcolm Mackerras as the miracle of Canberra, was mainly the work of Bogey Musidlak.

But 1992 did not see the end of his work. When the first draft electoral bill came out, following the referendum, there were attempts by Labor to hijack the election result with a proposal for above-the-line voting, which is the antithesis of the single

transferrable vote. I recall quite vividly a Geoff Pryor cartoon that appeared in the *Canberra Times* of Rosemary Follett and her crew scrumming around on the floor looking for something in a very concerned way. The commentary was, “Rosemary is looking for her credibility.”

Of course, this attempt to hijack the referendum result fired Bogey up, and he hatched a plan for an entrenchment of the elements of Hare-Clark. In the next election, in 1995, there was again a referendum, which resolved to entrench the essential elements of Hare-Clark into ACT legislation so that they could not be done away with without a two-thirds majority of this place or by referendum. The elements of a single transferrable vote, odd numbers, no less than five in each electorate and various other elements of Hare-Clark are entrenched today and are safeguarded today because of the work of Bogey Musidlak.

It is important that this Assembly notes his early and sudden passing and thanks him for the work that he has done for the people of Canberra and for democracy in Canberra.

MR STEEL (Murrumbidgee) (4.02): I too would like to rise and, on behalf of the government, mark the passing of Bogey Musidlak, a great member of the Canberra community and expert in electoral reform. He died at the age of 63. Through his career, Bogey worked for the Department of Finance and was chief of staff to Australian Democrats Senator David Vigor.

We in this place are all here because of the electoral system that Bogey championed. Bogey was widely known for his intelligence and his expertise on electoral systems. He played an integral part in the ACT adopting the Hare-Clark system that we know and love. He influenced all sides of politics in the early 1990s, as the ACT adopted Hare-Clark, in a role that in this place led Mrs Dunne to give him the nickname “Mr Proportional Representation for the ACT”.

Bogey’s encouragement and determination for a fair electoral system spearheaded two successful public ballots. The first ballot, in 1992, was an advisory poll which showed that 65 per cent of Canberrans agreed with the Hare-Clark proportional representation system being used to elect MLAs rather than having 17 single-member divisions each being won by the dominant party. Three years later, the second ballot, a binding referendum, brought into law the Hare-Clark entrenchment bill, which the then Assembly passed under the provision of commonwealth legislation. In campaigning for a yes vote, Bogey was rewarded with another 65 per cent success rate. As a result, all of us in this place are very familiar with the intricacies of Hare-Clark. Since the introduction of Hare-Clark in the ACT, Bogey has been a regular commentator on electoral reform. He held the position of president of the Proportional Representation Society of Australia.

Aside from electoral systems, Bogey was influential in population health policy. He championed a range of anti-smoking policies, including ensuring that people no longer smoke on aeroplanes, through the group Canberra Action on Smoking and Health. Bogey was a dedicated, charming and passionate Canberran. He influenced democracy in Canberra and we owe him a great deal in that regard.

Mr Bogey Musidlak
Same-sex marriage postal survey

MS LE COUTEUR (Murrumbidgee) (4.04): Firstly, I would like to join with Mrs Dunne and Mr Steel in expressing my gratitude to Bogey Musidlak for his contribution to our electoral system here in the ACT. I can certainly say that without his contribution I am sure I would not be here today.

However, I will not repeat what the two previous speakers have said. I am going to speak briefly on the non-binding, non-compulsory postal survey on marriage equality, because I have received some concerning information from a constituent today about a system in place for the current marriage survey. I am told this issue is not an isolated incident.

I refer to a couple who have lived at the same place for 28 years, participated in numerous elections during that time and completed several census forms from that address. They took time to ensure that the AEC had the correct details for them on the electoral roll. Realising that they had not received ballot forms as yet, they dutifully contacted the ABS, who advised them that they were listed as having a post office box address. They have not in fact had one for over 30 years and certainly not where they are currently residing, in the electorate of Brindabella. The ABS was unable to change their details. They were advised to contact the ABS again after 25 September to organise a reissue of forms, despite the fact that they have already contacted the ABS and asked for the reissue. What is of equal concern is that their details, when checked with the AEC, did not include a post office box, so one wonders what information was provided by the AEC to the ABS.

This raises serious concerns regarding the system used by the ABS for the current marriage survey—and the system used by the AEC, for that matter. We have people who are committed to ensuring that their voices are heard and who now have to have considerable perseverance to follow through to ensure that they get the opportunity. I am told that this is not isolated.

On top of this, there have been reports in the media, last week and today, about ballot forms lying in the rain and mud. Last week it was about several apartment buildings in inner north Canberra. Yesterday's *Canberra Times* tells us it happened in Brunswick, Victoria, as well. I have also received comments from numerous people about multiple forms addressed to previous residents who have not resided there for years, despite them not receiving other mail for these former residents in the recent past. The ABS has also acknowledged that it cannot prevent people filling out other people's forms.

This appears to be a seriously flawed process. It is bad enough that our federal politicians cannot make up their minds to vote for equality and human rights, but it is an absolute travesty when what is already an unnecessary, divisive and damaging postal survey causes further distress because it is not undertaken with the certainty of professionalism, efficiency, effectiveness, accuracy and integrity. The process is being undermined, and I fear that whatever the result on 15 November it will not be

honoured because it will be seen as a result of an incompetent survey. I am extremely concerned, on behalf of all people who have taken the effort to post their survey, that this incompetence will be used as an excuse to ignore the will of the people.

Reclink Community Cup

MR PARTON (Brindabella) (4.08): It was my great pleasure to be involved as a very, very bad player in the inaugural Canberra Reclink Community Cup AFL match on Sunday, 10 September at Jamison enclosed oval. I want to make mention today that Reclink community cups are community fundraising AFL matches that are held around the country. Primarily fought out between musos and the media, these events started in Melbourne many years ago. They are absolutely huge in Melbourne. It is my understanding that they draw crowds in excess of 10,000 to enjoy the football and the rock music that is put on to complement the program.

As the years have gone on, Reclink community cups have been held around the nation in other capital cities. Finally this year, thanks to the hard work of Tim Daly and David Lane, we got an event in Canberra. Thanks to the co-captains, Chris Endrey and Betty Monza from the Limestones—the musos team—and David Pope and Fleta Page from the Noise, the media team.

I am still not sure how I qualified to play on the media team, but it was explained to me that after 33 years on the radio I qualify as a life member of the media. I must also say thanks to Mr Rattenbury from the Greens, who assisted in the umpiring on the day in a relatively unbiased way. Cheers also to Adam Shirley from ABC Radio Canberra for ably officiating as main field umpire on the day. Big thanks also to the Worm Burners, Waterford and Mixtape Chorus for performing on the day, and to everyone who came on down to support the cause.

Mark Ransome was there from Reclink Canberra. He has been a hard worker in the homeless and disadvantaged space here in Canberra for quite a number of years. The Reclink Australia high density housing community and safety program does some great work on the streets of our town. It is funded by the Justice and Community Safety Directorate. Reclink works with residents of six public housing sites on Ainslie Avenue to facilitate access to services and undertake and promote ongoing participation opportunities in events, activities and programs. They do a really good job.

Reclink works with high and complex needs residents who have been or who are at risk of becoming involved in the criminal justice system. We are thankful for the work that Reclink does in our community and we hope it can continue. As for the Reclink Community Cup, the Musos prevailed by just five points. I played badly, against medical advice, with a strained Achilles. It hurt a lot, but I would do it again tomorrow. I hope I can be a part of the event next year.

Ainslie School fete

MS STEPHEN-SMITH (Kurrajong—Minister for Community Services and Social Inclusion, Minister for Disability, Children and Youth, Minister for Aboriginal and

Torres Strait Islander Affairs, Minister for Multicultural Affairs and Minister for Workplace Safety and Industrial Relations) (4.11): On Saturday I had the privilege of opening the Ainslie School open day and fete. Ninety years ago today, in 1927, Prime Minister Stanley Bruce officially opened Ainslie School. It was the first official act of a Prime Minister in the new capital.

I am lucky, as is Ms Lee, to have many of Canberra's oldest and most historic buildings and institutions in our electorate of Kurrajong. The Ainslie School is a very important one of those. The anniversary we celebrate today is not an anniversary or a celebration of a single building. The original building—the one that was opened by Stanley Bruce 90 years ago—is no longer used by the school, as we are probably all aware. The current Ainslie School building was built in 1938. While both buildings are historically and architecturally important to our city, they are only one of the elements of Ainslie School that we are celebrating. In reality, we are celebrating the community that has been built with Ainslie School at its core and the contribution of Ainslie School to building the community of the inner north.

Many Canberrans, particularly residents of the inner north, have a strong connection to Ainslie School. Some are parents or former students; some are teachers, former teachers, support staff or cleaners. Some are childcare workers at the after-school and holiday care programs based at the school. Some are involved in the Ainslie Arts Centre, which is housed just across the oval in the original school building. Many are simply locals who enjoy the range of community events on Ainslie School's calendar, including the much loved annual fete.

When a family moves to a new place, it is often the local school that is their first connection to their new community. I have no doubt that Ainslie School—in fact, I have heard this—has absolutely helped to introduce many families who are new to our city or new to our country to their neighbours and their community. Currently Ainslie School boasts around one-quarter of its students coming from culturally and linguistically diverse backgrounds. You could see that in the faces of the children in the school on the fete day on Saturday.

While Ainslie is at the core of its own community in the inner north, it has also played a part in many of our city's significant events and moments. Students who participate in Ainslie's performing arts programs hold major performances at annual events like Floriade, BandFest, Dance Nation and Step into the Limelight. When Kevin Rudd delivered the historic apology to the stolen generations in 2007, Ainslie School's choir, Ainslie Voices, sang on the lawns of Parliament House.

I want to thank everyone who has been involved in the Ainslie School community for building up what is now generations of community feeling and wellbeing within the inner north—all of the teachers and former teachers, the parents and everyone else who has been involved in the school. I particularly want to say thank you to Mel, Michael and Nova for their fabulous work in organising the open day and fete and all the other wonderful 90th birthday celebrations that are going on this year. Indeed, I understand that today the school held an assembly with a number of federal representatives there.

Through the change around us, we are committed to keeping the Canberra we love and to making it better. The enduring community of Ainslie School is a perfect example of how a city has grown and changed for the better, while remaining uniquely Canberran. I look forward to seeing as much as I can of what the next 90 years will bring for Ainslie School and how it will continue to foster its students and families into the next generations of Canberrans.

Alzheimer's ACT memory walk

MS LEE (Kurrajong) (4.15): The theme was “You are not alone”, and that was certainly the case on Sunday morning. Anyone who was near Lennox Gardens would have seen a sea of yellow shirts as hundreds of Canberrans walked, jogged and ran to raise awareness and funds for Alzheimer's ACT on their fifth annual memory walk and jog.

Over 413,000 people live with dementia in Australia, and it is estimated that over 5,000 people live with dementia in the ACT. There is a misconception that dementia only affects the elderly, and whilst it is true that it is more common amongst our older Australians, younger onset dementia is a condition that is not talked about much.

We have already seen great examples of the community coming together to raise awareness about and to support Canberrans living with dementia. I commend the Majura men's shed in partnering with Alzheimer's ACT to give older men living with dementia the support and resources to be able to engage with other men, to talk shoulder to shoulder, to create trinkets for their grandchildren and to have a chance to get back to the basics of using their hands to create something special.

With national statistics showing an alarming upwards trend in the diagnosis of dementia, it is clear that, moving forward, dementia will impact every Australian family in some way. Yet a recent survey conducted by Alzheimer's Australia, *Dementia and the Impact of Social Stigma*, reports that over 70 per cent of Australians admit they know very little about dementia, and almost half of the population do not realise that dementia is fatal or understand how to assist someone with dementia. The survey also found that people living with dementia and their carers overwhelmingly report feeling socially isolated and lonely.

It is for this reason that initiatives such as the memory walk and jog are so important. We have a responsibility to educate ourselves and our community as to the realities of dementia and how we can best support those affected. It is a way that we can show these Canberrans that, indeed, you are not alone.

Last week Minister Fitzharris, Minister Rattenbury and I joined Al the elephant, the memory walk and jog mascot, to drum up some excitement and support for the memory walk and jog. I acknowledge the enormous efforts of Rebecca Vassarotti, interim CEO, and Celia Vuckovic, events and fundraising officer, in pulling off a successful event.

I am no runner or jogger; at times I even have trouble walking from one place to another let alone around the lake. However, I was pleased to be able to lend my group fitness skills to lead a warm-up for the seven-kilometre and five-kilometre runners. I know that for most runners or joggers, a 10-minute dance routine is probably not what they had in mind when they volunteered for this event, and I thank them for being such good sports. I have to give a special shout out to Minister Rattenbury for also joining in the SH'BAM warm-up. Let us just say that perhaps his technique needs a little bit of a brush-up, but he did go out of his comfort zone to join us before doing the five-kilometre run to support the cause. Thank you to Shirley of Functional Fitness and Tia, fellow SH'BAMer, for joining me on stage for the warm-up.

Ita Buttrose, patron of Alzheimer's ACT, was on hand to congratulate and welcome back the runners and to proudly announce that the event raised almost \$20,000, which will provide vital services, such as counselling, social support groups and education. This will go a long way in helping family carers, people living with dementia and health professionals across our region.

September is Dementia Awareness Month and I encourage all members to do their part in raising awareness of dementia and its impacts on our community. Once again, I thank the team at Alzheimer's ACT not only for the fantastic event on Sunday but for everything they do for Canberrans living with dementia.

Question resolved in the affirmative.

The Assembly adjourned at 4.19 pm.

Schedules of amendments

Schedule 1

Planning and Development Amendment Bill 2017

Amendments moved by the Minister for Planning and Land Management

1

Clause 4

Proposed new section 73 (2)

Page 3, line 7—

omit proposed new section 73 (2), substitute

- (2) The Minister must, within 5 working days after the day the public availability notice for the draft plan variation is notified, refer the draft plan variation documents to an appropriate committee of the Legislative Assembly, together with a request that the committee decide whether it will prepare a report on the draft plan variation.
- (2A) Subsection (2B) applies if—
- (a) the draft plan variation is to facilitate the construction, ongoing operation and maintenance, repairs, refurbishment, relocation or replacement of light rail; and
 - (b) if the committee decides to prepare a report on the draft plan variation—the Minister is satisfied that the risk of delay to the development of light rail will be minimised if the committee’s report on the draft plan variation were given to the Minister earlier than 6 months after the day the draft plan variation is referred to the committee.
- (2B) When the Minister refers the draft plan variation to the committee, the Minister may request that, if the committee decides to prepare a report, the report be completed and given to the Minister within a period stated by the Minister, that is not less than 3 months and not more than 6 months after the day the draft plan variation is referred to the committee.

2

Clause 4

Proposed new section 73 (3) (a)

Page 3, line 20—

omit

15 working days

substitute

20 working days

4

Clause 7

Proposed new section 75 (1) (c) (i)

Page 5, line 11—

omit

section 73 (2) (b)

substitute

section 73 (2B)

Schedule 2

Planning and Development Amendment Bill 2017

Amendments moved by Ms Lawder

1

Clause 4

Proposed new section 73 (3) (a)

Page 3, line 20—

omit

15 working days

substitute

20 working days

2

Clause 4

Proposed new section 73 (3) (b)

Page 3, line 23—

omit

15-day

substitute

20-day
