



Debates

WEEKLY HANSARD

Legislative Assembly for the ACT

EIGHTH ASSEMBLY

9 FEBRUARY 2016

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Tuesday, 9 February 2016

Petitions (Ministerial responses):	
Planning—draft variation 334—petition No 12-15.....	1
Lottery products—petition No 13-15	3
Standing committees—membership (Statement by Speaker).....	4
Standing committees—membership	4
Education, Training and Youth Affairs—Standing Committee	5
Standing committees—establishment.....	5
Justice and Community Safety—Standing Committee.....	12
Justice and Community Safety—Standing Committee.....	13
Government priorities for 2016 (Ministerial statement).....	13
Paper	18
Elective surgery (Ministerial statement).....	18
Protection of Rights (Services) Legislation Amendment Bill 2015	23
Planning, Building and Environment Legislation Amendment Bill 2015 (No 2)	40
Questions without notice:	
Trade unions—CFMEU	44
Transport—light rail	45
Gaming—casino	46
Tourism—direct international flights	47
Canberra Olympic Pool	50
Schools—children with disabilities	51
Ministers—code of conduct.....	52
Transport—light rail	53
Auditor-General—engagement of strategic reviewer (Statement by Speaker)	57
Assembly on demand (Statement by Speaker)	58
Estimates 2015-2016—Select Committee (Statement by Speaker).....	58
Papers.....	59
Budget review—2015-2016.....	62
Justice and Community Safety—Standing Committee.....	67
Public Accounts—Standing Committee	70
Papers.....	75
Planning and Development Act 2007—variation No 340 to the territory plan	75
Papers.....	76
Internet services (Matter of public importance).....	80
Planning, Building and Environment Legislation Amendment Bill 2015 (No 2)	88
Road Transport Legislation Amendment Bill 2015 (No 2)	91
Adjournment:	
Centenary of the Returned and Services League.....	95
Legislative Assembly—church service	96
Irish language	96
Jerrabomberra wetlands	98
Mulligans Flat woodland sanctuary.....	98
The Assembly adjourned at 5.10 pm.....	99
Schedules of amendments:	
Schedule 1: Protection of Rights (Services) Legislation Amendment Bill 2015	100
Schedule 2: Planning, Building and Environment Legislation Amendment	
Bill 2015 (No. 2).....	100

Tuesday, 9 February 2016

MADAM SPEAKER (Mrs Dunne) 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.

Petitions

Ministerial responses

The Clerk: The following responses to petitions have been lodged by ministers:

By Mr Gentleman, Minister for Planning and Land Management, dated 12 December 2015, in response to a petition lodged by Mr Doszpot on 22 September 2015 concerning Draft Variation No 334 to the Territory Plan relating to public housing in Red Hill.

By Ms Burch, Minister for Racing and Gaming, dated 19 January 2016, in response to a petition lodged by Mr Wall on 28 October 2015 concerning the sale of lottery products.

The terms of the responses will be recorded in *Hansard*.

Planning—draft variation 334—petition No 12-15

The response read as follows:

Thank you for your letter of 22 September 2015 attaching Petition No. 12-15 lodged by Mr Doszpot, MLA on behalf of 548 Australian Capital Territory residents.

The petition brings to the attention of the Assembly the view that the density of housing proposed by the Government through Draft Variation 334 for the Red Hill Public Housing site (DV334) is unacceptable, as is the proposal for 4 and 6 story buildings on it. The petition calls upon the Assembly to request those Ministers responsible for DV334 to redraft it in consultation with the community, based on RZ2 zoning on all boundary areas and RZ3 zoning with a maximum of 3 storeys at the central area of the site, with existing development codes applying to the whole of the residential areas of the site without variation. The petition also calls for a holistic and accurate assessment of impact to roads, traffic, parking, sewerage, water and drainage.

The petition asks for those Ministers responsible for DV334 to redraft it in consultation with the community. There is actually no statutory power for Ministers to draft Territory Plan variations. The planning authority is authorised under *the Planning and Development Act 2007* (the Act) to draft Territory Plan variations on its own initiative or at the request of the Minister.

In respect of consultation, the minimum requirements for public consultation are stipulated in the Act and have already been greatly exceeded in relation to

DV334. Non-statutory pre-consultation took place from July 2014 to April 2015 and statutory public consultation was undertaken in relation to DV334 from 2 July 2015 to 17 August 2015 with an extension of time for submissions to 31 August 2015. Consultation took various forms and included:

- Letters to Red Hill residents advising of proposed zoning changes and times of meetings, Design Workshops and drop-in information sessions;
- Advertisements in the Canberra Times, Chronicle, the *Time To Talk* website and Economic Development website; and
- Presentations to local Community Councils

A total of fifty one (51) written submissions, six form letters and six submissions from community organisations were received from the community during the non-statutory consultation period. Ninety seven (97) written submissions were received during the statutory public consultation period. The majority of these submissions were from individuals (93 submissions). A number of submissions were made by community organisations.

This indicates a significant engagement by the public with the consultation process in relation to DV334 and in my opinion, additional public consultation is not warranted. Also, concerns expressed by the public have been incorporated by way of changes to DV334. These changes included reducing the heights of the buildings near Beagle Street from four to three storeys, and concentrating the taller elements at the centre of the site, around Lady Nelson Park and along Discovery Street, opposite the Red Hill local centre. The height of buildings permitted under DV334 is 'stepped down' towards the edges of the site adjacent to existing residences. There will be another opportunity for the public to comment on any proposed development at the development application stage.

I would now like to address the more specific requests made in the petition.

Firstly, a request is made that the zoning should be based on RZ2 with a maximum of two storeys on all boundary areas and RZ3 with a maximum of 3 storeys at the central area of the site, with existing development codes applying to the whole of the residential areas of the site without variation.

Although the zoning is being changed to RZ5 under DV334, a precinct code is included that limits the height of buildings to a level lower than usually found in RZ5. Under DV334, the maximum height allowed is six storeys with the taller buildings being concentrated at the centre of the site. Any part of a building above four storeys must be setback from the parapet of the 4 storey building. This design feature helps to reduce the bulk and mass of buildings. The precinct code includes a range of site specific measures, including the provision of landscaped areas, and specified setbacks, designed to guide the future redevelopment of the site and to minimise potential impacts on the existing established areas of Red Hill. They will apply along with a full suite of provisions already contained in the relevant Territory Plan codes at the time of a development application. DV334 is not varying any development codes in the Territory Plan.

Secondly, the petition requests the responsible Ministers to provide a holistic and accurate assessment of the impact of the development on roads, traffic, parking, sewerage, water and drainage. Assessments have been done in relation to these

matters and, in my opinion, those assessments are adequate for the Territory Plan variation process. An initial traffic study indicated that generally the surrounding road network has the capacity to manage increased traffic generated by the proposed development. As a result of comments received about this study, an additional traffic study was undertaken. The results of the additional traffic study correlated with the original traffic study. DV334 was reviewed by all the relevant ACT Government agencies and service providers including ActewAGL and Icon Water. There were no specific objections or issues raised in relation to infrastructure servicing for the site as part of the proposed rezoning.

DV334 is part of the Government's public housing renewal program. The Red Hill Public Housing Precinct is one of the multi-unit public housing properties identified for replacement under the program. The residences were built for a growing public service more than 50 years ago and they no longer meet the needs of today's public housing tenants. This is particularly the case for people with a disability, ageing tenants or tenants with children. At 6.6 hectares, the site is of a size and proportion to accommodate higher density residential development. The site represents approximately 1.5 per cent of the Red Hill suburb, and is centrally located close to employment, transport and services.

DV334 is consistent with the ACT Planning Strategy, and the redevelopment of the Red Hill housing precinct is included in the ACT Planning Strategy as a short term action. It will provide more cost effective and sustainable living options by improving the existing housing stock and establishing more choice in housing types. It will also help to create a more compact, efficient city through urban intensification. Increasing housing diversity allows people to live in dwellings that are better suited to their needs, without having to move out of their neighbourhood. It also brings new people/families into the area, further regenerating the suburb.

I appreciate the concerns raised through this petition, and I trust that the planning and land authority has demonstrated to the citizens of the Australian Capital Territory that the concerns of the public, and the probable impacts of a development of this nature, have been carefully considered in the drafting of DV334.

Lottery products—petition No 13-15

The response read as follows:

The government acknowledges concerns about the wellbeing of our small business community following the announcement that NSW Lotteries is expanding its sales network to include selected fuel outlets in the ACT.

The Government has moved to ensure the increased availability of lottery products does not place the ACT community at a greater risk of harm from problem gambling. The ACT Gambling and Racing Commission have introduced restrictions on the sales hours of lottery products to ensure they are not available after certain times. The Commission will also continue to monitor the sale of these products at retail fuel outlets to ensure all legislative requirements are upheld.

As Minister for Racing and Gaming I also sought, and received, assurances that NSW Lotteries will not seek to expand its sales network into large ACT supermarkets until at least 31 March 2018. This assurance is in line with the terms of the NSW Memorandum of Understanding signed between NSW Lotteries and the NSW Government, and is an important protection measure for existing ACT lottery outlets, the majority of which are small businesses.

A Private Members Bill was introduced to the Legislative Assembly by Mr Wall MLA in September 2015 seeking to exclude larger businesses (in addition to other entities) from being lottery outlets in the ACT. As part of the bill's debate, while acknowledging the good intentions behind the bill, the Government believed that it would not deliver on its intended purpose of restricting the sale of lottery products to small business operators. Significant amendments are required to the bill before it can be brought forward for further consideration.

Standing committees—membership

Statement by Speaker

MADAM SPEAKER: Pursuant to standing order 223, the government whip at the time, Dr Bourke, wrote to me advising proposed changes to the membership of certain Assembly committees, and I agreed to those changes on 21 January 2016. They are as follows:

Dr Bourke and Ms Fitzharris be discharged from the Standing Committee on Health, Ageing, Community and Social Services and Ms Burch and Ms Porter be appointed in their places.

Dr Bourke be discharged from the Standing Committee on Justice and Community Safety and Ms Burch be appointed in his place.

Dr Bourke and Ms Fitzharris be discharged from the Standing Committee on Planning, Environment and Territory and Municipal Services and Ms Burch and Ms Porter be appointed in their places.

Ms Fitzharris be discharged from the Standing Committee on Public Accounts and Ms Burch be appointed in her place.

For the information of members I present the following paper:

Standing Committees—Membership—Proposed changes—Copy of letter to the Speaker from the Government Whip, dated 21 January 2016.

Standing committees—membership

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

That the changes to the membership of general purpose standing committees as proposed to and agreed by the Speaker pursuant to standing order 223 be adopted.

Education, Training and Youth Affairs—Standing Committee Membership

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

That Ms Fitzharris be discharged from the Standing Committee on Education, Training and Youth Affairs and Ms Burch be appointed in her place.

Standing committees—establishment Amendment to resolution

MR GENTLEMAN (Brindabella—Minister for Planning and Land Management, Minister for Racing and Gaming and Minister for Workplace Safety and Industrial Relations) (10.05), by leave: I move:

That the resolution of the Assembly of 27 November 2012 that establishes the general purpose standing committees of the Assembly be amended by inserting the following new sub-paragraphs:

- (4)(a)(iv) the Deputy Chair shall be an Opposition Member;
- (4)(b)(iv) the Deputy Chair shall be an Opposition Member;
- (4)(c)(iv) the Deputy Chair shall be a Government Member;
- (4)(d)(iv) the Deputy Chair shall be an Opposition Member;
- (4)(e)(iv) the Deputy Chair shall be a Government Member.

The committee system provides an important mechanism to double-check the work that the Assembly does, along with providing a way in which the community can have input into the Assembly through inquiries and hearings. Having a balanced and functioning set of committees is crucial to the functioning of the Assembly. If this cannot be done through the convention, it has to be done through the standing orders, for the benefit of the ACT community.

This motion sets the side of the chamber from which both the chair and deputy chair must come. This means that these positions are shared between political parties in an even way. This has been done through the convention during the Eighth Assembly until now, and it would have been preferable for this convention to continue. However, it is obvious that this is not able to occur due to a lack of cooperation.

This disruption by the opposition amounts to nothing more than a continued personal attack which is vindictive and deplorable. It shows the immaturity of those on the other side of this chamber. We on this side of the chamber want to allow the Assembly to continue its functions to serve the ACT community to the best of its ability. Clearly, that is not the goal of the opposition. The opposition need to be cooperative through this process. As I said, this clears the convention that has been accepted during this Assembly and previous Assemblies.

MR HANSON (Molonglo—Leader of the Opposition) (10.07): Madam Speaker, firstly the convention has not been accepted because we actually moved that the committees be three-member committees, not four-member committees, and if those opposite had acknowledged the problems that would be caused by moving to four-member committees, which is inconsistent with the Latimer House principles, we would not be in this place that we are in today. But let me make it very clear that the concern I articulated publicly is not, now that we have four-member committees, the fact that there should be a government chair and opposition deputy chair or vice versa. It is simply with an individual holding that position.

The reality is that we all are elected to this place and we have positions to fulfil, be it in the executive, as parliamentarians on the backbench or as members of committees. But who actually chairs and who is a deputy chair of those committees reflects on all of us in the Assembly. It is a decision that we need to make about the standards of this place. And we must have confidence in members of those committees whom we select as chairs and whom we select as deputy chairs and believe that they have the confidence of the community.

I note that the Chief Minister has not served on committees but, for his edification, the job of chair and, in their absence, particularly deputy chair requires the trust and the cooperation of the other committee members regardless of their political affiliation. I have served as a committee chair and I have served on committees with both Labor chairs and Greens chairs and deputy chairs in both the last Assembly and this Assembly. I have no issue with who is on committees—and there needs to be a balance—but my very firm view, and that of my colleagues, is that Ms Burch should not be elevated to the position of chair or deputy chair.

This is about taking the committee system and appointments in this Assembly seriously. I note that this government takes positions of the executive, I would hope, seriously and has made the decision to remove Ms Burch from the executive. I do not think that it is a good thing to say that a member is not fit to serve in the executive but is then fit to serve as a committee chair. Committee chairs hold a position of responsibility. They have significant responsibilities to this Assembly and to the community and their responsibilities should not be taken lightly.

There are three issues at play that lead me to this conclusion. The first is that there is a police investigation into allegations regarding Ms Burch's former chief of staff, and that investigation is ongoing. The second is that we are aware, based on what the Chief Minister and the Deputy Chief Minister have said, of further investigations of serious matters in Ms Burch's office that apparently are unprecedented and are serious. We have not been advised what they are. The third issue is the litany of maladministration that has led not only us in this place but a significant number of people in the community, including the Education Union, clearly the Chief Police Officer, school communities and so on, to have a loss of confidence in Ms Burch.

I go to some detail on these points. A police investigation into allegations regarding Ms Burch's former chief of staff is ongoing. We do not know the full details of that but, based on reports in the *Canberra Times* on Saturday by the staff member under

investigation, they have said that they are not answering questions being put to them by the police. I will not comment on the detail of that investigation. That is being litigated. We are waiting for the result.

But let me quote from the ministerial code of conduct. It says at 3e:

Ministers are accountable for their own behaviour and the decisions and actions of their staff.

So you cannot separate what has been going on by the member, by Ms Burch. There is a direct link. That is not me saying that; that is in the ministerial code of conduct issued by the Chief Minister to his ministers.

I also quote from Mr Stanhope when he was the opposition leader. During a debate in this place on a motion of no confidence in Mrs Carnell, this is what Jon Stanhope had to say:

But, in terms of the extent of ministerial responsibility, if responsibility for the actions of a statutory authority is at one end of the spectrum, surely responsibility for the actions of the Minister's personal staff is at the closer end of the spectrum, the very sharp end. Her office is entirely her direct and personal responsibility.

Let me say that again:

Her office is entirely her direct and personal responsibility.

That is Jon Stanhope's view, and now we know what happened back in history with those various motions and what they led to. But Jon Stanhope, a Labor leader, Chief Minister for 10 years, makes that point.

Given what the ministerial code of conduct lays out, given the comments of a previous Chief Minister, Jon Stanhope, it is clear that appointing Ms Burch to a position of authority in this Assembly while the investigation into her former chief of staff is ongoing would be reckless, absolutely reckless. This matter needs to be resolved one way or the other. I make no judgement. But it needs to be resolved because, as Jon Stanhope said and as the ministerial code of conduct makes clear, you cannot separate the member from their staff when these sorts of matters are being investigated.

The second concern is that when these events blew up in December last year Mr Barr and Mr Corbell advised the media that there were other serious matters at play. I quote from the ABC on 18 December. This is Mr Corbell who gets to speak. This is from the ABC:

The chief of staff, Maria Hawthorne, tendered her resignation on Tuesday after revelations she allegedly briefed ... (CFMEU) secretary Dean Hall about a ministerial meeting with Mr Lammers.

Today Mr Corbell said Mr Lammers had taken his concerns about Ms Hawthorne's conduct directly to the Chief Minister, which led to the resignations.

However, Mr Corbell acknowledged that an investigation into Ms Burch's office goes beyond what has been reported.

"What occurred over the last couple of days was quite unprecedented," he said.

"These are serious, serious issues, and they go beyond the issues that have been reported in the media to date.

"This is not about a member of a minister's staff relaying to a stakeholder that their concerns had been raised ... these matters go beyond that.

"The reporting we've seen over the past 48 hours is not telling the full story, and the reason for that is that the police evaluation is ongoing."

On 16 December Mr Barr made similar comments. I quote from the ABC again:

"In light of the circumstances surrounding the Police Minister's office, and in consultation with the Police Minister ... it was appropriate not only for the Minister's chief of staff to resign, but for the minister also to resign," he said.

Mr Barr said the matter went further than the alleged CFMEU briefing.

"This goes to broader issues in relation to the police portfolio," he said.

"I need to stress it relates to matters beyond the specific issue that was aired in the Fairfax media a day or two ago in relation to an information request from the CFMEU."

Until such time as the Assembly is advised of what these issues are and is satisfied that they have been resolved, it would be reckless to appoint her to a position of authority.

If you, Madam Speaker, were employing any staff, if you had responsibility in any organisation and you were looking to appoint someone to a senior position of management within that organisation, knowing that they had had to stand down because of serious matters that were unresolved, that were unprecedented, but you were not being told what they were and you still hired that person anyway, then you would be negligent in your duty. You would be negligent in your responsibility. That is what we are being asked to do in this place today.

A cloud now hangs over Ms Burch's head, because the Chief Minister and the Deputy Chief Minister have said there are serious and other unprecedented issues. They have not told anybody what they are, but they have said, "Yes, but she should be a committee chair. She is not fit to be a minister; it is appropriate that she stand aside as a minister. She can be a committee chair but we are not going to tell you what these serious unprecedented other issues are." Yes, this Assembly should say, "Forget all about that," and have Ms Burch as a committee chair. It is extraordinary what we are being asked to do in relation to the committee system in this Assembly.

The final issue is the loss of confidence that we have had in Ms Burch in this place, the long list of issues that have come before us. I will not reiterate them. This is not an opportunity to do this, and I am not here to reiterate those issues, other than to say that they did lead to a significant loss of confidence by us and also by members of the community. The Chief Police Officer has had to go over her head to the Chief Minister. The Australian Education Union lost confidence in Ms Burch. Members of the community, members of the clubs sector—a range of community stakeholders—have expressed their concern. If the Chief Minister and his colleagues do not have confidence in Ms Burch to be a minister, and that is evident looking at this frontbench today, why is it that this Assembly, given all the unresolved matters, should have confidence to put her in a position where she presides over a committee?

I think my argument is reasonable. I think that we need to have these matters resolved. I think we need to understand what the serious unprecedented other issues are before we can make an informed decision. And this goes to what sort of place we expect this Assembly to be. There will always be a jostle; there will always be a debate; there will always be cut and thrust in politics. We accept that. That is the nature of Westminster democracy. But as parliamentarians, we have a standard to uphold. We have community expectations to meet. And we have to decide here and now what sort of parliament we expect to be, what sorts of standards we are going to accept.

What the opposition is saying is that when these matters, as they are, are ongoing and unresolved, it is inappropriate. Just as Jon Stanhope iterated, just as the ministerial code of conduct makes clear, it would be inappropriate to have Ms Burch put into a position of authority in the Assembly.

I have circulated an amendment to that effect. We need to make sure that we uphold the standards of the Assembly. I ask that when committees meet, when positions are resolved, you acknowledge the issues at play. There are Labor members that can be committee chairs and deputies. This is not about that. I have served, sat on committees, with Dr Bourke, with Ms Porter, with others in this room, and they have had my respect. They have had my respect in those positions, and they have had the community's respect. Let us uphold that respect. Let us uphold that dignity. Let us uphold the standards of this place.

I move the amendment circulated in my name:

Add the following:

(1) That this Assembly notes that:

- (a) a police investigation into allegations regarding Ms Burch's former chief of staff is ongoing;
- (b) on 18 December 2015, the Deputy Chief Minister advised the ABC of a further matter that went beyond the police investigation. Mr Corbell stated that:
 - (i) "What occurred over the last couple of days was quite unprecedented.";

- (ii) “These are serious, serious issues, and they go beyond the issues that have been reported in the media to date.”; and
 - (iii) “This is not about a member of a minister’s staff relaying to a stakeholder that their concerns had been raised ... these matters go beyond that.”; and
- (2) that this Assembly resolves that Ms Burch not be appointed as Chair or Deputy Chair of any Assembly Committee until such time that:
- (a) police investigations into Ms Burch’s former staff are resolved; and
 - (b) the “serious, serious issues” that go beyond the investigation into her former staff are advised to the Assembly and are resolved.

MR BARR (Molonglo—Chief Minister, Treasurer, Minister for Economic Development, Minister for Tourism and Events and Minister for Urban Renewal) (10.21): The government will not be supporting Mr Hanson’s amendment. It is incorrect in fact. Let us be very clear, Madam Speaker, that at no point has Ms Burch been the subject of a police evaluation, investigation or inquiry. That fundamental truth has escaped you in your role as Speaker. It has escaped many opposite in terms of their public statements and things they have said in this place this morning. That record needs to be crystal clear: at no point has Joy Burch been the subject of any police investigation.

Members interjecting—

MADAM SPEAKER: Order, members! Mr Hanson was heard in silence.

MR BARR: And the assertions, Madam Speaker, in your correspondence to Ms Burch that suggests that she needs to be exonerated, are a fundamental misstatement.

MADAM SPEAKER: Could you sit down, please, Mr Barr. My actions are not subject to debate in this motion. This is a motion about the constitution of committees, and Mr Hanson’s amendment to Mr Gentleman’s motion. Could you stick to the subject matter of the motion and the amendment.

MR BARR: Thank you, Madam Speaker. As I said, the government will not be supporting this amendment. There is a code of conduct.

Mr Doszpot interjecting—

MADAM SPEAKER: Mr Doszpot, I have asked you to listen to Mr Barr in silence.

MR BARR: Members have a code of conduct. Ministers have a code of conduct. They are different, for obvious reasons, because of the differences of responsibilities that go with being a member of the executive, as opposed to simply being a member of this place.

The government will not be supporting this amendment. We support the position that non-executive members of this place should be able to serve on the Assembly's committees. Labor has two non-executive members, and they will both serve on committees, in some instances as the chair, in others as the deputy chair, and in other circumstances as members of the committee. There is no reason why Ms Burch cannot serve in the committee system in this place. We have 17 members. If the suggestion is that one non-executive Labor member will be simultaneously chair, deputy chair and member of all committees, that is a ridiculous proposition.

We know what this is about: one last, bitter, personal attempt by those opposite—

Mr Coe interjecting—

MADAM SPEAKER: Mr Coe, I will have to start warning people. Mr Hanson was heard in silence. I expect Mr Barr to be heard in silence.

MR BARR: And it reflects on the sort of people, the sort of behaviour and standards, personal attacks—

Mr Hanson interjecting—

MADAM SPEAKER: I warn you, Mr Hanson.

MR BARR: Personal attacks that are the hallmark of this Leader of the Opposition and this sort of petty vindictiveness about the committee system have no place in this Assembly. The basis of the committee system is some hope that members can put aside their partisan political battles from day to day and work constructively on matters that are referred to committees.

What is clear from what we have seen this morning is that in this election year, no matter what the personal cost, no matter how petty, no matter how vindictive, there is no minute political point the opposition leader will not seek to score in debates like this. And that demonstrates much about his character, the sort of person he is, the sort of party he leads. The fact that his members privately reflect their concern at this approach and have approached members on our side to express their concern about this approach speaks volumes about just how wrong, how poor and how petty this is today. But it is what we have come to expect.

It is sad but it does reflect a new low for this place. And that is the most disappointing element here. Disregarding all of the facts, there is no political point he is not prepared to take, no point-scoring exercise he is not prepared to go into, when his members privately express their concern about this approach. What you are doing today is a disgrace, and the government will have no part of it.

MR RATTENBURY (Molonglo) (10.27): I will not be supporting Mr Hanson's amendment today. I think that this is an overreach. This is clearly a political approach to the situation. The tradition of committees in this place, and the very nature of them, is that members go onto those committees and work on the issues. There is always a

lot of politics involved but the nature of it is that members contribute to the committees in a range of forms. I see no reason why Ms Burch cannot contribute to those committees as effectively as any other member of this place.

Clearly, there are matters that members of the opposition have concerns about. There are matters that all of us are looking to see some of the answers on. But there is no reason in my mind why Ms Burch cannot make those contributions on those committees, just as other members of this place do. There are certainly members of some of the committees that I have reservations about. That does not mean I do not believe they should be on those committees.

It is, I think, a clearly political attack. It is designed to further seek to drag Ms Burch through the mud. I think that it is entirely inappropriate to make the suggestion that she cannot contribute to the committees, and on that basis I will not be supporting Mr Hanson's amendment today.

Question put:

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

The Assembly voted—

Ayes 7

Noes 8

Mr Coe	Mrs Jones	Mr Barr	Ms Fitzharris
Mr Doszpot	Mr Smyth	Ms Berry	Mr Gentleman
Mrs Dunne	Mr Wall	Dr Bourke	Ms Porter
Mr Hanson		Mr Corbell	Mr Rattenbury

Question so resolved in the negative.

Motion agreed to.

Justice and Community Safety—Standing Committee Scrutiny report 40

MR DOSZPOT (Molonglo): I present the following report:

Justice and Community Safety—Standing Committee (Legislative Scrutiny Role)—Scrutiny Report 40, dated 2 February 2016, together with the relevant minutes of proceedings.

I seek leave to make a brief statement.

Leave granted.

MR DOSZPOT: Scrutiny report 40 contains the committee's comments on eight bills, 18 pieces of subordinate legislation, four government responses, one Speaker response and proposed government amendments to the Planning, Building and Environment Legislation Amendment Bill 2015 (No 2). The report was circulated to members when the Assembly was not sitting. I commend the report to the Assembly.

Justice and Community Safety—Standing Committee Report 6

MR DOSZPOT (Molonglo) (10.31): I present the following report:

Justice and Community Safety—Standing Committee—Report 6—Inquiry into Annual and Financial Reports 2014-2015, dated 8 December 2015, together with a copy of the extracts of the relevant minutes of proceedings.

I move:

That the report be noted.

Question resolved in the affirmative.

Government priorities for 2016 Ministerial statement

MR BARR (Molonglo—Chief Minister, Treasurer, Minister for Economic Development, Minister for Tourism and Events and Minister for Urban Renewal) (10.32): A little over a year ago in my first speech as Chief Minister I outlined to the Assembly the agenda and policy priorities for my government. I set out a plan for Canberra to be a community where our children receive a world-class education and have the opportunity to study at top-ranked universities or vocational training institutes; where everyone can access high quality health care to participate in our active lifestyle, to stay healthier for longer; where our economy is diverse, resilient and generating secure well-paid jobs; where our public transport network is convenient, reliable, affordable and fully integrated; where our community is inclusive, supportive, safe and welcoming for everyone; and where we remain the most livable city in the world.

Madam Speaker, as our city grows it keeps on getting better. It is now a more nationally and internationally engaged city, one that is innovative, exciting and unique, a city at the forefront of a digital revolution; a city where we shape technology to benefit people, to make our lives easier, more productive and more creative. We work every day to make sure Canberra just keeps getting better—that the Canberra of tomorrow will be even stronger than the Canberra of today.

Over the past year we have taken great strides forward. For the first time we will have capital-to-capital international flights with Canberra at the centre of an express route from Singapore to Wellington. We will never build a strong and growing economy and create jobs simply by selling to ourselves. These direct flights are a fundamental game changer for our engagement with the fastest growing region in the world. And it was only possible because this Labor government saw the opportunity, and did the hard work over a number of years, to make a compelling case to one of the world's best airlines. Singapore Airlines has agreed that this city, that Canberra, is a great place to do business.

We are investing in public transport. We will have a light rail network delivered by some of the world's best companies moving thousands of Canberrans rapidly around the city every day, bypassing the interminable traffic jams facing other cities. Other major centres are recognising the undeniable benefits—from the Gold Coast, parts of Sydney and Newcastle. We cannot be left behind while other cities do what needs to be done to keep their residents moving.

Madam Speaker, we were the first jurisdiction in Australia to regulate ride sharing with new entrants delivering immediate cost and convenience benefits for people moving around our city. We are shaping the way our city grows to reflect our contemporary community—how and where people want to live. Canberra is undergoing essential urban renewal to improve our productivity, our livability and our economic competitiveness. We are creating jobs beyond the public service in construction, specialist services, start-ups, health care and knowledge economy sectors such as ICT, renewable energy and open data.

We are no longer solely reliant on the commonwealth or as susceptible as we have been in the past to savage cuts. Over the past two years we faced the toughest external economic environment in a generation. But this government's efforts to support growth and to support jobs is why we have managed to turn the corner and rise from sixth to third amongst all Australian jurisdictions in economic performance in just one year. Economic growth in 2014-15 was double the rate of the year before and 3,300 new jobs were created. We are standing on our own feet as an independent economy with a strong and dynamic business sector.

Yesterday the health minister, the assistant health minister, the minister for small business and I turned the first sod on the start of a new teaching hospital on the University of Canberra campus. This means more beds for our health system while teaching the next generation of health professionals, many of whom were born and raised in Canberra. They will now have the opportunity to pursue their vocation in health while staying right here in our city.

We are taking Canberra's public schools, which are already providing a great education for our children, and making them a transformational experience in each child's life. We are abolishing bad taxes. Insurance tax will be completely gone by 1 July this year. Canberrans' insurance bills are lower than they would otherwise be and that is on every insurance policy. That is on every insurance policy they have, because we are wiping out this bad tax.

We will continue to cut stamp duty. Stamp duty costs people tens of thousands of dollars every time they move. We are giving thousands of that back and will keep on doing so. For young families our policy makes it easier to move into a house with more room. Older Canberrans whose kids are moving out or starting families of their own are able to downsize while staying in their community. Lower stamp duty means you can more easily choose the house that is right for you for your time of life.

We have done the heavy lifting on tax reform to ensure that our revenue base is stable and that we are able to provide the world-class services that Canberrans deserve. Only

on the weekend the Prime Minister acknowledged the importance of removing taxes on insurance and removing stamp duty by saying, "Taxes on transactions like sales of property obviously inhibit trade. They slow down economic activity. Everyone understands that." Well, everyone except the shadow treasurer here in the ACT, it would seem.

In 2016 we will continue as a government to invest in the infrastructure that we need to keep Canberra such an amazing place to live, to work and to raise a family. Hospital upgrades to improve access in the emergency department and so you can have elective surgery when you need it; new schools in growing regions like Coombs in the Molonglo Valley and Taylor in north Gungahlin; a revitalised grand entrance to our city that will support the development of our CBD; investment in a modern transport network that makes the bus or light rail a genuine and easy alternative to driving, coupled with a roads program that caters to our growing community and a bike and path network that is the envy of other cities.

The rollout of the CBR free wi-fi network in all town centres, which will be completed by the middle of the year, is simply a community and economic necessity for a city of our size and ambition in this the second decade of the 21st century. We are rolling out an upgraded wi-fi network in all of our public schools so that our kids are the best connected in the country, and we are undertaking the biggest upgrade to Canberra's ageing public housing in the history of self-government through the construction of almost 1,300 new houses. This is keeping our construction industry workers in jobs and providing our public housing tenants with efficient and modern residences. My government has a clear agenda and a plan to deliver it. We are getting on with the job of making Canberra even better.

I am pleased to welcome Ministers Fitzharris and Bourke to the cabinet. That their enthusiasm, their drive, their determination and fresh ideas started delivering for Canberrans from day one of their appointments is evident. I have specifically tasked Minister Fitzharris to oversee the establishment of our single transport agency, transport Canberra, to ensure our public transport, roads, parking, bike and footpath networks are integrated, reliable and convenient for users. That means that a single ticketing system, a central contact for information and coordinated timetabling are all part of our transport future.

Minister Fitzharris will also assist the health minister to deliver the government's significant reform agenda to ensure that our municipal services deliver what residents need and that in the higher education, training and research portfolios we ensure that we play to our city's strengths as a smart and innovative city.

I have asked Minister Bourke to oversee a range of important portfolio responsibilities. The children and young people portfolio and the disability portfolio have major projects at critical stages of implementation, and both are essential to ensure Canberra remains an inclusive and supportive community. He will also work alongside our Aboriginal and Torres Strait Islander community to realise our collective vision of strong families.

Minister Bourke will also drive the small business reforms set out in our business strategy “Confident and business ready: building on our strengths”, including the small business innovation partnership program, so that Canberra’s small businesses can compete with the world. Our two new ministers are joining a hardworking and experienced ministry which is absolutely committed to making Canberra even better, every day.

My ministry is focused on delivering what Canberrans need: a health system that delivers services when and where people need them; an education system that allows every child to reach their potential; business development that creates new jobs; a transport network that moves everyone around quick and easily; municipal services that keep our garden city clean and beautiful; community services that allow everyone to be valued and contributing members of our society; a 100 per cent renewable energy target that is showing the world how to transition into a renewable age; and; safety initiatives to reduce the trauma on our roads and drive down the cost of driving. That is what Canberrans want and that is what this ministry will continue to deliver in 2016.

I also want to acknowledge again the contribution as a minister of Joy Burch. The people of Canberra, particularly children and those living with a disability, were always her first consideration as a minister. Her significant achievements include the new Tuggeranong CIT campus, the successful delivery of the first stages of the NDIS here in the ACT, and establishing literacy and numeracy testing for our teachers as part of a teacher quality agenda.

In 2016 the government will bring forward a strong and focused legislative program through the year to help deliver our vision for Canberra. Over this fortnight we will debate legislation already before the Assembly to make our justice system fairer and more effective; to further strengthen our human rights protection framework; to protect workers’ rights; and to make our public sector more efficient and responsive to the community. The legislation we will bring forward in these sittings and throughout the year will put the needs of Canberrans first.

I have made it clear in this place before and I reiterate again today: we will not be introducing legislation for the sake of it. Our work here in developing and passing laws must be to make Canberra better. In this sitting period Minister Corbell will introduce legislation to create a new, fairer and more supportive scheme to assist victims of crime. Minister Fitzharris will fulfil an election commitment to create more smoke-free public spaces and events. Minister Rattenbury will bring forward practical legislative amendments at these sittings to make our city’s roads safer.

In future sitting weeks I will bring forward a comprehensive red tape reduction package that will further remove unnecessary costs and requirements on business, and make government more efficient. The focus of this red tape reduction package is on practical measures to let businesses strengthen their operations, to expand their services and to employ more people—not to waste time dealing with the bureaucracy. This will build on the great work of Access Canberra in bringing together customer service and regulatory agencies to make things easier, simpler and faster.

Similarly, Minister Gentleman is developing a package of legislative amendments to the territory plan variation and development assessment processes that will result in significantly cutting red tape holding up worthy developments and stymieing construction jobs growth.

Minister Corbell and Minister Berry are continuing to lead work across government in reducing the scourge of domestic violence in our community. An upcoming Domestic and Family Violence Bill will strengthen support and protections for victims and give police new tools to prevent and stop violence in the home. Our response in this area is continuing on numerous fronts—from working nationally through women’s safety ministers to helping service providers working on the ground, day in and day out.

Minister Berry is also leading the government’s social inclusion goals, particularly focusing on refugee groups who have been so important to the city’s fabric and for whom we have again just this week expressed our support. Minister Berry will also be working with those Canberrans in need of housing support or other community services; working and focusing on the great diversity of people in our local LGBTIQ communities; and at harnessing the amazing power of sport to cross boundaries, to foster inclusion and to build our community.

As we have previously agreed with the commonwealth, we will be bringing forward legislative components to implement a national injury insurance scheme for catastrophically injured workers by 1 July 2016. This will extend the ACT’s lifetime care and support scheme to provide for the ongoing treatment and care of eligible participants for their lifetime.

We are commencing community consultation on the role of an oversight body to respond to the findings of the Royal Commission into Institutional Responses to Child Sexual Abuse. Under these proposed changes, an oversight body will receive all cases of reportable conduct and have the necessary oversight and investigation powers to deal with any allegations against people who provide services involving children. This is an important step that we can take to stamp out institutional abuse of children here. I want to thank ACT Australian Local Hero, Damian De Marco, for his advocacy for children in this area.

I also look forward to debates in this place this year on what we want Canberra to be and what Canberrans value. Our well-informed and engaged community expects this place, their elected members, to be involved in the wider social and economic issues facing our nation, to make sure that Canberrans’ voices are heard whether that be the debate on marriage equality, debates on an Australian head of state, debate on penalty rates for low-paid workers, on tax reform and perhaps most importantly the issues facing the nation now on an appropriate level of federal health and education funding.

Canberrans want to know that their government and their Assembly are working for them and debating the issues that they want to know about. Let me say this, Madam Speaker: every member of this government will happily debate and vote on these important issues. Our position will be crystal clear. My government has a long-term plan for Canberra and we have got the experience, the passion and the commitment to deliver that plan to make sure that Canberra keeps getting better.

I present the following paper:

Government priorities for 2016—Ministerial statement, 9 February 2016.

I move:

That the Assembly take note of the paper

Question resolved in the affirmative.

Paper

Mr Barr presented the following paper:

Key Legislation Priorities for 2016, February 2016.

Elective surgery Ministerial statement

MR CORBELL (Molonglo—Deputy Chief Minister, Attorney-General, Minister for Capital Metro, Minister for Health, Minister for Police and Emergency Services and Minister for the Environment and Climate Change) (10.50): Madam Speaker, in November last year I directed ACT Health to conduct a blitz on the long wait surgery list. The government provided an additional \$11.8 million for a further 1,000 elective surgery operations directly targeting patients who were on the long wait surgery list in the ACT. When I made that announcement there were more than 1,200 current long wait elective surgery patients in the ACT, the majority of whom were waiting for orthopaedic, urology, and ear, nose and throat surgeries.

Through the hard work of surgeons, anaesthetists, surgical nurses, ACT Health employees, our surgical task force and many, many others, I am delighted to inform the Assembly that more than 250 procedures have already been completed above the usual surgical activity levels. This is excellent news for more than 250 people starting 2016 who have been waiting on that long wait list who have now had their elective surgery completed in the public system. This progress is expected to continue and we remain well on track to complete the thousand surgeries by the middle of this year.

But, of course, this is not about the number of surgeries undertaken; it is about people. It is about people in our community who require surgical care to improve their health and wellbeing. Over the last 13 years there has been a 70 per cent increase in access to elective surgery for people on our public hospital waiting lists, despite the ABS estimating that our population grew by only 19 per cent.

To further illustrate the point, in the first full year of government in 2002-03, the ACT Labor government provided 7,661 elective surgery procedures, but this financial year there will be more than 13,000 procedures undertaken. As a government, Labor has continually invested in tackling elective surgery waits, including through the most recent budget that saw almost \$15 million invested for more surgeries and operations over two years to provide in particular for an extra 500 elective surgeries and an additional 500 endoscopy cases.

Elective surgery is a major challenge to the government and, indeed, governments right across the nation. We are not unique and we all know that the pressures and challenges on our health system are only going to increase over the next decade. Our location means we also have a responsibility as a tertiary centre to care for residents of our neighbouring regions in New South Wales, who have their most serious and complex surgeries undertaken in ACT hospitals.

Demand for elective surgery services in ACT public hospitals by New South Wales residents is at 30 per cent of the total wait list. This figure is above the general demand for ACT public hospital services required by New South Wales residents, which is closer to 20 per cent. In addition, we have an ageing population; we have a growing population; we have a demographic with more complex conditions. But what we also have is a federal Liberal government who, as it stands today, is planning to rip \$57 billion out of health funding nationally, including up to \$600 million here in the ACT over the next decade.

This \$600 million cut by the federal Liberal government would provide an extra 58,000 elective surgeries alone. That is how significant this devastating cut by the Turnbull Liberal government is and how detrimental it is to our health system.

We are facing uncertain times in relation to our funding. But we also know that, as a government, we have to get on with the job and do our best to improve access to care, particularly in areas like elective surgery. That is why I have announced the latest blitz, which will see a significant improvement for patients on the long wait list. And it is also why the government has a plan for elective surgery more broadly, not just for the next six months but for the coming years.

As I reported to the Assembly earlier, we have already undertaken more than 250 additional procedures to remove people from that long wait elective surgery list, including through additional orthopaedic and vascular surgery cases. Our early success has been in addition to cooperation and willingness by our medical staff, but also through improved processes, especially in relation to theatre utilisation.

The government recognised an opportunity to capitalise on the December-January period, traditionally a quieter time for our public hospitals, to allow for extra access to our operating theatres. As a result, we have already been able to: engage locum doctors where there are gaps, such as in ear, nose and throat procedures; extend operating theatre hours and make more sessions available, including on weekends; appoint an experienced nurse who is acting as the program manager from the territory-wide surgical services team to facilitate and monitor progress and activity; increase the auditing of waiting lists to make sure they are as accurate as possible; and identify and procure additional equipment as part of the funding made available.

But this blitz is only part of the solution. As health minister, I want to make sure that solutions are sustainable for the long term and see people receive care in the clinically recommended time frames. Whilst we will not achieve this outcome overnight, there are a broad range of measures that will make achieving these targets very viable. We have already started to implement a whole suite of measures to maintain these existing levels of activity and see people receive the surgery they need in the long term and to receive it in the time that they need to receive it in.

This is about making sure that this blitz is not a one-off; it is a part of a sustainable, long-term reform to improve timeliness in the delivery of elective surgery. These measures will not only benefit long wait patients; they will benefit all patients requiring elective surgery. These long-term improvements include: process and surgery utilisation improvements at our two public hospitals; partnering with the private sector and with interstate facilities; the further recruitment of specialist staff; and capitalising on innovation in technology and on new care changes and requirements.

Turning to improved surgery utilisation through process change, there are a range of initiatives that we will build on to improve our access to theatres and change how we allocate and triage surgery. Following the blitz there will be an ongoing process that continually improves theatre allocations in a flexible way which will allow quick responses to changing demand patterns for surgery. A key part of the surgery utilisation improvement is the central waiting list service that has now been established. This service involves a team of nurses and support staff who receive all surgery requests. The requests are coordinated through this single team who then allocate patients to hospitals to improve access to surgery in the two public hospitals. This newly established service will continue to improve access for patients and flowthrough for doctors.

The government is absolutely aware that it is not as simple as just changing times and sessions for surgeons. Most of our surgeons already have busy private practices in addition to their public work, and any changes need to take this into consideration.

Turning to the role of our two public hospitals, members would be aware that there are two public hospitals that provide elective surgery to public patients in the ACT. Both public hospitals are finalising their lists for the next five months to ensure that any unallocated theatre sessions can now be allocated to provide additional surgery services. More work will also be done in the coming months to establish a more integrated approach to the delivery of elective surgery across both ACT public hospitals by looking at total capacity, total allocation and, of course, efficiency.

The government provided more than \$12 million to Cavalry hospital in the 2015-16 budget, including \$5.6 million for a refurbishment and new equipment for operating theatres. Following its completion in 2018 the new University of Canberra public hospital—which I was very pleased to join with the Chief Minister, my ministerial colleagues and the Vice-Chancellor of the University of Canberra yesterday to see work commence on—will also play a part in supporting patients post surgery. It will be a hospital designed to focus entirely on subacute health care. These are services which aim to improve patient mobility and functioning, often after surgery or other acute hospital admission.

Having a hospital without the intense acute areas of surgery, an emergency department or an intensive care unit makes the focus about treating people in a facility specifically designed for rehabilitation and prevention. By focusing on new and expanded subacute services, the University of Canberra public hospital will help to alleviate pressure on acute facilities such as Canberra and Calvary.

Turning to private hospital utilisation, private hospitals will also continue to be an integral partner to address and improve elective surgery times. We will continue to work with our private hospitals in the ACT to support our efforts with these facilities. The government wants to continue to work to see better partnerships with the private sector that make best use of available services and capacity.

We already have a relationship and agreement with Calvary John James which is already now performing public surgeries on behalf of ACT Health. The efforts over past years in relation to additional services, new ways of looking at services and the initiative to establish a partnership with Calvary John James is an example of where we can use our workforce to deliver improved outcomes for patients and provide our surgical workforce with additional capacity.

In addition to local private hospitals, ACT Health already has in place agreements with other hospitals in the region. In March last year I announced a new partnership which will provide local surgical services for New South Wales patients who are currently on the ACT waiting list. The arrangement between ACT Health and the southern New South Wales local health service provides for some low risk elective surgeries for New South Wales based patients to be performed in Queanbeyan and Bega hospitals instead of in the ACT.

There is considerable potential for expanding this approach through further enhancements to services in the region by building the human infrastructure in regional hospitals, such as the doctors and nurses needed, to not only provide additional surgery but also manage the care of patients while they are in hospital recovering from their surgery.

The ACT will be developing a more integrated regional approach that further improves the capacity of public hospitals in the area surrounding the ACT to increase access to surgery, increase the capacity of the regional public hospital system and reduce the number of New South Wales residents requiring surgery in ACT public hospitals.

Let me turn to the issue of recruitment. Without the tireless efforts of our surgical and anaesthetic workforce we do not have an elective surgery service. We will be looking at our workforce planning further to ensure that we have the staff necessary to maintain a high quality service into the future across all clinical areas, including surgeons, anaesthetists, nurses, allied health staff and the staff who support these essential services. For example, we know that demand for orthopaedic surgery and ear, nose and throat surgery has been growing at a rate faster than for most other specialties, and there have also been significant increases in urology surgery, with demand for some urology surgery services doubling over the last four to five years. The government will be mindful of the need to recruit additional skilled doctors, other clinicians and support staff in the right areas to meet the growing demands for care.

As with all industries, when it comes to health care there are constantly new technologies being developed, and we need to stay abreast of these and understand

how they can assist us not only in relation to elective surgery delivery but across the board. We must also be aware of the changing care requirements with a focus on evidence-based medicine. For example, it is important to assess alternatives to surgery that either negate the need for surgery or extend the time before people need it.

In a small number of areas, there are new ways of managing conditions that mean that there are medical options for care rather than surgical ones. ACT Health will be undertaking more research in this area and working with our surgical services task force to look at more areas where non-surgical interventions are safe, successful, and better for the healthcare consumer. They will also investigate service responses that can delay the need for surgery by providing more effective interventions.

The directorate is also developing new approaches that ensure that patients who do need surgery are as well as possible prior to their surgical episode. There are already examples in the ACT of initiatives that provide patients with physical regimes that maximise their fitness for surgery and therefore maximise their recovery from surgery. For example in orthopaedics, we have physiotherapists who work with people who need hip and knee surgery to first determine whether physiotherapy may be a better short or long-term option as well as provide patients with information on how to prepare for surgery and maximise their rehabilitation afterwards. As minister, I want to see a wider provision of services like this one that focus on patient needs before and after surgery that maximise outcomes and improve efficiency of our elective surgery services.

In conclusion, improving access to services, particularly elective surgery, is one of my key priorities as minister. The success of this new approach to managing elective surgery will not be achieved in isolation. We will need to continue to bring together our surgeons, anaesthetists, nurses and administrators to establish this more integrated and seamless elective surgery model.

The government has increased the number of doctors and nurses to support additional elective surgery services and we have built and extended operating suites at the Canberra Hospital to manage increasing demand and through an additional operating theatre at Calvary public. We will get the long wait lists down as part of this blitz, but I know that there is significant work to be done to maintain it. I am confident that through a multipronged approach involving partners, relationships with clinicians and innovative processes and procedures, we will, over time, improve how patients access elective surgery.

This government remains committed to improving quality and timely access to care for all Canberrans, regardless of their financial means. I look forward to providing further reports to the Assembly on the results of this work later in the year. I present a copy of the statement, and move:

That the Assembly take note of the paper.

Question resolved in the affirmative.

Protection of Rights (Services) Legislation Amendment Bill 2015

Debate resumed from 19 November 2015, on motion by **Mr Corbell**:

That this bill be agreed to in principle.

MR HANSON (Molonglo—Leader of the Opposition) (11.08): The Canberra Liberals will be moving that this bill be put to committee. Significant concerns have been raised by members of the community and members of various rights organisations who are directly or indirectly affected by these changes, and if the government does not support this being referred to the JACS committee, we will be unable to support this legislation.

The intent of these changes is to implement a new model for the commissioners from the Human Rights Commission, the Public Advocate, the Victims of Crime Commissioner and the Public Trustee, all very important organisations, with somewhat connected roles but also, in many ways, very different roles, requiring them to be quite separate in terms of the people they represent and the service they provide to those that they represent.

The stated objectives of this new framework are that it would be more cohesive and unified for agencies, it would improve accountability and governance and it would be more efficient and effective. I question all of that, as have many in the community, but I fear that the “more efficient” tag of saving resources may be the ultimate driver for this, as opposed to the other elements stated.

Yesterday at short notice we received some amendments on this legislation that would affect the amendments to the victims of crimes complaints, as I understand, in the human rights commissioner area. We have not had time to consult on these amendments in any great detail; we only got them yesterday. It indicates the way this is being put together. It is not a good way to be doing legislation. We need to consider this more formally in committee. If we have a situation where the government are amending their own bill at the midnight hour, it probably suggests that they have not got it right. This is an important change. We need to make sure that we bring the community with us, not divide them, as is currently the case. We have seen amendments affecting the Victims of Crime Commissioner; there may be other good amendments that could improve this bill, make it more workable and bring all of those agencies and the people that they support with the government rather than being divided.

There are a range of concerns that have been raised in the submissions and in my conversations with people who have been affected by these changes and people who are engaged in the various organisations and bodies. There is certainly an increased expectation from the government. We want to make sure that these bodies, where possible, remain separate from government in providing their role, not that they become more enmeshed in government. That seems to be the effect of what will happen.

Turning to community resilience and preparedness, the ACT Rural Fire Service has over 500 well-equipped and trained volunteer firefighters, and our community fire unit program has over 1,000 volunteers as an important community preparedness initiative for residents living on our urban-rural interface. The 2003 fires provided the ACT, Australia and the world with a new level of wisdom regarding bushfire behaviour. Significant scientific study has emerged in a range of areas, including the effects of smoke on weather patterns, the development of fire storms, fire channelling and pyro-tornadoes. What we have learnt is that the power generated by a large wildfire can be enormous and may be unable to be contained. Therefore, in a bad summer we cannot mitigate the risk of bushfire through suppression by fire crews and helicopters.

The science and lessons learnt since 2003 further tell us that we cannot save every property in a major wildfire. Fires are an interaction between the weather and terrain. At times their size and complexity will test the men and women of our emergency services beyond their capability to respond. 2003 has shown us that we must recognise our human limitations in responding to major wild fires and realise we cannot always provide absolute community protection.

When fire suppression is not possible, we need to evacuate people to safe places. Therefore, I am pleased to advise members that the government has a very robust evacuation and recovery planning framework, and our emergency response also harnesses a wide range of non-government organisations, such as Red Cross, St John Ambulance and a large number of community volunteers.

The standing committee notes that it has been 13 years since the 2003 Canberra bushfires and raises concerns around the potential for complacency. Let me assure the Assembly that the government and our emergency services are not complacent in their preparations and planning to combat bushfires and keep our community safe. (*Extension of time granted.*) To prevent complacency in the community, our emphasis must be on educating the community about bushfires and how they need to be prepared.

ESA continues to roll out the Canberra bushfire ready campaign and alert the community of the need to prepare for bushfires. Residents need to take their responsibilities for preparing bushfire survival plans seriously and, if threatened, implement their plans early. Bushfire survival plans involve the preparation of properties, keeping informed, having an emergency kit and knowing when to evacuate. The importance of ensuring this message reaches our community is demonstrated by our emergency personnel doorknocking homes in our bushfire-prone areas encouraging them to make preparations.

Madam Deputy Speaker, I am pleased to be able to table this comprehensive response to the Standing Committee on Public Accounts report. Bushfire preparedness is a whole-of-government and whole-of-community requirement, working together to prevent and prepare for the threat of bushfire. The government response demonstrates to the Assembly that the work undertaken across ACT government directorates in relation to bushfire preparedness is comprehensive and effective.

I want to commend the men and women in our emergency services and in performing mitigation works in Territory and Municipal Services for their dedication and hard work in ensuring that the ACT is well prepared for bushfire. I am sure that the Assembly joins me in thanking them for their continuing efforts. I thank the committee for their report and the importance they place on this matter.

Question resolved in the affirmative.

Papers

Mr Corbell presented the following paper:

Annual Reports (Government Agencies) Act, pursuant to section 13—Annual Report 2014-2015—Environment and Planning Directorate—Corrigendum.

Mr Gentleman presented the following papers:

Public Accounts—Standing Committee—Report 18—*Inquiry into elements impacting on the future of the ACT clubs sector*—Government response—Corrigendum, dated February 2016.

Planning and Development Act—

Pursuant to subsection 242(2)—Schedule—Leases granted for the period 1 October to 31 December 2015.

Pursuant to subsection 161(2)—

Development application No 201527481—Block 1 Section 12 Dickson, Block 4 Section 1 Dickson, Blocks 40 and 41 Section 6 Dickson and Blocks 7 and 8 Section 51 Lyneham—

Statement regarding exercise of call-in powers, dated 24 November 2015.

Notice of Decision, dated 24 November 2015.

Development Application No 201528186—Blocks 1470 and 1471 Tuggeranong—

Statement regarding exercise of call-in powers, dated 29 January 2016.

Notice of Decision, dated 29 January 2016.

Planning and Development Act 2007—variation No 340 to the territory plan

Paper and statement by minister

MR GENTLEMAN (Brindabella—Minister for Planning and Land Management, Minister for Racing and Gaming and Minister for Workplace Safety and Industrial Relations): For the information of members I present the following paper:

Planning and Development Act, pursuant to subsection 79(1)—Approval of Variation No. 340 to the Territory Plan—Structure Plan, Concept Plan, Holt Precinct Code and Zone Changes—Holt section 99 part blocks 15 and 16 (Belconnen Golf Course), dated 2 February 2016, including associated documents.

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

Leave granted.

MR GENTLEMAN: Variation 340 to the territory plan proposes to amend the structure plan, concept plan and zone boundaries applying to parts of blocks 15 and 16 section 99 Holt. These amendments, contained in variation 340, do not alter the future development of the site for residential purposes. Variation 340 reflects recent changes to future development intentions for the transmission corridor. As such, it is no longer feasible or desirable to place the transmission lines underground. Additionally, the golf club has decided not to relocate the existing golf clubhouse. Rather, the club intends to rezone the clubhouse site and immediate surrounds to the PRZ2 restricted access recreation zone to reflect this decision. In this regard variation 340 represents a relatively minor change to the territory plan. This resulted in consequential changes to the future urban area overlay and the Holt precinct map in order to reflect the new development intentions and boundaries.

The changes that prompted variation 340 provided an opportunity to update the structure plan for the site to reflect current terminology for bushfire provisions. This change does not alter the bushfire policies applying to the site.

An amendment was also made to the concept plan for the site, allowing zoning of the transmission corridor to PRZ1, urban open space zone. This is consistent with the current practices for zoning of transmission corridors in other future urban areas.

Variation 340 was released for public comment between 6 November last year and 21 December. Lessees of the surrounding sections and rural blocks were also notified in accordance with the requirements of the planning legislation. There were no public submissions.

A report on consultation was prepared by the ACT Planning and Land Authority detailing the consultation processes. I have used my discretion under section 73 of the Planning and Development Act not to refer the draft variation to the Standing Committee on Planning, Environment and Territory and Municipal Services, as I believe that the variation is relatively minor in nature and was not controversial.

Papers

Ms Berry presented the following paper:

Annual Reports (Government Agencies) Act, pursuant to section 13—Annual Report 2014-2015—Community Services Directorate—Corrigendum.

Mr Gentleman presented the following papers:

Subordinate legislation (including explanatory statements unless otherwise stated)

Legislation Act, pursuant to section 64—

ACT Civil and Administrative Tribunal Act—ACT Civil and Administrative

Tribunal (Non-Presidential Members) Appointment 2015 (No 6)—Disallowable Instrument DI2015-314 (LR, 10 December 2015).

Cemeteries and Crematoria Act—Cemeteries and Crematoria (Public Cemetery Fees) Determination 2015 (No 2)—Disallowable Instrument DI2015-299 (LR, 5 November 2015).

Civil Law (Wrongs) Act—

Civil Law (Wrongs) Australian Computer Society Professional Standards Scheme 2015 (No 1)—Disallowable Instrument DI2015-330 (LR, 21-December 2015).

Civil Law (Wrongs) Professional Standards Council Appointment 2015 (No 5)—Disallowable Instrument DI2015-317 (LR, 17 December 2015).

Civil Law (Wrongs) RICS Valuers Ltd Scheme 2015 (No 1)—Disallowable Instrument DI2015-329 (LR, 21 December 2015).

Commissioner for Sustainability and the Environment Act—Commissioner for Sustainability and the Environment (Reporting Period and Reporting Day) Determination 2015—Disallowable Instrument DI2015-327 (LR, 17 December 2015).

Court Procedures Act—Court Procedures Amendment Rules 2015 (No 3)—Subordinate Law SL2015-42 (LR, 17 December 2015).

Crimes (Sentence Administration) Act—Crimes (Sentence Administration) (Sentence Administration Board) Appointment 2015 (No 3)—Disallowable Instrument DI2015-321 (LR, 21 December 2015).

Cultural Facilities Corporation Act and Financial Management Act—

Cultural Facilities Corporation (Governing Board) Appointment 2015 (No 4)—Disallowable Instrument DI2015-324 (LR, 17 December 2015).

Cultural Facilities Corporation (Governing Board) Appointment 2015 (No 5)—Disallowable Instrument DI2015-323 (LR, 17 December 2015).

Domestic Animals Act—

Domestic Animals (Exercise Areas) Declaration 2015 (No 1)—Disallowable Instrument DI2015-336 (LR, 22 December 2015).

Domestic Animals (Prohibited Areas) Declaration 2015 (No 1)—Disallowable Instrument DI2015-337 (LR, 22 December 2015).

Duties Act—Duties (Corporate Reconstruction Guidelines) Determination 2015 (No 1)—Disallowable Instrument DI2015-316 (LR, 10 December 2015).

Electricity Feed-in (Renewable Energy Premium) Act—Electricity Feed-in (Renewable Energy Premium) Registered Rural Block 1470 Tuggeranong Total Capacity Determination 2015 (No 1)—Disallowable Instrument DI2015-313 (LR, 3 December 2015).

Gambling and Racing Control Act and Financial Management Act—Gambling and Racing Control (Governing Board) Appointment 2015 (No 3)—Disallowable Instrument DI2015 311 (LR, 23 November 2015).

Gaming Machine Act—Gaming Machine Amendment Regulation 2015 (No 2)—Subordinate Law SL2015-40 (LR, 30 November 2015).

Health Act—Health Amendment Regulation 2015—Subordinate Law SL2015-41 (LR, 3 December 2015).

Legal Profession Act—Legal Profession (Solicitors) Conduct Rules 2015—Subordinate Law SL2015-37 (LR, 23 November 2015).

Legislative Assembly (Members' Staff) Act—

Legislative Assembly (Members' Staff) Code of Conduct for Ministerial Staff and Staff of Other Office-holders Determination 2015—Disallowable Instrument DI2015-319 (LR, 17 December 2015).

Legislative Assembly (Members' Staff) Code Of Conduct For Staff Of Non-Executive Members Determination 2015—Disallowable Instrument DI2015-320 (LR, 17 December 2015).

Lotteries Act—

Lotteries (Exempt Lotteries) Determination 2015 (No 1)—Disallowable Instrument DI2015-301 (LR, 4 November 2015).

Lotteries (Fees) Determination 2015 (No 2)—Disallowable Instrument DI2015 300 (LR, 4 November 2015).

Magistrates Court Act—Magistrates Court (Environment Protection Infringement Notices) Amendment Regulation 2005 (No 1)—Subordinate Law SL2015-43 (LR, 21 December 2015).

Medicines, Poisons and Therapeutic Goods Act—Medicines, Poisons and Therapeutic Goods Amendment Regulation 2015 (No 2)—Subordinate Law SL2015-36 (LR, 23 November 2015).

Official Visitor Act—Official Visitor (Mental Health) Appointment Revocation 2015 (No 1)—Disallowable Instrument DI2015-338 (LR, 22 December 2015).

Planning and Development Act—Planning and Development (Bushfire Preparedness) Amendment Regulation 2015 (No 1), including a regulatory impact statement—Subordinate Law SL2015-38 (LR, 26 November 2015).

Pool Betting Act—Pool Betting (Prescribed Percentage) Determination 2015 (No 1)—Disallowable Instrument DI2015-328 (without explanatory statement) (LR, 21 December 2015).

Public Place Names Act—

Public Place Names (Moncrieff) Determination 2015 (No 8)—Disallowable Instrument DI2015-306 (LR, 12 November 2015).

Public Place Names (Throsby) Determination 2015 (No 1)—Disallowable Instrument DI2015-309 (LR, 16 November 2015).

Race and Sports Bookmaking Act—Race and Sports Bookmaking (Sports Bookmaking Venues) Determination 2015 (No 7)—Disallowable Instrument DI2015-304 (LR, 9 November 2015).

Remuneration Tribunal Act—Remuneration Tribunal (Fees and Allowances of Members) Determination 2015—Disallowable Instrument DI2015-303 (LR, 9 November 2015).

Road Transport (General) Act—

Road Transport (General) Application of Road Transport Legislation Declaration 2015 (No 10)—Disallowable Instrument DI2015-305 (LR, 12 November 2015).

Road Transport (General) Application of Road Transport Legislation Declaration 2015 (No 11)—Disallowable Instrument DI2015-315 (LR, 10 December 2015).

Road Transport (General) CTP Regulator Levy Determination 2015 (No 1)—Disallowable Instrument DI2015-325 (LR, 21 December 2015).

Road Transport (General) Exclusion of Road Transport Legislation (Summernats) Declaration 2015 (No 1)—Disallowable Instrument DI2015-318 (LR, 17 December 2015).

Road Transport (Offences) Amendment Regulation 2015 (No 2)—Subordinate Law SL2015-44 (LR, 23 December 2015).

Road Transport (Public Passenger Services) Act—Road Transport (Public Passenger Services) Regular Route Services Maximum Fares Determination 2015—Disallowable Instrument DI2015-326 (LR, 21 December 2015).

Road Transport (Safety and Traffic Management) Act—Road Transport (Safety and Traffic Management) Amendment Regulation 2015 (No 2)—Subordinate Law SL2015-35 (LR, 18 November 2015).

Road Transport (Safety and Traffic Management) Regulation—Road Transport (Safety and Traffic Management) Approval of Protective Helmets for Motorbike Riders Determination 2015 (No 1)—Disallowable Instrument DI2015-322 (LR, 21 December 2015).

Taxation Administration Act—

Taxation Administration (Ambulance Levy) Determination 2015 (No 1)—Disallowable Instrument DI2015-332 (LR, 22 December 2015).

Taxation Administration (Amounts Payable—Home Buyer Concession Scheme) Determination 2015 (No 3)—Disallowable Instrument DI2015-333 (LR, 22 December 2015).

Taxation Administration (Amounts Payable—Over 60s Home Bonus Scheme) Determination 2015 (No 4)—Disallowable Instrument DI2015-335 (LR, 22 December 2015).

Taxation Administration (Amounts Payable—Pensioner Duty Concession Scheme) Determination 2015 (No 3)—Disallowable Instrument DI2015-334 (LR, 22 December 2015).

Training and Tertiary Education Act—Training and Tertiary Education (National Code of Good Practice for Australian Apprenticeships) Approval 2015—Disallowable Instrument DI2015-331 (LR, 21 December 2015).

Tree Protection Act—Tree Protection (Advisory Panel) Appointment 2015 (No 2)—Disallowable Instrument DI2015-310 (LR, 18 November 2015).

University of Canberra Act—University of Canberra Council Appointment 2015 (No. 4)—Disallowable Instrument DI2015-312 (LR, 26 November 2015).

Veterinary Surgeons Act—

Veterinary Surgeons (Fees) Determination 2015 (No 1)—Disallowable Instrument DI2015-302 (LR, 5 November 2015).

Veterinary Surgeons Regulation 2015—Subordinate Law SL2015-39 (LR, 27 November 2015).

Internet services

Discussion of matter of public importance

MADAM SPEAKER: I have received letters from Ms Burch, Mr Hanson and Ms Porter proposing that matters of public importance be submitted to the Assembly. In accordance with standing order 79, I have determined that the matter proposed by Ms Porter be submitted to the Assembly, namely:

The importance of high quality internet services in the Territory.

MS PORTER (Ginninderra) (4.02): I am pleased to speak about this matter of public importance today, high quality internet services in the territory.

We all know that Canberra is a great city to live and work in. We are one of the world's most livable cities, a city full of early adopters and a city of innovators and entrepreneurs. Of course, in the modern connected world we now live in, our competitiveness as a place to live and a place to do business will depend on high quality internet services. We are the major centre for services to government. We are a growing centre for education services and, increasingly, health services. We can only grow these service industries through exports, and we can only export these services if we have high quality internet services.

Madam Speaker, I think you would agree that we do pretty well on broadband quality and speeds when we compare ourselves to our capital city peers around the country. The problem is that Australia ranks just 40th for global internet speeds. That means that even though Canberra compares well with Brisbane and Adelaide, we are well behind competitors like Singapore and Wellington, where virtually all businesses and most households have access to reliable internet speeds 10 times faster than much of Canberra—10 times faster.

Around half of Canberra's households, and many of our businesses, do not receive services that are reliable, fast and stable enough for them to log into tendering websites to win government contracts or for students and teachers to access school intranets to do homework and mark assignments. I can remember the time when I actually did not have any kind of computer to do my school homework, but that was many moons ago. There are still far too many Canberrans who do not even have access to an ADSL connection, and therefore are unable to use anything other than the most basic internet resources.

Unlike federal parliament, which has been weighed down by a federal Liberal Party with its eyes shut to the importance of the internet for the future of the economy, for decades there has been bipartisan support in this chamber for improving the territory's

broadband. Twenty years ago this place recognised that Telstra was not going to build the broadband infrastructure our city and our people needed. As a city we decided we could be world leaders, and the TransACT network, which now services around 55,000 premises across Canberra, was the most advanced consumer broadband network in Australia when we began rolling it out. It is still competitive by global standards today.

I am sure that all members in this place were as hopeful as I was that the rollout of high-speed broadband in the ACT would be completed when the commonwealth established NBN Co in 2009. Canberra was one of the 19 designated early rollout sites. The initial rollout by NBN in Gungahlin under the former Labor federal government was one of the smoothest in Australia, and the take-up rate amongst the highest in the country.

Many of Canberra's housing developers understood the value of the NBN, and the NBN rollout in greenfield sites across Canberra has been among the most successful in the country. That initial rollout was not just about fibre in the ground. Both the federal and ACT governments delivered training and awareness raising programs for businesses and households to help them grasp what the NBN fibre rollout meant and how they would be able to take advantage of this new advanced network.

Sadly, the backward-looking federal Liberals decided that all this progress should be stopped in its tracks. Since the Liberals decided to turn their backs from Australia's future, virtually no new connections to the NBN have been made in the ACT, except for the completion of work already underway in Gungahlin. Disgracefully, despite the overwhelming need, virtually no connections to businesses have been made in Civic even though the rollout of NBN cable was completed years ago.

Almost incredibly, NBN's latest rollout plans for the ACT show that it plans to duplicate TransACT's network in suburbs like Campbell, while places like Fyshwick, which do not have access to anything like the speeds in Campbell, do not appear on NBN's rollout schedules at all. Not only is NBN duplicating TransACT's network; it is doing it with technology which will be slower than what already exists.

This is madness, Madam Speaker. It is the sort of madness you get from the Liberal Party, because they do not understand business and they do not have any vision for the future.

On 23 September 2015, the Assembly passed a resolution expressing its concern about the delayed, unequal and unclear access to NBN both within Canberra suburbs and across the Canberra region. The Chief Minister then wrote to the federal Minister for Communications to seek clarity about the future status of the NBN rollout in the ACT. I understand that, four months later, the Chief Minister is yet to receive a reply.

However, the ACT government has not stood still and waited for the federal Liberals to come to their senses. We are building the CBRfree wi-fi network, which will be one of the largest high quality and, most importantly, free public networks in Australia. In January this year, CBRfree was used by over 48,000 Canberrans and visitors. Madam Speaker, you can see schoolchildren working on their homework in

town centres using laptops connected to CBRfree. CBRfree is already available in Canberra city, Dickson, Belconnen and Manuka. It will be available in Kingston shortly, in Tuggeranong and Bruce by the end of April, in Woden by the end of June, and in Weston Creek and Gungahlin shortly after that.

Canberra is a city that looks to the future. We embrace new technology, and we can thrive in a world dependent on digital technology if we can get access to the internet services we need. As the new Turnbull government ramps up its language around being a 21st century government, I call on the federal government to commit to a clear and comprehensive NBN rollout that avoids duplication and delivers on priority business and household needs for Canberra.

MR DOSZPOT (Molonglo) (4.09): I thank Ms Porter for bringing on this matter of public importance, the importance of high quality internet services in the territory. As usual when we touch upon this topic we hear the rhetoric—and the government is very good at the rhetoric—on what their digital contribution is to Canberra, but unfortunately that is where the good part of it stops. The rhetoric is good; the actual delivery is less than good.

The opposition considers the provision of high quality internet services in Canberra to be of utmost importance as the use of the digital space continues to expand and evolve across the country. It is important that the nation's capital is leading the way in the construction and provision of high quality communication technologies, including the provision of high speed internet access.

The importance of delivering high quality internet services to Canberra and the nation is also a key priority of our federal counterparts. The rollout of the national broadband network will provide endless possibility for the education sector, the disability sector, the health sector, the commercial community, and quite a number of specialised areas where high speed broadband can enhance business opportunities. Importantly, under this federal government's rollout of the NBN, there is potential for further ICT job growth in the ACT and surrounds as well as supporting educational opportunities for all Canberrans.

The coalition's plan is ensuring that the NBN rollout is faster and cheaper, resulting in much lower prices for consumers. The rollout is expected to be completed by 2019 and will cost tens of billions of dollars less than Labor's original NBN plan.

Under Kevin Rudd, Labor promised fast broadband for all Australians by 2013 at a cost of \$4.7 billion and after more than five years of federal Labor government there was little progress in this area. There was little progress and there was little said by this government during the term of the Rudd Labor government or the other Labor government that followed it. They had very little to say about the lack of progress.

But since the coalition has come to power there has been a lot of increase, and I question Ms Porter's figures on the fact that there has been no activity in Canberra. We will come to that later. Since the coalition were elected, they have focused on creating and rolling out an NBN plan that all Australian households and businesses can reap the benefits from. Under the coalition's plan to transform NBN we will see

download speeds of between 25 and 100 megabits per second by the end of 2016 and 50 to 100 megabits per second by 2019. There are areas of Canberra now that are getting that and in fact the area that I am in is in that area where we are getting up to 45, 50 megabits per second. By August of last year there were more than 19,872 premises connected to NBN via fibre to the premises in Canberra and that figure is after only two years of the coalition being in office.

The suburbs with broadband services available include areas in Bonner, Civic, Crace and Deakin. There are currently 11,700 premises where construction is underway and a further 56,900 premises to be completed as part of the rollout plan by December 2016.

The coalition has given a commitment to utilise highly effective smart technologies in the delivery of a high speed broadband network service which will ensure that Australia does not fall behind in the worldwide digital revolution. Those of us on this side of the chamber agree that this is important. What is even more important is that the coalition government will provide the NBN to all Australians sooner and at less cost to taxpayers than was on offer under Labor. As I have mentioned, it is clear that superfast broadband is on its way to Canberra thanks to the hard work of the Australian government.

Perhaps we should be taking a closer look at what the ACT government is doing here in Canberra, apart from the rhetoric about how good it is. So what is the ACT government doing here in Canberra to improve digital infrastructure and enhance Canberra's ability to operate and thrive in an ever-increasing digital world?

Earlier today we heard the Chief Minister state his government's priorities and make clear in this Assembly that ICT infrastructure and the creation of a digital Canberra are important to this government. And we support that. It is important. It needs to be attended to.

However, looking closely at this government's track record over the last three years, the reality is actually quite a bit different. It seems that the execution of these so-called priorities has left a lot to be desired. Take for instance the rollout of the Canberra free wi-fi network which Ms Porter has spoken about. I have spoken on this subject many times over the last four years, and it seems Canberra is still waiting for its completion. It was promised that Canberra would host Australia's largest free public wi-fi network. That was four years ago. However, with continual delays in the rollout it seems we are still waiting for this promise to be very much delivered on.

Initially the rollout was to be completed by the end of 2015. Now we are looking at some time in mid to late 2016. So the promises that were made at election time all sounded very good but the reality is that we have not got it. So far only Canberra city, Braddon, New Acton and EPIC have active external wi-fi transmitters. The town centres of Belconnen, Dickson, Kingston, Manuka, Tuggeranong, Gungahlin, Weston, Woden and Bruce are still waiting to be fully receiving the free wireless network.

The wi-fi rollout was to be completed one year after its launch in October 2014. We are now in early 2016 and we are leading in to another election and still waiting on

this government to deliver on the promises and commitments it made in the last election. This is probably going to be their next election promise for this coming election as to just what will be delivered in this wi-fi area.

Just to make my point clear to all those on the other side of the chamber, if we take a closer look at what is happening here, here in the Assembly itself, for example, we have no wi-fi access in this building other than in this chamber. And if we are looking at how a government is reacting to its rhetoric, we do not have the wi-fi in this building for our offices to communicate with our community. We can communicate by wi-fi here in the chamber but what about the rest of the building? Is this the modern Canberra where we talk about the wonderful digital commitment of this government?

Mr Gentleman: I have got wi-fi upstairs.

MR DOSZPOT: You may have it on your floor—through you, Madam Speaker—we do not have wi-fi access on the first floor. Once again we seem to come back to the election commitments of this Labor government. In 2012 they committed \$2.9 million over four years to establish free wi-fi in bus interchanges and in ACTION buses. It was only in December of last year that five ACTION buses were fitted with free public wi-fi as part of a 12-month trial. When can Canberrans expect free wi-fi to be rolled out to the rest of the ACTION bus fleet as promised at the 2012 election and as was run by a private bus network in Queanbeyan over four years ago? Perhaps we will see this again as a re-announced election commitment for 2016.

The track record of this government does not tell the story of a government that values the importance of delivering high quality internet services to all Canberrans. It tells the story of a government that makes promise after promise and fails to deliver for the people of Canberra. It is a government that is hiding behind the achievements of the federal government and yet criticises the federal government and is not delivering on its own ACT election commitment to the people of Canberra. We on this side of the chamber believe that investing in the digital economy is very, very important here in the territory and it is the way of the future and is fundamentally important to the future growth and development of our national capital.

So we urge the Chief Minister to not just wax lyrical about how committed he is to it. Let us see the whole commitment by delivery to our community, to the children in Canberra that Ms Porter spoke about. Let us give everyone an opportunity to use wi-fi the way that commitment was made four years ago. But I do thank Ms Porter for raising this matter of public importance but, as often happens with what the government considers to be of public importance, such as the digital world that we are supposed to be well on top of here in Canberra, we have a long way to travel before that reality is here for us in the ACT.

DR BOURKE (Ginninderra—Minister for Aboriginal and Torres Strait Islander Affairs, Minister for Children and Young People, Minister for Disability, Minister for Small Business and the Arts and Minister for Veterans and Seniors) (4.19): Just last Saturday a constituent spoke to me at my Kippax centre mobile office about the lack of a usable internet service to support his home IT business in west Belconnen. When I was doorknocking in Latham on Sunday morning, a man said he had been waiting

for two years for an internet broadband connection. He had been told there was no more capacity at the exchange for more ports. His house is five kilometres from the exchange, so already the signal is degraded. Poor internet service is affecting people throughout my electorate in Belconnen. After years of talking about broadband and its potential, Australia's failure to roll out adequate broadband infrastructure to businesses and households is having a real impact now.

Most people do not realise this until they are shocked to find out when they buy a house or lease business premises in Canberra that they do not have adequate broadband for their needs. Businesses may find they do not have the bandwidth to support a website, to do video conference calls or to log in to customers' procurement portals. School students may find that they have difficulty accessing their online school resources at home, making it difficult to complete their homework. Teachers have found in some locations in Canberra that they cannot access their students' assignments online in order to mark them. Entertainment services like iView and Netflix may not be available or are only available at very poor quality. Patches of Canberra do have excellent broadband coverage. These areas were largely completed before the then communications minister, Malcolm Turnbull, axed the planned Canberra rollout, which included large parts of Belconnen.

We have had only vague plans for a future rollout since then. Comparable capitals such as Wellington, New Zealand and Singapore are well ahead of Canberra. Rollout of ultra-fast fibre to the premises, 100 megabits per second download and 50 megabits per second uploads started in Wellington in 2011, with around half the premises now covered. Priority was given to businesses, schools and health facilities and the full rollout is scheduled to be completed in 2019. Singapore's rollout of a one gigabit per second fibre to the premises next generation national broadband network is now mostly complete. These speeds are significantly better than the speeds that Mr Doszpot was skiting about just before.

Sadly, there are plenty of places around Canberra on Telstra's ADSL download speeds of eight megabits per second, if they are lucky enough to live near an exchange, and just two megabits per second if they are further away. What is worse, there is still a percentage of Canberrans who cannot even get access to ADSL and they cannot use their network for anything but the most basic resources. The current broadband access in the ACT is inadequate for the emailing of medical documents such as MRIs, X-rays and so forth, with the result that most medical documentation remains not electronic, at huge cost to the potential for the ACT to grow as a regional centre for health services.

Property managers in Civic are exasperated in dealing with the NBN and its never-ending series of delays. Their tenants say they are losing business as they have inadequate broadband, and properties in Civic are losing business tenants. Businesses in Fyshwick, Hume and in the eastern industrial area of Beard are frustrated with their ADSL services, which are inadequate for modern business needs. They tell the government that their ability to grow is limited because they cannot get access to one of the basic building blocks of modern business—reliable high-speed broadband. Businesses in Fyshwick regularly report that it is impossible to access the internet at certain times of the day. Businesses in Hume were recently without internet services for most of a week when their ADSL service suffered a series of intermittent faults.

It is safe to say that businesses in Singapore and Wellington do not suffer from these problems. Both here and in the federal parliament it is the Labor Party that understand how important decent internet services are for the future of this country and our businesses. It is just a shame that the Liberals lack vision, which means they are starving Canberra businesses of their full potential.

MR WALL (Brindabella) (4.23): I thank Ms Porter for bringing this discussion topic—namely, internet services in the territory—to the Assembly today. I, like many other members, am constantly approached by constituents in my electorate, in the Tuggeranong area, who raise concern about the quality of the internet service that is available to them down there. As recently as last week, while doorknocking in Tuggeranong, almost every house raised the issue of their broadband access. I was in Fadden. For those of you who are unfamiliar with how the Tuggeranong phone network works, suburbs such as Fadden and Macarthur operate out of the Monash telephone exchange, which is some considerable distance away from those homes. So when they do have access to the internet, it is of a very poor standard. When everyone gets home and flicks on Netflix or tries to download their emails or whatnot, that service is constantly choking and it is in desperate need of some upgrade.

I am encouraged that this topic is being raised in the Assembly today because it is something that requires all of us—Liberal, Labor and Greens members—to advocate for, to make sure that we do get proper broadband services here in the territory, not just for recreational and family use, but, more importantly—and this is a larger imperative—for business, particularly small businesses seeking to operate from home premises.

Ms Porter's speech, and even Dr Bourke's speech, illustrate why the ACT has been struggling with internet connectivity for quite some time. It is because it has become a pork-barrelling creature for both parties at the federal level. I think Labor is as guilty of it as the coalition, in that the favoured electorates are bumped up the schedule each time there is a change of government. Unfortunately, the ACT continues to miss out.

I am doing all that I can in my capacity to lobby my federal colleagues to ensure that particularly Tuggeranong gets put back on the roll-out schedule as quickly as possible, and that the opportunities that faster internet speeds bring are recognised in my electorate.

It is poignant to touch on the impact on so many businesses in Hume at the tail end of last year, when a fault in the Jerrabomberra telephone exchange caused the majority of businesses in Hume to be without internet for, in some instances, a couple of weeks. Not only was that irritating and an annoyance for them, but in many instances it cost thousands, if not hundreds of thousands, of dollars in lost opportunity, lost business and lost economic activity for the territory. That highlights in this day and age how important internet connectivity is to all citizens in the territory, particularly our business sector.

I would urge all members here to try and take some of the politics out of this issue and lobby for what is in the best interests of the people we represent here in the ACT, that is, that the territory be reinstated wholly on the NBN roll-out schedule and that it be done as a priority.

MS BERRY (Ginninderra—Minister for Housing, Community Services and Social Inclusion, Minister for Multicultural and Youth Affairs, Minister for Sport and Recreation and Minister for Women) (4.27): I welcome the opportunity to speak on an issue of great importance to people in my electorate in Belconnen, and particularly where I live, in west Belconnen.

The internet has changed the way that we live. Accessing fast, stable connections has seen the development of amazing technologies that have allowed us to come together in ways that we might never have imagined. My colleague Mary Porter spoke about the importance of access to our kids' education, but it is also important for the social inclusion of many groups in our community.

As a sole parent, I know the ways that the internet is helping parents to stay connected with each other. When the kids are in bed by 9 pm, that is, my kids—on a good night—there is a spike in internet traffic of parents logging on. And they are doing all sorts of different things. Some are getting onto social media to chat about the day, to get advice or to vent with other parents about their latest parenting challenge. Some are pursuing a hobby or higher education. Some are accessing online counselling, checking their school calendar for the next day or just getting the shopping done.

Sadly, many parents in my own suburb of Dunlop do not get this opportunity. Like Mr Wall's experience in Fadden, our nearest exchange is three to five kilometres away and there is an ageing network internet that gets patchy—or "laggy", as described to me by my son—in times of peak demand.

While parents in the neighbouring suburb of new Macgregor, which has been connected to the NBN, are logging on to get support, clear the weekend shopping and learn new skills, too many parents in Dunlop, Holt and other areas of west Belconnen do not get that chance.

Hearing from Mr Wall today, we know that it is not just Dunlop and west Belconnen suburbs that are suffering. I know, from speaking to people all over Canberra, that internet connectivity is a problem, particularly in our established suburbs in Belconnen and Tuggeranong. These suburbs are places where connection is greatly needed. They are home to a large portion of our multicultural community who use the internet to access services in their home language and connect with their community around the globe.

For young people in Canberra's suburbs, internet is an important connection as they start the process of defining their lives for themselves. With kids entering their teens, we are both daunted and excited by the thought of them exploring new ideas, questioning the world around them and considering careers and life options that might not be part of their daily lives. We particularly know that the internet is an invaluable resource to young LGBTIQ people looking for information and support, and they deserve a connection, wherever they live.

This same connection to the internet is also important to women who have experienced domestic violence. By connecting online, women can seek counselling, have conversations with other women about their experiences, access resources and make plans for their lives when they leave a violent situation.

Finally, we know that as the community in both Belconnen and Tuggeranong are ageing, the internet will help them stay connected in their homes. There is a misconception that older people have not engaged online, but these numbers are increasing. They are on Facebook, connecting with kids and grandkids around Canberra, Australia and the world. They are pursuing a diversity of hobbies that 10 years ago we could not have imagined and they are accessing internet shopping and delivery that makes them less reliant on others.

As other members have spoken about today, the internet is bringing economic and educational benefits to our community. It is also bringing connection and inclusion to people who can sometimes be left out through circumstance and geography. To be real and to be fair, this inclusion cannot be patchy. It cannot come to some and not to others, or to one suburb but not the next.

Currently, we are stuck in a stalemate that has been caused by this federal government, with no plans to finish the NBN, and no action on upgrading our existing networks. I did LOL quietly to myself when Mr Doszpot was talking about the federal government currently considering broadband delivery as a priority when clearly it is not because, if it were a priority, we would not be having this conversation about west Belconnen or Tuggeranong today. This government believe that all Canberrans deserve a quality internet connection that delivers them the same opportunities, and I appreciate the opportunity to call on them to deliver.

If Mr Wall is fair dinkum about taking it up to the federal government, I would be absolutely happy to take him up on that offer and jointly, together, lobby the federal government to put Canberra on the radar when it comes to NBN access, so that every Canberran can be connected in the way that we know is important to them, creates better inclusion and a better and stronger community for everybody who lives here in the ACT.

Discussion concluded.

Planning, Building and Environment Legislation Amendment Bill 2015 (No 2)

Detail stage

Debate resumed.

Clause 1 agreed to.

Remainder of bill, by leave, taken as a whole.

MR GENTLEMAN (Brindabella—Minister for Planning and Land Management, Minister for Racing and Gaming and Minister for Workplace Safety and Industrial Relations) (4.32), by leave: I move amendments Nos 1 and 2 circulated in my name together [*see schedule 2 at page 100*]. I table a supplementary explanatory statement to the amendments.

The government has amendments to the Planning, Building and Environment Legislation Bill 2015 (No. 2). It is an omnibus bill and the first amendment that we have here inserts an entirely new item into the bill. The government recently became aware of a minor drafting error in the wording of the electricity feed-in renewable energy premium rate determination 2011 (No. 1). This determination forms part of the ACT government's rooftop solar feed-in tariff scheme.

The determination, together with the Electricity Feed-in (Renewable Energy Premium) Act 2008, establishes the amount that electricity retailers must pay micro and medium renewable energy generators for the electricity generated. Section 8 of the act sets out the required percentage of a specified premium rate to be paid. This determination sets out what the premium rate is.

The determination is a disallowable instrument. Specifically, the 2011 determination refers to the premium rate for micro renewable energy generators. The unintended effect of this is that the premium rate for medium renewable energy generators has not been set. The determination should not have referred to the micro category exclusively but should have referred simply to renewable energy generators.

This amendment corrects that omission and will ensure that the premium rate will apply to both micro and medium renewable energy generators under the act. This gives effect to longstanding government policy and how the scheme has actually been administered since its introduction. It should be noted that this amendment does not change the premium rate itself and, despite the drafting issue, the scheme has always operated on the basis that the premium rate specified for micro renewable energy generators also applied to medium renewable energy generators.

As a matter of necessity, the amendment has retrospective application. This is required to confirm that any payments made to medium renewable energy generators under the 2011 determination are, and continue to be, valid. Despite the retrospectivity, there is no unfairness associated with the amendment. This is because it validates past actions which were undertaken on the understanding that they were valid. The amendment confirms the expectations of those who are impacted by validating the application of the applicable premium rate that has been government policy since 2011 and upon which the scheme has operated since. The amendment corrects an error to give legal effect to the accepted and widely understood position that the premium rate in the 2011 determination applies to all renewable energy generators.

The ACT government's rooftop solar feed-in tariff scheme has been a remarkable success. Approximately 10,000 solar systems have been installed across the territory, providing renewable energy from solar panels. The scheme has generated jobs in the ACT economy and contributed to a dramatic fall in solar panel prices and installation costs, making solar renewable energy a more accessible and attractive option.

This amendment will not affect the operation of the scheme or impact on any of those who participate in it. I thank members for their support of this.

MR COE (Ginninderra) (4.37): The opposition have real concerns with the approach being taken by the government here. Earlier today we heard Minister Corbell have a go at those in this part of the chamber about a so-called last-minute repechage. Indeed he said that we had months to get our head around something. Here we are in a situation where the government is introducing retrospective legislation through an amendment circulated at 11 am yesterday.

There are numerous issues with this approach. The first is, of course, the fact that it is retrospective legislation. That is something that we are extremely concerned about. Secondly, of course, and perhaps the bigger issue, is the actual problem at hand here, which is the fact that these, in effect, illegal or unauthorised payments have been made for five years. Indeed even after the government was made aware that this in fact was illegal or not authorised, the government still continued to make these payments, despite knowing that such payments were in fact not backed up by legislation.

To date I do not believe my office has been told exactly how much money has been paid over the course of the last five years through these illegitimate payments. In addition there is the fact that we also do not know how many such payments were made, not just the actual total of those. So we are very concerned, and we hope this does not become a precedent.

Given the government has known about this for several months, we were very surprised to get an amendment circulated just yesterday to this effect. So we are disappointed. We will be allowing the amendment to go through. However we do hope that the government does bear our concern in mind when future changes like this are required.

MR GENTLEMAN (Brindabella—Minister for Planning and Land Management, Minister for Racing and Gaming and Minister for Workplace Safety and Industrial Relations) (4.40): I thank Mr Coe for his input into these changes. I assure him there is no intention of any illegality in regard to payments. The payment schedule was first announced when I brought in the feed-in tariff way back in, I think it was, about 2009 or 2008.

The system set up there—for Mr Coe—was that a premium rate would apply to all renewable energy generators and, depending on the size of the renewable energy generator, that rate would be of a percentage of the premium rate. So this is really just a tidy-up, as I said, of the previous writing in regard to micro and medium generators. It is appropriate that those tidy-ups are done, I think, in these omnibus bills. So I thank everybody for their comments.

Amendments agreed to.

Remainder of bill, as a whole, as amended, agreed to.

Bill, as amended, agreed to.

Road Transport Legislation Amendment Bill 2015 (No 2)

Debate resumed from 29 October 2015, on motion by **Mr Rattenbury**:

That this bill be agreed to in principle.

MR HANSON (Molonglo—Leader of the Opposition) (4.41): The Canberra Liberals will be supporting this legislation. It is a bill that makes a number of changes to laws pertaining to road transport, licences and police powers with regard to drink-driving offences. It allows, as it states in the explanatory statement, for electronic service of infringement notices. Importantly, in addition to postal services currently required, it allows for infringement notice declarations to be completed online. It creates consistency in the appeal rights of drivers who face automatic disqualification of their drivers licence for drink and drug offences. That makes the ACT consistent with other jurisdictions. It changes and removes laws for police with regard to how they can deal with individuals who have potentially committed an offence of drug or drink driving, failed to stop or left a traffic accident and moved into, essentially, their residence. It means that the police have certain powers to go into someone's residence and complete testing.

There are a range of changes that make sense. When I looked at the scrutiny of bills report, which has made a couple of comments to the minister that have not required any response, I think these appear to be sensible changes and a move forward in terms of moving into the modern age, particularly with regard to the use of web and electronic-based devices for infringement notices and so on. We will support this legislation. But, like any changes, it will need to be monitored to make sure that, as it rolls out, it is effective.

MR RATTENBURY (Molonglo—Minister for Corrections, Minister for Education, Minister for Justice and Consumer Affairs and Minister for Road Safety) (4.44), in reply: I am pleased to close the debate on the Road Transport Legislation Amendment Bill 2015 (No 2) and I thank Mr Hanson for his comments today. The bill makes a number of amendments to the road transport legislation to improve road safety and improve the administration and enforcement of the road transport legislation. Some of the amendments made by the bill will also support the government's digital Canberra action plan, allowing this government to better engage with citizens and deliver services more efficiently.

The first amendment removes from the Crimes Act a police power of entry to arrest for a drink or drug-driving offence. The existing provisions are redundant as police operate under the provisions of the road transport legislation, not the Crimes Act, when dealing with drug and drink-driving offences. The bill replaces this power with a limited power to enter premises to require alcohol or drug screening tests.

Noting the power allows people to enter into a driver's home, the bill appropriately requires a number of particular pre-conditions to be satisfied before the power can be exercised. The first of these pre-conditions is that police must have a reasonable suspicion that a person has committed a drink or drug-driving offence. The act does not prescribe the ways in which a police officer may gain such a suspicion, but in

practice it may arise where a police officer observes a driver driving erratically or exiting a licensed venue behaving in a way that suggests intoxication or impairment before driving a vehicle.

The second pre-condition is that police must have a reasonable suspicion that the person was either the driver of a vehicle that was involved in a road accident or has failed to comply with a police request to stop a vehicle the person was driving on a road or road-related area.

The third pre-condition is that police must have an existing power under the Road Transport (Alcohol and Drugs) Act to require that person to undergo an alcohol or drug screening test. The fourth pre-condition is that police must reasonably believe that that person is on the premises. Only if all these pre-conditions are satisfied are the police able to enter the premises to require the person to undertake a drug or alcohol screening test in accordance with the provisions of the Road Transport (Alcohol and Drugs) Act.

The existing restrictions on testing within the Road Transport (Alcohol and Drugs) Act will apply to testing undertaken in premises under these provisions. Testing will need to be undertaken within the existing time limits relating to how long after a person has stopped driving or is involved in an accident a screening test can be undertaken. For example, police cannot enter premises to require a test if more than two hours have passed since the accident. In the case of a driver failing to stop when required by police, police cannot enter premises to require a screening test if more than two hours have elapsed since the person ceased to be the driver of the motor vehicle.

A further safeguard is that police officers who enter premises to undertake drug or alcohol screening tests must not remain there for longer than is required to conduct those tests. Any proposal to allow a police officer or other government representative to enter a person's home should rightly be properly scrutinised to ensure it is appropriate and there are no other reasonable alternatives.

The government has considered these amendments carefully and I am confident that they will help protect all road users. It is an unfortunate reality that a minority of drivers who are involved in a road accident leave the scene of the accident and enter and remain within premises, refusing police requests that they be tested for alcohol or drugs. Similarly, there is also a small minority of drivers who, while driving, appear to be under the influence of alcohol or drugs and, when requested to stop by police, refuse to do so and, instead, quickly enter premises to avoid testing and any resulting sanctions for drink or drug driving.

As I have previously mentioned, the Road Transport (Alcohol and Drugs) Act imposes strict time limits on when alcohol or drug testing may be undertaken. A driver's refusal to leave the premises or to allow the police officer to enter to conduct the necessary testing means no evidence can be obtained to support an appropriate charge being laid against these drivers. I am sure all members of this place are aware of the significant dangers posed by drivers who drive while affected by alcohol or drugs. This amendment closes an existing loophole to ensure that drivers who flout our drink and drug-driving laws are detected and appropriately dealt with.

The bill will also create consistency in the appeal rights of drivers who face default disqualification of their drivers licence for a drink or drug-driving offence. A person who is convicted of a relevant drink or drug-driving offence is automatically disqualified from driving for a default period under the legislation unless the court orders a shorter period of disqualification. The courts have interpreted the current legislation so that only drivers who are sentenced by the court to a shorter period of disqualification are able to appeal the period of disqualification imposed. Under this interpretation, drivers who are sentenced to the default period of disqualification cannot appeal their sentence. This amendment will provide equality of treatment for all drivers by ensuring that those who are disqualified for the default period and those who are disqualified for a shorter period are both able to appeal their sentences.

The third amendment made by this bill is to allow certain infringement notice declarations to be completed online. This is a sensible amendment that makes it easier for people who do interact with the ACT government—in this case through the Road Transport Authority. At the moment an infringement notice for an alleged road transport offence is served on the registered operator of the vehicle. If the registered operator was not the driver of the vehicle when the offence was alleged to have been committed, the operator may provide a statutory declaration to the Road Transport Authority declaring that he or she was not the person who has committed the offence and provide details of the person who is alleged to have been driving the vehicle. This is known as an infringement notice declaration.

The Road Transport Authority uses the information provided in this infringement notice declaration to redirect the infringement notice to the appropriate person. Currently a person who wishes to provide an infringement notice declaration has to do so in writing. This amendment will give a person wishing to provide an infringement notice declaration the option to do so electronically via an online declaration. The amendment will reduce the burden on operators of vehicles as well as the time and cost associated with mailing or delivering the completed declaration. It will also improve the Road Transport Authority's ability to process declarations in a timely manner.

The fourth amendment made by this bill will allow for the electronic service of infringement notices. An infringement notice can currently be served on an individual either in person or by posting the notice to the person's registered mailing address. This amendment gives a person the option to voluntarily receive infringement notices through electronic means, such as email. This change reflects society's increasing preference to receive mail and other official notices electronically. Whether it is bills, bank statements or infringement notices, people are increasingly choosing to receive these communications through what they consider to be a more convenient method. There are also environmental benefits by reducing the unnecessary use of paper.

It is important to highlight that receiving infringement notices electronically will be optional. Drivers will continue to receive infringement notices in the mail if they did not choose to receive these notices electronically. There are also robust safeguards to ensure that if the Road Transport Authority receives an error message advising that the electronic communication was unsuccessful, the infringement notice is sent in the

The language is alive and well. Participants are coming. Great thanks to the Irish Embassy for the support in holding it in Canberra this year.

Jerrabomberra wetlands Mulligans Flat woodland sanctuary

MS FITZHARRIS (Molonglo—Minister for Higher Education, Training and Research, Minister for Transport and Municipal Services and Assistant Minister for Health) (5.05): I rise this evening to talk about the great work being done at one of Canberra's best kept secrets, the Jerrabomberra wetlands. Many people do not realise we have such a significant and unique natural wonder right here in the heart of our city nestled between Fyshwick and the Kingston foreshore.

On Sunday I was delighted to get along to the Jerrabomberra wetlands for their community open day, which coincided with World Wetlands Day, celebrated last week on Tuesday, 2 February. Sunday was a beautiful day for a visit to the wetlands, and I took my daughters along to see some of the native wildlife up close, do some bird watching and take a stroll around Kellys swamp, with fine guidance from members of the trust.

The Jerrabomberra wetlands nature reserve has been giving residents and visitors the opportunity to experience the wonders of nature for 25 years and has been recognised as an important waterbird habitat for some 50 years. Over 200 bird species have been recorded in the wetlands, and it also supports platypus, turtles, frogs and other native wildlife. It is also a refuge for migrating birds from the Northern Hemisphere, including Latham's Snipe. Latham's Snipe is a migratory wader, moving to Australia in our warmer months. Birds may fly directly between Japan and Canberra just to come to our wetlands. It is good to see they are taking advantage of international flights to Canberra as well.

The open day on Sunday was great. There were activities for the whole family, including wetland discovery walks, heritage tours, live music, art displays, Indigenous cultural activities, outdoor photographic exhibitions, bug sorting, a variety of children's activities, food stalls, and more.

The Woodlands and Wetlands Trust board was established to work with both the Mulligans Flat woodland sanctuary in Forde and Jerrabomberra wetlands to sustainably manage these rich and diverse environments for current and future generations. Both the Jerrabomberra wetlands nature reserve and the Mulligans Flat woodland sanctuary have management committees, and these committees work closely with the ACT Parks and Conservation Service in TAMS to deliver programs to the community that aim to realise the vision and objectives of both reserves.

I was also thrilled to show some of my colleagues around Mulligans Flat woodland sanctuary last week as part of the pop-up cabinet in Gungahlin. It is a fantastic place that is reintroducing otherwise extinct animals onto the mainland of Australia, animals like the bettong and the curlew. Both sanctuaries are managed by talented and passionate people who obviously love what they do and are only too happy to show you around and answer any question you can throw at them.

Together the Mulligans Flat woodland sanctuary and Jerrabomberra wetlands nature reserve protect over 600 hectares of the ACT's most significant landscapes. These reserves showcase the importance of environmental assets in our communities. It is remarkable that even with burgeoning urban development right on their doorsteps these areas can support the territory's most diverse bird habitats and the region's largest protected area of yellow box-Blakely's red gum grassy woodland, which is listed nationally as a critically endangered ecological community.

We are so lucky to have these natural wonders right here in the ACT, and I know there are exciting times ahead for the programs that are being undertaken. People are already coming from near and far to see these natural wonders, and I encourage anyone who has not been there already to check out the wetlands and Mulligans Flat. They are a wonderful asset so close to our city.

I thank members of the Woodlands and Wetlands Trust that guided us through both Mulligans Flat and Jerrabomberra woodlands last week: chair, Alison Russell-French; trust board members, David Shorthouse and Malcolm Forbes; CEO of the trust, Jason Cummings; volunteer, Ian Lawrence, chair of the Jerrabomberra Wetlands Management Committee, and Professor Adrian Manning from the ANU who works collaboratively with the trust and Mulligans Flat.

Question resolved in the affirmative.

The Assembly adjourned at 5.10 pm.

Schedules of amendments

Schedule 1

Protection of Rights (Services) Legislation Amendment Bill 2015

Amendments moved by the Attorney-General

1

Clause 17

Proposed new section 21 (1) (ab) (iv) and (v)

Page 13, line 5—

omit

2

Clause 28

Page 18, line 12—

oppose the clause

3

Clause 29

Page 19, line 7—

oppose the clause

4

Clause 30

Page 19, line 11—

oppose the clause

5

Clause 31

Page 19, line 18—

oppose the clause

6

Clause 43

Proposed new dictionary definition of *victims of crime service complaint*

Page 23, line 11—

omit

7

Schedule 1, part 1.3

Amendment 1.22

Page 42, line 4—

omit the amendment

Schedule 2

Planning, Building and Environment Legislation Amendment Bill 2015 (No. 2)

Amendments moved by the Minister for Planning and Land Management

1

Clause 3

Proposed new dot point

Page 2, line 11—

insert

- *Electricity Feed-in (Renewable Energy Premium) Act 2008*

2

Proposed new part 2A

Page 3—

after the table, insert

**Part 2A Electricity Feed-in (Renewable Energy Premium)
Act 2008**

4A New part 10

insert

**Part 10 Transitional—Planning, Building and Environment
Legislation Amendment Act 2015 (No 2)**

**30 Effect of Electricity Feed-in (Renewable Energy Premium) Rate
Determination 2011 (No 1)**

- (1) The *Electricity Feed-in (Renewable Energy Premium) Rate Determination 2011 (No 1)* (DI2011-48) (the *determination*) has effect, and is taken to have had effect on and after 1 July 2011 until it is revoked, for all purposes as if the references in the determination, section 4, to Micro Renewable Energy Generators were references to compliant renewable energy generators.
- (2) Without limiting subsection (1) and to remove any doubt, any payment made by a NERL retailer under section 6 (3) (Feed-in from renewable energy generators to electricity network) in accordance with section 8 (Payment for electricity from renewable energy generators) using the premium rate determined under the determination is taken to be, and always have been, a valid payment.

31 Expiry—pt 10

This part expires on the day it commences.

Note 1 If a law validates something, the validating effect of the law does not end only because of the repeal of the law (see Legislation Act, s 88 (1)).

Note 2 The expiry of transitional provisions does not end their effect (see Legislation Act, s 88).