



Debates

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Tuesday, 28 November 2017

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

Mr Steve Doszpot MLA
Motion of condolence

MR BARR (Kurrajong—Chief Minister, Treasurer, Minister for Economic Development and Minister for Tourism and Major Events) (10.01): I move:

That this Assembly expresses its deep regret at the death of Mr Steve Doszpot MLA, our friend, colleague as Member for Kurrajong and a Canberran who was committed to serving his community, and tenders its profound sympathy to his family, friends and colleagues in their bereavement.

It is with great sadness today that we mark the passing of our colleague, and a friend to so many in our city, Mr Steve Doszpot MLA. As a stalwart of the Canberra Liberals, as a passionate sports fan and administrator, and as a community builder, Steve was admired by people across all walks of life. The outpouring of joyful memories of Steve's life and achievements and the expressions of sympathy for his family and friends over the past few days are testament to the mark that he has left on our city.

Since Steve announced the fight he was waging against cancer earlier this year, he continued to contribute significantly to public debate in this place, as well as raising awareness of liver cancer in our community. He focused his effort on actively encouraging Canberrans in at-risk categories to do more than just get blood tests, including going through an MRI or a larger scan. His brave *Canberra Times* interview when he announced his retirement from this place a month ago firmly set the focus on prevention, and I hope and trust that his prompting will convince many others to take the steps that will literally save their lives. The ACT government will continue to highlight the need for preventative measures in the fight against aggressive cancers.

It was not surprising that Steve focused his efforts on others during his toughest times. Through his annual charity trivia nights he raised thousands of dollars for many charities across our city. There was sadness across many community organisations when he announced that the 2017 trivia night would be his last.

As I noted in this place last month, when we all, thankfully, had the opportunity to acknowledge his efforts, Steve's legacy will continue throughout our community. In 1998, as part of the Sydney Olympic Games organising committee, he was responsible for the world-class Olympic infrastructure in our city. He helped to showcase Canberra as a fantastic and welcoming place for world-class sport. That is something we continue to work on today so that generations of Canberrans are able to watch international sports teams and competitions in person.

Through Soccer Canberra and many other organisations, Steve was a champion for the sport locally, particularly using it as a way for Canberrans across the world to form new bonds and long-lasting relationships. For a very long time, Steve and I shared the sports portfolio across this chamber. He was a diligent and knowledgeable shadow minister for sport who always kept this minister on his toes.

I was honoured this week to offer Steve's family a state funeral service as a mark of respect and in recognition of his contribution to the people of the ACT, both through his long service as a member of the Legislative Assembly and through the numerous community and charitable organisations that he devoted his time and his efforts to.

At this difficult time my thoughts and those of my colleagues, and indeed everyone in the ACT government, are with Maureen and the extended Doszpot family and friends. We do note with great sadness Steve's passing, but I acknowledge no more fitting a gesture in this place than what sits at his table now [a soccer ball].

MR COE (Yerrabi—Leader of the Opposition) (10.05): It is too soon that we are meeting in these circumstances. The Assembly is down a man. But whilst the Liberals have only 10 players on the pitch, Steve still has the ball.

What we saw in Steve over the last 12 months was an extraordinary demonstration of humility, compassion, strength and selflessness. I remember having a coffee with him in Yarralumla, back in January. He passed on the news to me about his illness. He told me that the initial prognosis was not good, but he was going to fight it, and fight it he did.

As I said in my statement on the weekend, here was a person who had every reason to be self-absorbed, but he was not. He was the opposite. He would frequently apologise for not doing more work or for not being able to participate as much as he would like. Of course, I would tell him that no apology was necessary, but he was always more concerned about everyone else than himself. Steve was a team player.

I know Steve was delighted to see Australia progress to the World Cup finals just two weeks ago. I know these World Cup finals and those campaigns over the years have brought so much joy and heartbreak to millions of football fans, including Steve. Now he joins friends and football fans such as Johnny Warren, Charlie Perkins and Les Murray as past champions of the world game in Australia.

A few weeks ago we all got to share our thoughts about Steve's legacy and express our thanks in person for the friendship that we have all had with him. Steve served our city with distinction. He was a great man. I am pleased that he and his family were able to hear from his colleagues just how much we respect him.

I am also pleased that Steve will be honoured with a state funeral, and I thank the Chief Minister for offering the family this. On Friday our city will formally say goodbye to the young boy from Budapest who came to Australia not knowing any English, who worked hard, raised a family, started a business, thrived in the commercial world and became a member of parliament. It is a great Australian story.

There are some people I would like to thank—firstly, Neil and Jodi, Steve’s staff members. The last 12 months have been very difficult for them. The entire corridor is grateful for what you have done, and I know that Steve was also very appreciative. Secondly, I thank former staff members of Steve’s, in particular Sue, Kate, Merlin, and Brad. You all knew Steve very well, and I know that the last few days have been very tough for you.

Finally, I want to extend a particular thanks to Jeremy. Whilst I know that he would say that no thanks are necessary, as he and Steve were good mates, I know Jeremy was of real comfort to Steve. Steve told me that. From my point of view, Jeremy was able to chat to Steve and Maureen frequently and keep them up to date with Assembly business.

Today the Assembly is a different place. Perhaps there are not going to be any latecomers to the party room. There will not be the smell of boiled eggs and instant soup wafting down the corridor. There is no Audi in the car park. But there is no community advocate as good as Steve Doszpot.

To Maureen, Adam, Amy and family, thank you for sharing your husband, your father, your grandfather, your brother and your uncle with us. He was a great Canberran.

MR RATTENBURY (Kurrajong) (10.10): It is with genuine sadness that I rise this morning on behalf of the ACT Greens to mark the passing of our colleague Steve Doszpot. Only a month ago we gathered here to mark Steve’s service to the Assembly and bid him farewell from this place after he announced his retirement due to his medical diagnosis. I am pleased that Steve had the opportunity to stand in this place one last time and offer us his thoughts as he departed and also had the opportunity to hear the reflections of his Assembly colleagues on their various relationships with him. Too often those reflections—be they warm, insightful, interesting or, as some were, just plain funny—are offered when it is too late, when a person is no longer with us to share in the moment, and I am pleased that Steve had that moment with us here in the Assembly.

I am also saddened that Steve will not be here this week to see the passage of the legislation on dangerous dogs which he so energetically championed. Tomorrow this chamber will pass a piece of legislation that I believe will make a demonstrable improvement to the management of dogs in this city, and Steve’s commitment to driving that forward will be a lasting legacy of his time in this place.

Of course, Steve leaves a range of other legacies, which were reflected on last month and again today. His story of escaping to Australia, his passion for football, his 2008 campaign song, his advocacy for all things schools, education and sport, his annual trivia fundraising night, and his many other contributions to community life are a legacy that his family and friends can be proud of, and reflect a life well lived.

As a fellow member of the class of 2008 it has been particularly hard to comprehend that Steve would be leaving the Assembly in such an abrupt way, and that he has now passed so quickly. He has always been an energetic member of this place, passionately making his arguments and putting his case, and always active in the

community. Steve is one of those people you always saw popping up at community events around the city when the rest of us were there as well.

As was noted in the recent debate, Steve was dedicated to representing his constituents—first those of Brindabella, where he was first elected in 2008, then those of Molonglo during the Eighth Assembly, and then those in Kurrajong. I have no doubt that no-one will ever equal Steve's feat as the only MLA in the history of this place to represent a different electorate for three separate Assemblies in a row.

On behalf of Ms Le Couteur and the ACT Greens, I extend our sympathies and condolences to Steve's wife Maureen, his family and friends, and also to our colleagues in the Liberal Party.

MS LAWDER (Brindabella) (10.13): Steve Dospot was a gentleman in every sense of the word. He was kind, gracious and inclusive; and, more than that, he was a community advocate. I would like to put on the record today a few comments from just some of the many organisations that he has assisted over the years:

COTA ACT extends their best wishes to Steve Dospot's family and friends following his passing. Steve was a great friend of COTA ACT and was a tireless advocate for older Canberrans since being elected to the Assembly in his capacity as an MLA and Shadow Minister for Seniors. Some of the important issues he has advocated on include age discrimination, the amenity of Canberra suburbs, and transport for older Canberrans.

On behalf of ACT Shelter I write to acknowledge and sincerely thank you, Steve, for what can only be described as a dedicated and outstanding contribution to civic and political life here in Canberra. Your office has assisted many of our members at various times during your tenure and I know a number of our members hold you in high regard. Your attendance at diverse community events and forums between, as well as in the lead-up to, ACT polls does not go unnoticed. We know the ACT is in many respects unique in the sense that we can genuinely vote for people as well as parties to represent us. In yourself, Steve, the people of Brindabella, and later Molonglo and Kurrajong, have indeed been fortunate to be represented by a committed representative and genuine community champion.

Brindabella Blues Football Club would like to pass on our condolences to the Dospot family on the recent passing of Steve. The club was very saddened to hear of his passing, as he was a valued supporter of our club. Steve was a patron of our junior members for over five years and he was a frequent attendee at our annual presentation days and proudly handed out awards which we greatly appreciated. Steve was a valued and popular member in one of our masters playing squads before he retired and was always willing to help Brindabella Blues Football Club and our community wherever he could, for which we will be forever grateful.

When I visited Steve recently, all he spoke about was what a fortunate life he had had. He mentioned that it is not often you get to hear your own eulogies. He was referring to the debate we had here in October. But he said it was great to be reminded of the many organisations he had had the opportunity to assist.

I know that it is not just the three that I have given as examples but many others that are so grateful for his assistance and advocacy. I hope that, at this very, very sad time for Maureen, Adam, Amy and the rest of the family, the fact that he had a fortunate life and spent much of it helping others will be of some small comfort.

MR WALL (Brindabella) (10.16): In the words of our good mate Dozzie, as he started many of his speeches in this place, let me say that this is a speech I wish I did not have to give. On Saturday Canberra lost a true champion and a genuinely good man. My personal best wishes, love and thoughts are with the entire Doszpot family. To Maureen, Adam, Amy, their partners, their children: we can only imagine the enormity of your loss.

All the things that have been said about Steve in the past few days, and indeed this morning, are completely accurate. Steve Doszpot was a great gentleman, a bloke who loved his sport, a man of faith, a determined man. He had a wicked, dry sense of humour. And, not least of all, Steve was a true example of a family man. For those of us who had the privilege to work alongside him, we got to see the depth of those qualities at close quarters. We saw the man at his best, sometimes at his worst, but with all the quirky bits in between.

Steve had a great eye for picking his staff, and I must say that I have been fortunate enough to pick up a couple of Doszpot legacy staff members in my office over time. There are a good number of people who have worked closer than most with Steve who I would like to give a voice to in this condolence motion today: the staff that have served Steve over his nine-year term in the Assembly. I know Steve valued his Assembly staff very much, and he maintained a very good relationship with each of them over the years. Everyone is now part of a special club of former Doszpot employees, and I am certain he would be very pleased to have some of them quoted in this place today.

When Steve first took office in 2008 as a member for Brindabella, he took on Kate Davis, the senior adviser to his predecessor, Steve Pratt. Kate remembers quite distinctly how Steve came into this place determined to be a champion for the people and causes that needed a voice. Steve's decision to continue his fundraising for charity through his trivia nights is one such example. This decision was made in the wake of advice from others who suggested that running trivia nights may not necessarily fit into his role as a politician and that he might be better off politically if he left others to do the charity work. Kate is very happy that Steve chose to ignore that advice and remains very proud of her involvement in assisting to organise the first couple of trivia nights that Steve supported, two very worthy recipients being Scarlett and Joshua.

Next in line as senior advisers to Steve were Merlin Kong, followed by Sue White and, most recently, Neil Hermes. Sue White has been described by those in the exclusive club of former Doszpot office staffers as "Goldilocks"—not too hard, not too soft, but just right. Sue has shared a few thoughts with me here today. She says:

I feel blessed to have been his longest serving staffer—
colloquially nicknamed "Goldilocks"—

and to be given the freedom and responsibility to write speeches, questions, motions and policy positions. Steve was trusting of his staff and allowed us to get on with our work without interruption. He was generous with Christmas and birthday gifts and he always brought back a souvenir from his travels to share with the office.

He was the champion of lost causes and we would often have a difference of opinion about how long or how much ... one could pursue an issue. Diesel line markings on sports grounds, the lack of seating and toilets at Woden sports field and the funds dedicated to beach volleyball are some that Shane Rattenbury and Andrew Barr would well remember—

all too fondly—

BUT it was that same persistence that got nurses retained in special schools; that kept funding for the Shepherd Centre; that got Education Minister Burch to call in Professor Shaddock to address the boy in the cage affair. He was abused soundly by Ms Burch for continuing to raise the issue but the subsequent report into the management of students with complex needs and challenging behaviours in the ACT school system is now a leading reference.

He was passionate about school librarians and at every school we visited he would ask if the school had a librarian. If they did it involved long conversations with said staff; if they didn't, it involved hard lobbying.

He was very proud of his record of what he termed “Barr backdowns”.

Sue says she has lost count, but Steve was claiming somewhere in the vicinity of eight or nine. She says:

He fought hard for staff at CIT who had been subject to years of harassment and bullying by senior officers. He took it very personally when the Chief Minister's investigator (Andrew Kefford) found not one of the 43 cases proven.

When he was multicultural affairs shadow he always tried to direct at least an opening line or paragraph in the native tongue of whatever audience he was addressing. He was very proud of that.

On a lighter note, his sense of direction was abysmal and so, together with his inability to arrive anywhere on time, always meant he was arriving late to just about every engagement. We—

in the office—

learned to compensate by doctoring the meeting times in his diary ...

Neil Hermes, along with Jodi Bingley, has been a steadfast support for Steve in the past year. Neil has shared some words on Steve. He says:

Steve was a gentleman and he was always concerned for others. As a part of a refugee family he had strong sense of how lucky his life had been and felt he had

to give back to his family's adopted home. He had the highest sense of dedication to his role as a parliamentarian. While far too young, I guess that Steve would love to know that, amongst many other noble things, he will be recorded as having died in office, with his boots on! Add that Steve represented three electorates and he has a very proud legacy of service. Steve and I talked about our Dads. Steve's Dad would be proud of his son's public service. I only knew Steve well for about six years. In that time I was able to personally experience and view close hand his concern for doing the best he could for others. Vale Steve, thank you. A life well lived.

I will also make mention of other staff in the Doszpot office over the years—Terry, Haylee, Jess, Albert, Paula, Brad, Andrew, Jodi, JP and Clare—not to mention the numerous people on work experience placements that he often had in his office, including his very close friend Lee Hillier. All of these people have been part of the legacy that Steve leaves behind as a member of this place. Steve also held a special place in the hearts of many other staff in the Liberal corridor, all of whom will also have a fond memory or story to tell.

I will close today with the words of Merlin Kong, Steve's senior adviser between 2010 and 2011. Merlin has composed quite an eloquent tribute to Steve, which he has also shared on social media. Colleagues, forgive me, but I may struggle to get to the end of this. Merlin says:

I was Dozzie's second Senior Adviser in the ACT Assembly. He interviewed me at Caph's ... we had a good chat ... and he offered me the job.

My first day at the Assembly will forever be etched in my memory—8.34 am in the morning—a mother with an autistic teenage son decided to go on a hunger strike, and would only speak with him—

with Steve—

He personally invited the family up, listened to the mother, calmed her (and her son) ... and about three months later, raised \$18,000 for them.

Of the three advisers that were with Dozzie for much of his political career, we ... liked to joke that his first adviser was too soft, I was too hard, and his third ... was just right.

I saw politics not just as a metaphor of war, but war itself ... he—

Steve—

saw it as a chance to make a change, and if it meant working with the other parties and unions, then so be it. If only the other parties and unions were equally normative and enlightened as he, we probably would be living in a better world.

Years later, when I became a lobbyist, impromptu drop-ins to his office would always be met with happiness to see me, and his office, where my political career began, always felt like home. He was someone who always had time for you—and if he didn't have time, he'd speak with you long enough that he'd be running late for his next meeting.

I've always maintained that if there was one politician whom I would have a drink with, it would be Dozzie. That's because the man had an incredible sense of humour ... At his best, there was a cadence of guffaw coming out of his office ...

He would take the piss, getting me to pick up his one-page of printouts ... only to later tell me that he's been printing a 50 page report. I'd get him back by convincing him that his new iPad was not as good as the more powerful and larger MaxiPad ... which I think his son who was in IT (and whom Dozzie was very proud of) caught the brunt for not knowing about the larger iPad. Those were happy times.

Pretty bloody amazing sense of humour for a man who had to fight for everything he had. And it shows ... he's not one to be known as a quiet achiever, but if you scour Hansard ... you'd find some pretty incredible political wins on behalf of those in the community who've been overlooked by the Government. Dozzie's forced more back-flips by the Chief Minister than any other politician in the Assembly.

On the day of his valedictory speech, I got off a plane, and rushed to the Assembly. I'm glad I did. When the Chamber emptied out, we had a quiet moment to speak—his first utterance was an apology. It puzzled me at the time, I said that there was nothing to apologise for ... and fell into adviser mode ushering him along to his reception, because ... he was running late.

If you were close to Dozzie, you'd know that the most heartfelt moment in his valedictory speech was the Prayer of St Francis. It was his favourite prayer, he had it in his office, he lived by it, and it gave him fortitude.

Lord, make me an instrument of your peace
 Where there is hatred let me sow love
 Where there is injury, pardon
 Where there is doubt, faith
 Where there is despair, hope
 Where there is darkness, light
 And where there is sadness, joy
 O divine master grant that I may
 not so much seek to be consoled as to console
 to be understood as to understand
 To be loved as to love
 For it is in giving that we receive
 it is in pardoning that we are pardoned
 And it's in dying that we are born to eternal life.

I'd like to think that there's a bit of him—

Steve

in this prayer. The refugee boy who made good, the politician who did good. Devoted family man, and loyal friend to many. To a life well lived. You'll be dearly missed, Steve. Rest in peace.

Vale, Dozzie. Rest well indeed. You will be missed.

MRS DUNNE (Ginninderra) (10.28): Madam Speaker, we had the great honour of farewelling our colleague Steve Doszpot as he announced his intention to resign from this Assembly just a month ago. On that day we praised Steve Doszpot for his service, integrity and commitment. On this day we mourn Steve Doszpot and send our condolences to his wife, Maureen, his children, their spouses, his grandchildren and his wide circle of family and friends.

On that day, Madam Speaker, I spoke about Steve Doszpot as a man forged through adversity, with a commitment to faith, family and fidelity to a cause. On this day, as we mourn Steve Doszpot, I want to concentrate on his faith. Everything in Steve's life prepared him for where we all are today, as he has passed from this life into the next. Steve knew the meaning of the Latin phrase "vita mutatur, non tollitur": life is changed, not ended. Steve was able to foresee what was coming and prepare for it.

The extraordinary grace with which Steve faced his illness, which Mr Coe has spoken about so eloquently, is a sign of one well prepared for the end of this life and the beginning of the next. Steve lived and died in the sure and certain hope of the resurrection. He was fortified in his faith, and his resilience in the face of adversity is a reassurance and a comfort to all of us.

For Steve, life is changed, not ended. For Steve, there are no more dangerous dogs, Green Squares, Oaks Estates or Shepherd Centres. I hope that when the beatific vision is fully revealed to Steve he will not be too disappointed to discover that rugby is actually the game they play in heaven, but I am also confident that he will receive some dispensation that will allow him to team up with Les Murray and run a soccer competition.

Madam Speaker, life is changed, not ended. Steve:

May the angels lead you into paradise; may the martyrs receive you at your arrival and lead you to the holy city, Jerusalem.
May choirs of angels receive you and with Lazarus, who was poor, may you have eternal rest.

Steve Doszpot, requiescat in pace.

MR HANSON (Murrumbidgee) (10.31): Indeed we are back far too soon after the valedictory speeches that we all gave just a few short weeks ago. I am glad that Steve got to hear everything that we got to say. I know, because he told me, that he was very moved by all of the generous comments that he received and their sentiments, and a few of the jokes at his expense as well. Steve always liked a good laugh, as you know.

There has been a lot said about Steve's public life of late, and it is remarkable. But I am deeply honoured that Steve's family has asked me to speak, at Steve's request, at the state funeral on Friday. I thank them for that. I think that that is going to be an easy speech to write but a very hard one to deliver. I echo Mr Coe's thanks to you, Chief Minister, for offering the family the state funeral. I know it means a lot to the

family, it means a lot to us and it would mean a lot to Steve. He would love it; there is no doubt about it.

I would like to acknowledge all of Steve's family here today: Maureen; Adam, Steve's son; Annette, his daughter-in-law; their children Issy, Kasia and Harry; Amy, Steve's daughter; Ed, Steve's son-in-law; and Noah, his grandson; Will, his brother; Joanne, his sister-in-law; Ruby, his niece; Gus, Steve's brother; Neil, his nephew; and Anna, Steve's sister. It is lovely to see you back here again.

In the recent weeks, as Steve's end drew closer it caused me to spend more time with Steve and his family. He was very blessed. I see particularly in his children and his grandchildren many of the good traits—not too many boiled eggs but the great traits—of Steve flowing down that line. The Doszpot legacy continues in his wonderful family.

Steve had a lot of close friends. I see some of them here today. I would like to thank Greg Fraser, who is here today, a grey-haired gentlemen sitting up the back—that probably does not narrow it down much. Greg spoke to Steve a few weeks back and said, "Let's carry on the Doszpot fundraiser, the trivia night." Steve was very touched by that. It will be continuing. We are looking at about May next year for that to continue. The proceeds of the night will go towards liver cancer research. The Cancer Council are delighted, and of course you will all be invited and expected to attend.

Mr Coe: Bring your chequebook.

MR HANSON: That is right: bring your chequebooks. There will probably be some batons from previous Olympics that we will be trying to flog off that night.

I would like to talk a little bit about Steve as my mate, because we will be talking about many of his remarkable public contributions on Friday. Over the past nine years Steve and I had grown very close. He was my closest political ally. So I have lost a friend and one of my numbers in the party room today.

Not just to me but to Fleur as well: he was very kind to both of us and very generous from the moment that we met him. Whenever we were invited to an event—and you will all appreciate what this like, as we get invited to many events—the first question would be, "Are Steve and Maureen going?" If I said, "Yes, they are," then she would attend. If they were not, it was always a challenge, saying, "Well, dear, it is very important. You will enjoy it. Trust me."

You do develop a bond in this place; you really do. In my experience it is not dissimilar to the Army. We were in the trenches together through elections and through what has been for us the occasional hard-fought victory. We have done our share of glorious defeats over here in the Liberal Party in recent years. That can be in some ways the more bonding. You do spend more time, in many ways, with each other because you are not encumbered by the business of being a minister or a Chief Minister.

Steve and I were looking forward to the next four years. We had moved our offices deliberately next door to each other. We had arranged that we were going to collaborate with our staff and our resources. It was going to be a good four years. I know that the staff in my office, Ian and Jess, and the staff in Steve's office, Neil and Jodi, will particularly miss Steve. We all were very close. I think that you, Andrew, made that point very clear, as have others. There is very little blurring of the lines between whether you were an MLA or a staff member. We are all part of the same team, as you would know.

We were all devastated to hear Steve's diagnosis, but it did leave me the opportunity to spend more time with Steve over the past few months. In that time my friendship has deepened and grown, as have my respect and admiration for Steve. Sometimes when you get to know people more you do not necessarily like them more, but in Steve's case it was the opposite. The more you got to know Steve, the more you got to like him. We opened up about a few things and talked more freely. Men do not do that in normal circumstances, but these were not normal circumstances. I greatly appreciated getting to know, as you all know, what a wonderful person Steve Doszpot was and how he loved so many things but in particular his family, his faith and his football. It is fair to say we will miss him.

The last time I saw Steve was last Friday at Clare Holland House. The evening before, the Prime Minister had spoken at the Liberal Party's AGM, and the words he said were recorded. I was able to go into Clare Holland House and I joined with Steve, Maureen, Amy and Adam and we got the technology working. Steve would have been very impressed. I had my speaker and the iPhone and we played the recording of the Prime Minister's speech to Steve. You will recall that during Steve's valedictory speech he told us about his father telling him always to thank Australia, and Steve did. He thanked Australia, he thanked the government and he thanked the Prime Minister and the government of Australia during his speech. How fitting it is, then, that this young Hungarian refugee who had been told by his father to thank Australia and thank the government, and had contributed, himself, so much to our community—that in the last hours of his life it was the Prime Minister of Australia who was thanking Steve.

In conclusion I will read that speech. What is missing at the end from my words and what Steve got to hear on the recording is the huge applause from the party faithful, who loudly applauded Steve and the contribution he had made not just to our party but to Canberra and to Australia. This is the address to the Canberra Liberals annual general meeting on 23 November 2017 by the Hon Malcolm Turnbull MP, Prime Minister of Australia:

There has been no greater champion of our party here in Canberra and no greater servant to the community in his work for our party than Steve Doszpot. I know Steve is unable to be with us here tonight but let us take a moment to reflect on his extraordinary contribution.

Like so many Australians, Steve is part of Australia's great immigration success story. Born in Hungary, he fled to Australia with his family in 1956. Moved to

Canberra with his wife Maureen in 1974. It wasn't until 2008 that he embarked on a career in politics. But like so many Liberals, Steve was an active citizen in his community for many years before. He made an enormous contribution to sport in the ACT especially in soccer where he had an active involvement in Capital Football including as President at a number of local clubs. And I am sure Steve is incredibly proud to have seen soccer develop and grow into a major force in Australia with our national team, the Socceroos, qualifying for the World Cup.

Steve spent many years in business working for a number of technology companies here in the ACT before embarking on that political career 9 years ago. Where he has been perhaps unsurprisingly, the Shadow Minister for ICT for much of this period. He has held a number of other portfolios including education, sport and multicultural affairs. So I want to congratulate Steve, as we all do tonight, for his years of service and his many achievements. He has been having a tough time lately and I know the Canberra Liberals and Liberals everywhere are sending our love at this time, our love and best wishes. And I want to thank Steve for his remarkable service here in the ACT.

I seek leave to table the address by the Prime Minister.

Leave granted.

MR HANSON: I table the following paper:

Mr Steve Doszpot MLA—Copy of address to the Canberra Liberals Annual General Meeting on 23 November 2017 by the Hon Malcolm Turnbull MP, Prime Minister of Australia.

MRS JONES (Murrumbidgee) (10.41): It is my privilege to stand today and add some short words and my voice to all those speaking in tribute to Steve Doszpot MLA, who passed away surrounded by his loved ones this Saturday past.

I honour Steve for his tenacity, for his ability to notice when people were suffering around him, and for his determination to give back to a country and a community that had welcomed him as a boy and as a new Australian.

Steve here, just weeks ago, astoundingly, managed to deliver his own valedictory speech in typical fashion, focused on others and not himself. It is strange to think that we will not see his thoughtful face around these corridors anymore. I will miss, a bit, the uncle-like advice he used to give me over the past few years. He said to me once, "Giulia, I understand you. I have been a strong and passionate fighter all my life, and sometimes we have to learn to let some things go." So in some ways we understood each other quite well.

Steve is survived by his great wife, Maureen, whom he was so devoted to, and his two beautiful children, Amy and Adam, and their families, all givers to the community like Steve. I am sure Maureen will have all the love possible around her as you all come to terms with this loss.

I am sure Steve has already bowled up to the pearly gates and said to St Peter, “Mate, I might not always be right but you know I gave it 100 per cent.” And I am sure Peter swung open the gates to let him in. Steve will have then walked up to Christ, who, as the Bible tells us, will hold us in warm embrace, and say, “Well done, good and faithful servant.” Christ will have said, “Despite your personal struggles, you have made me proud, and now you are home.”

As we say in my faith and cultural tradition, much of which I shared with Steve:

Eternal rest, grant unto him O Lord and let perpetual light shine upon him. May his soul and the souls of all the faithful departed, through the mercy of God, rest in peace. Amen.

Thanks, Steve. I hope you will keep us in your prayers. Keep praying for all the lost causes now that you are closer to the angels.

MS LEE (Kurrajong) (10.44): Last month we all had the opportunity to say a few words to mark Steve Doszpot’s retirement from the Assembly. At the time I, naively, and perhaps in a bit of denial, thought that we still had so much more time. For a life lived with hardship, joy and meaning, it was cut too short.

No-one who knew about Steve’s early life and journey to Australia could not be moved by his story. As Steve said to me when we first met, “You are from Korea; I am from Hungary. We are related, so I am big brother.”

His family’s journey to Australia in search of a better life is something that I am all too familiar with. Steve had a lot in common with my family, in particular my dad. From their shared family grit and perseverance, their shared love of the beautiful round-ball world game and their shared love of salami, even, to their being only one year apart in age and the same thanks that both our families give to Australia for the many opportunities this country has provided us.

I may have called Steve big brother but he was so much more. Steve cherished and valued freedom. It is this belief that drew him to the Liberal Party. We as a party are richer for being able to call him one of our own. A fierce fighter of the forgotten people, true to the spirit of Menzies, Steve was someone who knew, acknowledged and accepted that the opportunity he had when he moved to Australia gave him the privilege of being able to serve his community to ensure that others were afforded the same opportunity.

Anyone who knows Steve knows that he values, above all else, his family. To Maureen, Adam, Amy, Annette, Ed, Issy, Noah, Kasia, Andrew and Harry: we may have lost a colleague, a friend, a staunch fighter for Liberal values and a man who gave so much to our community, but you have lost so much more. Thank you for sharing Steve with us. I know that he was never happier or prouder than when he was with his family.

For a life lived with hardship, joy and meaning, it was cut too short. But Steve's dedication and contribution to our community, to the world of football and to his family and friends will live on forever.

Farewell, Steve Doszpot. Farewell, big brother.

MR MILLIGAN (Yerrabi) (10.47): I rise today to pay my respects to a good mate, colleague and advocate for the Canberra community, Steve Doszpot.

Steve was not only a valued colleague to many of us here but also a dear friend and a prime example of the type of tireless commitment and passion for a community that our constituents look for in a local member.

When looking back at the life of our mate, his extraordinary work ethic and dedication to the Canberra community instantly come to mind. Steve aimed to leave his community in a better place than when he found it, and stopped at nothing to achieve wonderful results for his constituency. I truly admire Steve's ability to go above and beyond the call of duty as a member of the Legislative Assembly to achieve great things for his community.

Since being elected to this place in 2008, Steve has touched many lives, many through his trivia nights and fundraising events for local charities. I believe that if anything can define the hard work and community spirit of Steve, it is his dedication to assisting those in most need through his annual fundraising events.

Before we were colleagues, we were mates in the Liberal Party, often bonding over our love for sport. I will miss our debates over using the term "football" when describing the AFL or NRL, which would often get me into trouble. I secretly agreed with him that soccer should be defined as football, but was not willing to admit it to him. I enjoyed provoking the debate way too much. I know that Steve will be cheering on the Socceroos in the world cup next year from the best seats in the house.

I would like to make special reference to Steve's love for his family. Above all else, this is something I will always remember Steve for. There was absolutely nothing more important to Steve than his family. To Maureen, Adam, Amy and all of Steve's much-loved grandchildren: I am so sorry for your loss. Steve often spoke about his love for you all. Many prayers are with you all during this extremely difficult time. Maureen, your husband was a great man and will be deeply missed.

Canberra has lost a good friend and champion. Steve, rest easy, mate.

MRS KIKKERT (Ginninderra) (10.49): Thank you, Madam Speaker, for this opportunity to speak about and remember Steve Doszpot. I would like to let Steve's family and friends know that I hold Steve in the highest regard and have nothing but the greatest admiration for him.

When I first got into office he said to me, "You and I should catch up and get to know each other." I was, of course, keen for the idea. To me, "getting to know" is different

from just meeting each other in the corridor or passing a few comments in the party room meeting. At the time of being new in this public role he must have sensed how overwhelmed and inadequate I felt at taking up such a huge task. Steve, being Steve, was always sensitive to people's feelings and therefore so quick to offer comfort, encouragement and wisdom.

Although it is appropriate and important to remember the amazing man Steve was, it is equally important to remember that his work in this building and in the community continues. I have not known Steve as long as many of my colleagues but he left behind a legacy from which I can draw inspiration. When I remember his stories they become a part of mine and help me to live a better life.

Some people may say he was stubborn on issues; I would say that you could not keep him silent on his convictions. His unselfish devotion and selfless labours made him a hero, and he is held in high esteem for all he accomplished amidst hardships and triumphs. He was a man of courage, goodness and loyalty. He will forever be missed, though his work here in the chamber and in the community will echo through generations.

Thank you, Steve, for your infinitely good example. I share my sincerest condolences with Maureen and the children and others who loved this good man. He is a righteous man, and I leave this thought with you: the righteous never need to say goodbye, but see you later.

MR PARTON (Brindabella) (10.52): These speeches are tough because there is so much deep emotion associated with the loss of a friend. I was psyching myself up in my office earlier on, saying, "Oh, Parto, just be cool here. It's going to be okay." I came down the stairs with Andrew and my staff and we were having a jovial conversation about something else and I said, "This is going to be all right." But I walked in and I saw the soccer ball, and teared up. But I guess if you cannot cry over the loss of someone like Steve Doszpot when are you going to cry?

I have been to too many funerals this year; I buried my father in my home town; I stood with the hundreds at Queanbeyan as they laid Val Jeffery to rest; I packed into that church at Manuka to farewell John Hannah; and I can tell you that I am not looking forward to the last goodbye to my friend Steve Doszpot.

I know people have reflected on the last day that he was here in this place, but I do not think many people understand how physically tough that day was for Steve. It was a long, arduous, very emotional day. In terms of his medical condition, it was quite possibly one of the last days he would have been physically capable of coming in and doing that; but didn't he do it well!

I have known Steve for nearly 20 years. I have shared the opposition benches with him for the past year. It has been his most difficult year, but you just would not have known. He was always upbeat; he was always optimistic; he was always trying to help; he was always trying to fight the good fight. This was one doggedly proud Hungarian Australian. He taught me a lot about stubborn doggedness. Let me tell you,

Madam Speaker, when we debate the greyhound bill today I will be channelling my friend Mr Doszpot.

Collectively, Canberrans have cried a million tears over the passing of this great man, and I think it is easy to understand why. As Mr Coe said when we were here last month, Dozzie just knew everybody in Canberra. He is the best personal networker I have ever known. But he did not do it to achieve political gain; he reached out to people because he was genuinely interested in what they have to say.

I want to stick up for my mate Steve, because I know a lot of people talk about the fact that he was late for everything. No-one should ever believe that he was late to everything because he was careless; he was late to everything because he could not say no. If he was invited to something he would just say, "Yes, I'll be there," and then try to juggle the diary when he got there. But, furthermore, when you were in Steve's company, when you had his attention, the time for him did not matter. So, however long it took, that is how long it would take. He was not a clock-watcher.

When you consider where he came from, his achievements were quite remarkable. When eight-year-old Steve arrived with his family in Australia nobody could have predicted the impact he would have on his adopted country. Of course, the Doszspots had genuinely run for their lives as the communists descended on Budapest, and their journey from Hungary took them to a refugee camp in Yugoslavia before being taken in by Australia. In the conversations I had with Steve about that time, he always spoke so fondly of his father, who instilled some core values into his son which would serve Steve well over the next 60-odd years. The primary messages were about hard work and community. And that sums up this man.

Everybody here in the gallery supporting this great man can be immensely proud of the mark he has left on this city and this country. I do not think we deal with death well in this culture of ours: we often do not mention it, we look the other way and we almost pretend, despite its reality, that it is going to happen to other people and not us. The reality is that something will take all of us. If God can take Steve, it means he will take all of us. All the will in the world could not stop the march of this disease that claimed him. If he could have done more to hang on, he would have. As his close friends and family will attest, he was one of the most stubborn men on this planet.

If we can get to the end of our journeys and hold our heads up in the way that my friend Steve has, if we can genuinely know that we have given life our best shot, and if we can, like Steve, leave a legacy that genuinely represents who we were and what we tried to achieve, I am sure those last moments of resignation will be easier.

I said it in this chamber a month ago and I will say it again today: Steve, we love you. We all love you—even them. Thank you for being you; we are all thankful to you for being Steve Doszpot. Rest in peace, my friend. Rest in peace.

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

At 10.58 the sitting was suspended until the ringing of the bells.

The bells having been rung, Madam Speaker resumed the chair at 11.31 am.

Petitions

The following petitions and e-petitions were lodged for presentation:

Bus routes in Tuggeranong—petitions 19-17 and 26-17

By Mr Parton, from 181 and 562 residents respectively:

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

The following residents of the ACT draw to the attention of the Assembly that we the Tuggeranong community seek to have the buses removed from the cafe area of the Anketell Street, Tuggeranong Town Centre to an alternate route of Reed Street/Cowlishaw Street/Pitman Street via Lake Tuggeranong College.

This will improve the social amenity of the cafe area, assist the Government town centres revitalisation program, supports the transport strategy and light rail initiatives, will encourage small business start-ups in the area and the Hyperdome transformation, encourages bus patronage for school children, as well as creating a healthier environment for outdoor dining.

Your petitioners, therefore, request the Assembly to call on the Government to look into rerouting buses from Anketell Street to Cowlishaw Street as requested.

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

This petition of certain residents of the Australian Capital Territory draws to the attention of the Assembly that we the Tuggeranong community seek to have the buses removed from the cafe area of the Anketell Street, Tuggeranong Town Centre to an alternate route of Reed St/Cowlishaw St/Pitman St via Lake Tuggeranong College. This will improve the social amenity of the cafe area, assist the government town centres revitalisation program, supports the transport strategy and light rail initiatives, will encourage small business start-ups in the area and the Hyperdome transformation, encourages bus patronage for school children as well as creating a healthier environment for outdoor dining.

Your petitioners therefore request that the Assembly call on the government to look into rerouting buses from Anketell Street to Cowlishaw Street as requested.

Pursuant to standing order 99A, petition 26-17, having more than 500 signatories, was referred to the Standing Committee on Environment and Transport and City Services.

Mount Taylor access—petitions 18-17 and 27-17

By Mr Steel, from 620 and 246 residents respectively:

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

The following residents of the ACT draws to the attention of the Assembly:

- That Mt Taylor is an important community asset that attracts 12,000 - 14,000 visitors every week.

- There are significant safety concerns for motorists, cyclists and pedestrians on Sulwood Drive at the intersection of Mannheim Street, Kambah and those accessing Mt Taylor from the adjacent carpark.
- The lack of signage, the adhoc way drivers access the carpark for Treasurer Taylor, and carpark disrepair contributes to the danger for drivers, cyclists and pedestrians, including those continuing on Sulwood Drive and those within the carpark area.
- There is a lack of suitable cycling infrastructure linking Athllon Drive and the Tuggeranong Parkway across Sulwood Drive.
- There is an opportunity to improve community access to Mt Taylor with improved walking trails.

Your petitioners, therefore, request the Assembly to:

- Create dedicated, visible, and safe entry and exit points to the Mt Taylor carpark on Sulwood Drive with dedicated and clearly defined safe crossings for pedestrians and cyclists.
- Make changes to improve the intersection at Mannheim Street and Sulwood Drive considering safety and needs of motorists, cyclists and pedestrians.
- Construct a dedicated bike lane on Sulwood Drive.
- Improve the safety and amenity of the Mt Taylor carpark by installing lighting and a bin.
- Extend the footpath on Mannheim Street from MacKay Crescent to Sulwood Drive.
- Consider improvements to Mannheim Street to slow speeding traffic and improve safety.

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

The following residents of the ACT draws to the attention of the Assembly:

That Mt Taylor is an important community asset that attracts 12,000 - 14,000 visitors every week.

There are significant safety concerns for motorists, cyclists and pedestrians on Sulwood Drive at the intersection of Mannheim Street, Kambah and those accessing Mt Taylor from the adjacent carpark.

The lack of signage, the adhoc way drivers access the carpark for Treasurer Taylor and carpark disrepair contributes to the danger for drivers, cyclists and pedestrians, including those continuing on Sulwood Drive and those within the carpark areas.

There is a lack of suitable cycling infrastructure linking Athllon Drive and the Tuggeranong Parkway across Sulwood Drive;

There is an opportunity to improve community access to Treasurer Taylor with improved walking trails.

Your petitioners, therefore, request the Assembly to:

Create dedicated, visible and safe entry and exit points to the Mt Taylor carpark on Sulwood Drive with dedicated and clearly defined safe crossings for pedestrians and cyclists.

Make changes to improve the intersection at Mannheim Street and Sulwood Drive considering safety and needs of motorists, cyclists and pedestrians.

Construct a dedicated bike lane on Sulwood Drive.

Improve the safety and amenity of the Treasurer Taylor carpark by installing lighting and a bin;
Extend the footpath on Mannheim Street from McKay Crescent to Sullwood Drive.
Consider improvements to Mannheim Street to slow speeding traffic and improve safety.

Pursuant to standing order 99A, petition 18-17, having more than 500 signatories, was referred to the Standing Committee on Environment and Transport and City Services.

Dangerous dogs—petition 24-17

By **Mr Doszpot**, from 32 residents:

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

This petition of certain residents of the Australian Capital Territory draws to the attention of the Assembly that the ACT Government's current method of managing dangerous dogs in Canberra is ineffective in deterring and responding to dog attacks, leaving victims of dog attacks financially, physically and emotionally deserted.

Your petitioners note that the number of human and animal victims of dangerous dog attacks in Canberra is increasing at an alarming rate. In 2013, 84 people presented at ACT public hospital emergency departments as a result of a dog attack. In 2016, the number was 155. This means there is on average a dog attack on a person every second day. This figure excludes dog attacks that have not been reported. Furthermore, victims of dog attacks are left to pick up the financial, physical and emotional damage with little or no assistance from the Government, while the dangerous dogs are often merely licensed, given back to their owners and let out into the Canberra community once again.

Your petitioners therefore request the Assembly to make Canberra suburbs and parks safe from dangerous dogs by amending legislation to clearly define on what grounds a dangerous dog should be put down and the ramifications for an owner of a dangerous dog after an attack.

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

Petition—Ministerial response

The following response to a petition has been lodged:

Safe schools program—petition 21-17

By **Ms Berry**, Minister for Education and Early Childhood Development, dated 17 November 2017, in response to a petition lodged by Mr Wall on 24 August 2017 concerning the safe schools program.

The response read as follows:

Dear Mr Duncan

Thank you for your letter of 24 August 2017 with information about petition No 21-17 received by the Assembly on 24 August 2017 in relation to the Safe Schools Coalition program.

In accordance With Standing Order 100, I provide you with the following response to the issues raised by the petition:

All ACT schools, both government and non-government run, are diverse environments that reflect the differences in our community. Students present to schools with a range of personal characteristics including diversity in gender identity and presentation, sexual orientation and intersex status. Our diversity is beautiful and children should be encouraged to be themselves without experiencing prejudice. All schools have a duty to provide a safe, respectful and inclusive environment free from bullying, harassment, discrimination and violence.

The petition raises concerns about Safe Schools Coalition Australia (SSCA) materials and associated resources leading to more identity confusion and anxiety in developing children. Concerns about the Safe Schools Program have already been investigated by the Australian Government, including materials associated with the program. The Loudon review in 2016 assessed whether program resources were age appropriate, educationally sound and aligned to the Australian Curriculum. The review recommended changes to curriculum materials, removal of links to third party materials on the program website and included the requirement for parental consent to participate in the program. Many of the resources referred to in anti-safe schools campaigns refer back to materials linked to the program prior to this review.

The petition cites concerns regarding research associated with the program. The findings of initial research produced by La Trobe University is consistent with robust data about the impact of bullying which is outlined in the literature review (2010-2014) undertaken by Australia's Safe and Supportive School Communities Working Group¹. This working group operates under COAG and reports to Education Council. Many same sex attracted, intersex and gender diverse people report school as a significant site where they experience prejudice, discrimination, harassment and violence. This research demonstrates that bullying, discrimination and isolation of young people has serious and negative affects on students' sense of belonging, safety and engagement at school, with subsequent impacts on education participation, achievement, health and wellbeing.

It is considered that the concerns in this petition are based on inaccurate information and misconceptions on what has been delivered in ACT schools to date. The facts are:

- To date, SSCA ACT has offered professional learning to school staff as requested by individual schools. Topics include information about the SSCA Program, sexuality and gender diversity and inclusive practices and curriculum resources.

- SSCA ACT also provided consultation support to schools where there were concerns about specific student issues.
- SSCA ACT also engaged with both public and independent school parent peak bodies to address parent community concerns, and had positive responses in this engagement. The objective of this engagement is ensuring schools are safe, respectful and inclusive environments for all students.
- SSCA ACT has not directly taught students in classrooms as part of the SSCA Program.
- SSCA ACT is not aware that any school has made use of the SSCA curriculum material.

Looking forward, the new *Safe and Inclusive Schools Initiative* is ACT specific and will respond to particular needs that exist within ACT schools and the broader ACT community. It has been developed through active engagement from a range of key education stakeholders, parents groups, and health and community sector organisations through a formal reference group structure as well as via informal consultations. Safe and Inclusive Schools Initiative is responsive to young people's needs and builds the capacity of schools and families to support young people at school.

The ACT Government has been clear in its commitment to introduce programs that support inclusion and fight discrimination against LGBTIQ Canberrans. In line with ACT's *Human Rights Act 2004* and the *ACT Discrimination Act 1991* the ACT Government believes that all people are entitled to respect, dignity and the right to participate in every aspect of our community regardless of their sexual orientation or gender identity.

In my conversations with young people they have expressed the significance of attending a school where they felt valued and accepted by their peers and teachers for who they are. This culture of acceptance and inclusion in schools is critical to young people's wellbeing and educational outcomes and is why the ACT Government will continue to support the new ACT initiative.

¹ Department of Education and Training. (2015). A review of Literature (2010-2014) on student bullying by Australia's Safe and Supportive School Communities Working Group.

Petitions

Bus routes in Tuggeranong—petitions 19-17 and 26-17

MR PARTON (Brindabella) (11.33), by leave: I spend half my life in Tuggeranong town centre. It is not perfect, but I love it. I love the community that is Tuggeranong, and I was making this point recently while cutting the ribbon for the Kmart Tuggeranong wishing tree. I was talking to staff and customers there telling them that I grew up in a small country town in Western Australia and that when I moved away from that little village to live in bigger cities I never thought I would feel the sense of community that I had in that little place, but I do genuinely feel that sense of community in Tuggeranong. It really is a place where everyone knows everyone, where it is almost impossible to stop by to pick up a few things without bumping into half a dozen people who want to have a chat.

Tuggeranong is a genuine meeting place. Along Anketell Street there is an expanding restaurant and cafe offering. It is most important in terms of developing the personality and the soul of Tuggeranong that we make it as attractive as we possibly can for people to enjoy it. That is why when Glenys Patulny from Tuggeranong Community Council approached me one busy winter's morning in Anketell Street and asked if I could present this petition to the Assembly I did not hesitate. The Tuggeranong Community Council wants to reroute buses away from the town centre's main street. Buses travel along that main city centre section of Anketell Street on their way to the interchange, but they do not actually stop on that main section of the street.

The petition calls for the buses to be rerouted along Cowlshaw Street before swinging around up to the interchange. Glenys from the Tuggeranong Community Council had this to say about the petition: one of the most significant issues identified in last year's Tuggeranong liveability survey was the importance of revitalising the Tuggeranong town centre and that the single biggest negative impact on improving the amenity and revitalisation of the area is the use of Anketell Street by ACTION buses.

She went on to say that Anketell Street is directly in front of the hyperdome and houses many outdoor cafes where people want to sit, eat and talk and that this is very difficult to do comfortably when every few minutes buses travel along this street on the way to the Tuggeranong interchange. As a result, diners are expected to relax in a noisy environment which is not conducive to conversation or good health as they are subjected to bus and car emissions whilst undertaking their coffee and/or meals.

This petition is a fine example of why the petition process is so important. This is about a grassroots campaign getting all of its voices heard. I am sure there are a number of things for the government to examine before such a plan could be instituted, and I urge the government to listen to these voices from the valley. I urge them to fully examine this proposal and either move in this direction or explain why they are not.

I fear the government is already moving in another direction. I fear the government is not really serious at all about revitalising Tuggeranong town centre. It is going through the motions of what looks like an ill-conceived, sloppy, cut-price excuse for revitalisation so it can tick that box and say, "Yeah, we did that. And let's face it, it's only Tuggeranong. They vote Liberal anyway down there, so why would we worry about them?"

If the government is serious about making a much more comfortable and social environment in Tuggeranong, it would be giving serious consideration to this proposal. I applaud the Tuggeranong Community Council for showing some initiative in this space and engaging with the community in the way they have. It is my great privilege to present this petition to the Assembly.

Mount Taylor access—petitions 18-17 and 27-17

MR STEEL (Murrumbidgee) (11.36), by leave: I am very pleased to have sponsored the petition on behalf of Canberra residents who want to see traffic and other

improvements around Mount Taylor, particularly near the intersection with Mannheim Street and Sulwood Drive in Kambah. As a resident of Kambah, I am acutely aware of the concerns of different members of the community, including motorists, cyclists and pedestrians, around the Sulwood Drive car park.

I also live right near the intersection, which I use every day in my vehicle, including this morning. I also walk my dog, Pickles, around Mount Taylor and so regularly use the mountain as a pedestrian as well. In the lead-up to the 2016 election, my colleague Bec Cody and also Labor candidate Angie Drake ran a petition on these issues and campaigned for a formalised car park at the base of Mount Taylor on Sulwood Drive.

Following the election, issues around the car park and the intersection were again brought to my attention by Kambah residents and the principal petitioner, Taryn Langdon, who initiated the current petition. Many people from across the south side access Mount Taylor from Sulwood Drive by parking adjacent to the Mannheim Street, Kambah entrance. There is currently no formalised car park there and the car park does not have a proper entry and exit point. This means that cars are unsafely turning on to Sulwood Drive next to the intersection with Mannheim Street.

This petition calls upon the government to investigate these issues, particularly the possible establishment of a formalised car park, and to address safety issues and the nearby intersection. The petition also requests that the government explore local residents' wishes for more suitable cycling infrastructure and clearer signage.

The ACT government has a vision for Canberra as a healthy, active and vibrant city. To achieve that goal, we need to make sure that we have a well-connected and accessible nature park for recreational purposes. There is significant community support for this issue. I would like to thank the principal petitioner, Taryn Langdon, local mum and a relentless advocate on the issue. I also look forward to continuing to work with her and the community to address these issues.

I would like to thank the minister for her response on the issue that she already provided in relation to Mr Parton's motion earlier in the year and her commitment that the government is looking at short, medium and long-term measures to address the issues. I note that short-term measures have already been put in place. The government has clearly marked drains at the site for vehicles. As this petition has exceeded 500 signatures, I am pleased that it will now be referred to the Standing Committee on Environment and Transport and City Services and to the Minister for Transport and City Services for consideration and a formal response.

MR PARTON (Brindabella) (11.39), by leave: I applaud my good friend Mr Steel for bringing this petition to the Assembly. I also applaud the Tuggeranong Community Council, Taryn and Glenys. This is part of the bread and butter of community councils. These changes at the base of Mount Taylor are well and truly warranted.

What gets up my nose is that we are still just talking about this. As you know, Madam Speaker, I brought a motion to this Assembly in mid-September—that is, 2½ months ago—calling on the government to do much of what was in this petition. We all agreed. There were some slight amendments from Ms Fitzharris that did not water

down the motion much at all. The three parties here spoke in favour of the motion. All of the members here today sat here 2½ months ago and agreed that it was vitally important that we move forward to make these much-needed changes to amenities at the base of Mt Taylor.

I have here some of the words in the amendment from Ms Fitzharris. These are not my words. These are the words of the government. These are the words of the woman who controls the levers of the directorate that is responsible for this area. She said:

- (3) calls on the Government to investigate the following improvements to the Mount Taylor carpark:
 - (a) creation of dedicated, visible, and safe entry and exit points to the Mount Taylor carpark on Sulwood Drive with dedicated and clearly defined safe crossings for pedestrians and cyclists;
 - (b) improvements to the safety and amenity of the parking area by installing lighting and a bin;
 - (c) changes to improve the intersection of Mannheim Street and Sulwood Drive with regard to the safety and needs of motorists, cyclists and pedestrians wishing to access the Mount Taylor carpark;
 - (d) extension of the footpath on Mannheim Street from MacKay Crescent to Sulwood Drive;

She went on to say:

We will also be considering a range of other short-term measures such as those that have been mentioned, including signage.

Two months down the track, is there any new signage? No, there is not. What have we seen in two months? We have seen the marking of the drains. What we have seen is a serious accident at this makeshift car park which could easily have resulted in tragedy. It certainly did result in serious injury. We all know how dangerous it is. We all agreed about it. I am not sure why we are even here still talking about it.

I hear excuses from the other side. They are all saying, “Come on, Parto! You blokes in opposition do not understand how long it takes to turn the wheels of this machine. We cannot just snap our fingers and make something happen tomorrow.” Unless, of course, it is a rainbow roundabout at Braddon, because that, Madam Speaker, is pretty important stuff. We can get all of the planning done; we can mobilise the staff; we can sign off on the spending; we can get the traffic controls in place. We can make something happen if it is a hobbyhorse for the Chief Minister.

As we know, it is a hobbyhorse for Mr Steel. I saw Mr Steel celebrating the rainbow roundabout and what an amazing thing it was that the government could make this happen so quickly. But when people’s safety is being compromised, when lives are at stake, we hear, “Look, we will get to it when we get to it; next year sometime; maybe early 2020. I do not know; it could be done in the election year. I am not sure.”

This mirrors this government's approach to dogs. The government can spin on a dime and come up with the most extraordinary legislation to put a ban on a legitimate sport because it suits their ideological agenda. We can destroy people's lives and introduce the most onerous of laws to banish greyhound racing, but the government has to be pushed kicking and screaming to do anything substantial about the growing number of dangerous dog attacks.

I am sure we will see video of Mr Steel opening these new amenities at Mt Taylor at some stage down the track. I hope we do. When that happens I think anyone who is there should be asking, "Why did it take so long?" Well done to everyone who participated in this petition process. Please let it be known that my words of disappointment are solely for the government and their inaction up to this point. I will keep on doing whatever I can to push them in the right direction.

Privilege Ruling by Speaker

MADAM SPEAKER: On 21 November 2017 Mrs Dunne gave written advice of a possible breach of privilege concerning a statutory declaration by Ms Gallagher tabled in the Eighth Assembly by the Chief Minister in relation to the election of a senator for the Australian Capital Territory. Mrs Dunne alleges that the statutory declaration may have been incorrect, that the Legislative Assembly may have been led to make a decision based on wrong information and that this may have been a contempt of the Assembly in accordance with standing order 277(a) and (o).

Mrs Dunne further alleged that the transmission of the Legislative Assembly's decision to the Governor-General may have also been misleading. Upon receiving the letter, and in order to ascertain whether I should grant precedence to the matter, I subsequently wrote to the senator to seek further information about the statutory declaration that she made in 2015.

On 22 November I received a reply from Senator Gallagher explaining the events surrounding the statutory declaration. I table a full copy of the correspondence mentioned above, for the information of members, as well as the advice from the Clerk on the matter:

Alleged breach of privilege—

Copies of correspondence from—

Mrs Dunne to the Speaker, dated 21 November 2017.

The Speaker to Senator Katy Gallagher, dated 21 November 2017.

Senator Katy Gallagher to the Speaker, dated 22 November 2017.

The Speaker to Mrs Dunne, dated 27 November 2017.

Advice to the Speaker from the Clerk, dated 21 November 2017.

Procedure to elect a Senator for the Australian Capital Territory—Continuing resolution No 9—Copies of correspondence from—

The Deputy Speaker to the Speaker, dated 14 September 2017.
The Speaker to the Deputy Speaker, dated 6 October 2017.

Also, for completeness, I have tabled earlier correspondence from Mrs Dunne in relation to possibly seeking to set up a select committee to look at the continuing resolution.

Under the provisions of standing order 276, I must determine as soon as practicable whether or not the matter merits precedence over other business. If, in my opinion, the matter does deserve precedence I must inform the Assembly of the decision and the member who raised the matter may move a motion without notice forthwith to refer the matter to a select committee appointed by the Assembly for that purpose.

If, in my opinion, the matter does not merit precedence, I must inform the member in writing, which I have done, and also inform the Assembly of that decision. I am not required to judge whether there has been a breach of privilege or a contempt of the Assembly. I can only judge whether the matter merits precedence. Having considered the matter, I have concluded that the matter does not merit precedence over other business. Mrs Dunne, I think that might also go to your letter of this morning where you requested a copy of the correspondence. That has just been tabled.

Mrs Dunne: Madam Speaker, I seek leave to move to establish a select committee on privilege to examine the matters that you have referred to.

Leave not granted.

Standing orders—suspension

MRS DUNNE (Ginninderra) (11.46): I move:

That so much of the standing orders be suspended as would allow Mrs Dunne to move a motion to establish a Select Committee on Privileges.

Madam Speaker, I am disappointed in your decision that this matter does not warrant precedence. I went to great pains in the letter that I wrote to you, which has been tabled for members' information, to make the point that I am not making any judgement about the citizenship eligibility of someone to sit in the Senate. I am concerned about the processes and procedures that have taken place in this place.

I am concerned about them because at the time I was the Speaker and, while only marginally associated with the actions, I am concerned that I may have overseen something that, in hindsight, may have proved to be wrong and potentially misleading to both the Assembly and, most importantly from my point of view, the Governor-General.

The matters that I raise in the letter are about procedures. I also point out to members that I have a motion on the notice paper referring continuing resolution 9 to the Standing Committee on Administration and Procedure to look at prospectively

whether or not there are things that we need to do to make sure that our procedures are safe. But it is important for the Assembly to consider whether or not the decision that was made in 2015 was safe and whether there was anything that could have been done differently that would have made sure that our decision was safe.

Again, this is not a reflection on anyone's eligibility to sit in the Senate. This is a reflection on our capacity in this Assembly to make good decisions. The standing orders are quite clear about the vast array of things which may be a contempt of the Assembly but the most important one, set out in standing order 277(a), is interference with the Assembly. The standing order states:

A person shall not improperly interfere with the free exercise by the Assembly or a committee of its authority, or with the free performance by a Member of the Member's duties as a Member.

Madam Speaker, if we as members in this place were provided with information which is inaccurate, whether intentionally or not—I do not believe that any of the information provided in March 2015 was intentionally inaccurate, but the potential is that it is now inaccurate—we were not able to properly conduct our duties and, therefore, members of the Assembly may have been interfered with. I am couching this in quite conditional terms.

We as a group do not know. But we as a group are responsible for ensuring that we are not subject to contempt. We as a group are responsible for ensuring that when we convey a message to the Governor-General it is based on the best possible facts available to us. If we do not do that, we are at risk of misleading the Governor-General. These matters are of the utmost importance. They should be all dealt with in accordance with the standing orders and in accordance with our established procedures in relation to privilege.

Like you, Madam Speaker, I do not know what the outcome of such an inquiry would be. But I think it would be remiss of us not to subject these issues to inquiry. I made it very clear in my letter to you that the issues were whether or not the Assembly had been led to make a decision based on erroneous information—I do not know, but we should find out—and whether or not that information, if it were erroneous, could have been rectified at a later date and whether there is a remedy for this.

That remedy may be as simple as, if it turns out to be erroneous, the people who made the statutory declaration and/or tabled the statutory declaration having to apologise to this place for not correcting the record sooner and also correcting the record with the Governor-General and apologising to the Governor-General for perhaps inadvertently misleading him.

These are important matters that do not relate to any particular person but relate entirely to our procedures and the way we manage ourselves in this place. If we do not manage ourselves to ensure that our role as members is not interfered with and that the information that we get is correct, and if it is not correct that it is corrected at the first possible opportunity, we are remiss and we do not serve the people of the ACT well.

MR BARR (Kurrajong—Chief Minister, Treasurer, Minister for Economic Development and Minister for Tourism and Major Events) (11.52): The government will not be supporting the suspension of standing orders for this political stunt from Mrs Dunne. Most of her contribution that we have just heard reflected on matters of process and sought to stress that this was not about an individual. That is belied by the motion that she seeks to move, which seeks to establish a committee of privilege inquiry into a former Chief Minister and now senator for the Australian Capital Territory.

It does seem curious that the high principles that Mrs Dunne claims to be focusing on are in fact not the intent of her notice of motion, or clearly her political intent, in raising these matters. If there is a need for the Assembly to look at particular practices and standing orders then that would be entirely appropriate for the administration and procedure committee to consider. Certainly the establishment of a select committee on privilege, in the terms that Mrs Dunne has circulated, would be the outcome of this, should there be a suspension of standing orders, and if we were then to go on to debate that particular motion.

It reflects someone who is seeking to maximise a political outcome when the clear evidence that has been presented to the Speaker and responded to in the context of the issues that are currently before the federal parliament in relation to citizenship matters is something that shall be dealt with by the federal parliament under the terms of the parliamentary agreement, as I understand it, in both the Senate and the House of Representatives.

At the very least, it would be premature, given that we await the outcome of that declaration process both in the Senate and in the House of Representatives, to be moving on this matter today. It does reek of a political stunt, ahead of a range of other more important pieces of legislation and issues that need to be considered in this place today.

The government will not be supporting a suspension of standing orders to then have a subsequent debate on Mrs Dunne's motion. I understand that she has lodged the motion. It is on the notice paper for debate later this week. That may or may not come forward at that time, but I would argue that, in the context of the process that is currently being undertaken in both the Senate and the House of Representatives, this place initiating its own special process in relation to a particular ACT senator is pre-emptive and reeks of politics.

MR RATTENBURY (Kurrajong) (11.55): The Greens do not intend to support a suspension of standing orders today. We feel that this has been brought on in such a way that we have only just received the documentation. We would certainly like some time to look at it. Mrs Dunne is obviously seeking to raise a series of quite important questions.

I note that there is already a motion on the notice paper for Thursday relating to similar matters. I think it is quite appropriate for us to look at all of these matters at once. I do not see any particular urgency about this. Assembly business on Thursday

morning is the place to examine these matters. We will be happy for Mrs Dunne to add that to the program for Thursday morning but we will not be supporting the suspension of standing orders today.

Question resolved in the negative.

MR WALL (Brindabella) (11.56): Madam Speaker, I seek leave to move a motion that would allow Mrs Dunne's motion to establish a select committee on privilege to be set down as an item of business under Assembly business on Thursday, 30 November.

MADAM SPEAKER: Members, admin and procedure does list Assembly business. That has been done. We have four substantive items listed. For this to go forward, you will need leave and we will need to suspend standing orders for this to proceed; or, when the debate comes up on Thursday—I am seeking some guidance from members—we can be aware of this motion and have it in our minds for discussion.

Justice and Community Safety—Standing Committee Scrutiny report 12

MRS JONES (Murrumbidgee) (11.56): I present the following report:

Justice and Community Safety—Standing Committee (Legislative Scrutiny Role)—Scrutiny Report 12, dated 21 November 2017, together with the relevant minutes of proceedings.

I seek leave to make a brief statement.

Leave granted.

MRS JONES: Scrutiny report 12 contains the committee's comments on 11 bills, two pieces of subordinate legislation and three government responses. In this scrutiny report the committee discusses a response from the Minister for Health and Wellbeing in relation to the committee's earlier comments on the Health Practitioner Regulation National Law and Other Legislation Amendment Act 2017. The act is an act of the Queensland parliament which applies in the ACT—automatically, and without any scope for appropriate scrutiny or amendment by the Legislative Assembly—under the provisions of the Health Practitioner Regulation National Law (ACT) Act 2010. The committee thanks the minister for health for her prompt and helpful response. I also thank the minister for her recognition, in discussions with me as chair of the committee, of the issues for the committee in this matter.

This particular national law highlights issues with national laws that have recently been a concern for the committee. As I have noted, under the terms of the relevant act, amendments are automatically made to the ACT law once the original national law is amended in the Queensland parliament. There is no formal requirement even to table amendments in the Legislative Assembly. The minister has done so in this, as a result of an earlier request by the committee that the Legislative Assembly be notified of

such amendments. Clearly, it is a less than optimal situation from a legislative scrutiny perspective.

However, it is important that, at least, the Legislative Assembly is notified of these sorts of amendments. Ideally, explanatory material should also be provided to the Legislative Assembly, as the minister has now provided on this matter to the committee. I thank the minister for health for her assistance. The report was circulated to members when the Assembly was not sitting. I commend the report to the Assembly.

Planning and Urban Renewal—Standing Committee Statement by chair

MS LE COUTEUR (Murrumbidgee) (11.59): Pursuant to standing order 246A, I wish to make a statement on behalf of the Standing Committee on Planning and Urban Renewal relating to petition No 14-17. The petition was received by the Assembly on 1 August 2017 and referred to the committee under standing order 99A. This petition requested the Assembly to maintain the prohibition on billboard advertising in the ACT and regulate public advertising in the territory.

The committee wishes to note that it has recently conducted an inquiry into this matter, the report of which was tabled on 26 October 2017. The committee notes that the minister's response to the petition, under standing order 100, indicates that the government will consider the recommendations made by the committee in its report and will provide a response to the Assembly. Following consideration of the petition and the minister's response, the committee has determined that it will not be holding an additional inquiry into the matter.

Statement by chair

MS LE COUTEUR (Murrumbidgee) (12.00): Pursuant to standing order 246A, I wish to make a statement on behalf of the Standing Committee on Planning and Urban Renewal in relation to the inquiry into housing. On 30 March 2017 the Standing Committee on Planning and Urban Renewal informed the Assembly of its resolution to undertake an inquiry into housing. The committee intended to report on this inquiry by the last sitting day in 2018.

The terms of reference for this inquiry were broad and encompassed issues such as existing housing diversity in the ACT, demand for different housing types, the effectiveness of existing regulations and zoning, and the effects and implications of suburban infill, housing in centres, land release and greenfield developments.

Although the committee has invested time into this inquiry, it notes that the inquiry encompasses matters currently being looked at by the government, including affordable housing and housing diversity. Following the recent release of the housing choices discussion paper, about which the government has since announced a major consultation process of its own, the committee has decided that to continue with its inquiry into housing during this time would result in considerable overlap and lead to

confusion for those wishing to make submissions and/or contribute to either the government or the committee's processes.

Consequently, the committee will not be continuing with its inquiry into housing. However, the committee continues to take issues regarding housing in the ACT seriously and will actively follow the government's deliberation on these issues. The committee anticipates that it will be further involved in the future and in particular if any territory plan variations are recommended as a result. The committee wishes to thank those who have already contributed to the inquiry and encourages all Canberrans to take an active interest in contributing to the various community engagement processes that will inform government policies and frameworks around housing and planning.

Ministerial delegation—Germany and Spain 2017

Ministerial statement

MR BARR (Kurrajong—Chief Minister, Treasurer, Minister for Economic Development and Minister for Tourism and Major Events) (12.02): I rise this afternoon to report to the Assembly on the delegation I led to Germany and Spain from 16 to 21 October. The delegation focused on meeting with our partners in the first stage of the light rail project, on technologies and developments in public transport, renewable energies and smart cities.

This delegation provided an opportunity to build on the work being undertaken by the territory government in transforming public transport in Canberra to provide a sustainable, affordable and innovative system with excellent services and facilities so that Canberrans can move around our city with ease. While most previous ACT government transport investment has focused on road infrastructure, we are taking action now to ensure that new technologies are implemented. The government's decision to build light rail, purchase new buses and introduce a new ticketing system are some of the steps we are taking to ensure that public transport in Canberra is an attractive option.

The ACT is uniquely positioned within Australia to move quickly to realise the advantages from new transport technologies around the world, and this mission provided an opportunity to meet with Deutsche Bahn in Berlin, Germany, the operator for our light rail system. Deutsche Bahn operates an extensive network of international, regional, local and underground train services as well as light rail and buses. We were provided with an overview of DB's international operations capability and an insight into the types of world leading technology we can look forward to them bringing to Canberra.

We were also provided with an interesting presentation on DB's most recent innovations and successes, including new initiatives in urban development, mobility innovations, intelligent cities and new directions in public transport infrastructure. DB also presented on smart microgrids and their importance for smart cities. Microgrids are small-scale versions of the centralised electricity system. They achieve specific local goals, such as reliability, carbon emission reduction, diversification of energy sources and cost reduction, established by the community being served. Like

the bulk power grid, smart grids generate, distribute and regulate the flow of electricity to consumers but on a local level.

In line with the ACT government's climate policies, microgrids provide an ideal way to integrate renewable resources at the community level. We had a tour of the implementation of smart microgrids and smart infrastructure, and this was an excellent opportunity to learn more about the issues associated with the use of electric buses and, in particular, the utilisation of renewable energy and innovative wireless charging of buses. Canberra is in the early stage of introducing electric buses, but we are one of Australia's leading jurisdictions in renewable energy generation and the opportunity to utilise wireless charging is an exciting one that we are keen to learn more about.

The mission also presented the opportunity to meet with InnoZ, a collaborative research institution that focuses on the development of sustainable mobility concepts in the context of societal change. This research agenda seeks to coordinate complex and large-scale projects in the realm of transport, ICT systems and energy. InnoZ contributes to the German and European innovation initiatives with its research projects and its on-site electro-mobility platform, a space which functions as a living lab, exhibition centre and forum. The organisation is also currently testing a smart microgrid whereby electric cars store wind and solar energy, reducing the pressures on electricity networks. With Canberra's renewable energy focus, technology such as this will be highly suitable for our city.

We also met with the Mercator Institute, where we discussed areas for collaborative research by the Energy Transition Hub, an Australian-German bilateral research hub in which both the Australian National University and the Mercator Institute play a leading role. The research areas discussed included data-driven energy storage, renewable energy asset management, and hydrogen and renewable energy usage in the transport sector.

We then travelled to Spain, where we met with CAF, the company managing the current Canberra light rail vehicle design, manufacture and future maintenance. Together with representatives from Transport Canberra and the Canberra Metro consortium, this visit provided an opportunity for us to inspect the production of Canberra's light rail vehicles. We had a thorough inspection of the vehicles in the various stages of production, and I am pleased to say they are of exceptional quality and exceptional good looks. The LRV is world class and has its own unique Canberra identity. Canberra's LRVs stand alongside other vehicles in CAF's production facilities destined for locations around the world. And, as members would be aware, the shipping of the first LRV from Spain is an important milestone for the light rail project.

The mission also provided the opportunity to view an extensive area of wire-free light rail vehicle operation and the urban design elements associated with this service in Zaragoza. This capability is certainly required to be part of stage 2 of our light rail project. The LRV service was operating in a mid-size city similar to Canberra, with a population of around 700,000 people. We were able to observe how it interacts in

several different ways with the city environment. I thank CAF for the tour, which provided us with great insights into their production and technology capability.

The following day we met with ACCIONA, a company dedicated to the development and management of large-scale infrastructure, including construction, water, industrial services and renewable energy. ACCIONA are currently undertaking a number of key projects in Australia, including the Sydney CBD and South East Light Rail. Locally the company has been involved in building the biggest photovoltaic plant in Australia, at Royalla. They have also been involved in numerous wind power projects in Victoria and South Australia. This meeting provided us with an opportunity to gain a better understanding of their future plans for the Australian market. Of particular interest was their experience in light rail projects.

We also met with Global Power Generation—GPG—who are currently constructing the Crookwell 2 wind farm, which will generate over 300,000 megawatt hours per year, or the equivalent of 42,000 households' worth of renewable energy, for Canberra and will assist us in meeting our 100 per cent renewable energy target by 2020.

The government continues to deliver on its commitments to build city-transforming light rail for Canberra, to invest in our bus network, to deliver a new modern ticketing system and to explore new opportunities to invest in active travel. Delivering on these commitments enables Canberrans to be more mobile, to reduce carbon emissions and to adapt to climate change.

In closing, I thank all the people who worked so diligently to bring this mission together. It was thanks to the efforts of staff across directorates, the Commissioner for International Engagement, representatives from Canberra Metro and the Australian government's Department of Foreign Affairs and Trade that this mission was such a great success. I particularly acknowledge Ms Lynette Wood, the Australian ambassador to Germany, Mr Timothy Kane, the Australian ambassador to Spain, and their respective teams for their invaluable assistance in both planning and executing the mission.

The insights and information gained from this short period—four or five days—will ensure that Canberra remains one of the most livable cities in the world. I commend the statement. I present a copy of the following paper:

Germany and Spain Mission—October 2017—Ministerial statement,
28 November 2017.

I move:

That the Assembly take note of the paper.

Question resolved in the affirmative.

Demonstration housing precincts

Ministerial statement

MR GENTLEMAN (Brindabella—Minister for Police and Emergency Services, Minister for the Environment and Heritage, Minister for Planning and Land Management and Minister for Urban Renewal) (12.11): I am pleased to update the Assembly on the progress of the demonstration housing precincts commitment in the statement of planning intent and to outline our plan for delivery of a demonstration housing project as outlined in the Assembly's demonstration housing precincts resolution passed on 7 June this year.

The government are committed to the planning and delivery of housing in the ACT that supports a vibrant and sustainable city, and we are currently engaging with the community and industry on ways to improve housing affordability towards a new housing strategy and housing choices. The demonstration housing precincts resolution calls on the government to develop a plan for delivery of best practice demonstration housing projects in consultation with the community and industry stakeholders. Firstly, it is important to highlight how we have been promoting best practice housing development by delivering the ACT's first six-star green star community rated development at Ginninderry, in partnership with Riverview developments.

By introducing legislation to create the City Renewal Authority and the Suburban Land Agency we have now signalled a new approach to industry and community about how land will be delivered in a more innovative and sustainable way. The City Renewal Authority is committed to working proactively with the community to facilitate cohesive urban renewal. This new authority is focused on innovative, leading-edge renewal and revitalisation activities within the priority precinct. The legislation promotes social and environmental sustainability and development that applies innovative environmental building and public domain design. Their executive will work with the community, businesses and government to deliver new buildings and places that are of exemplary design quality, excite interest and attract new investment.

The Suburban Land Agency encourages and promotes inclusive communities, people-focused neighbourhoods and suburban development that is affordable, a safe and healthy population, social inclusion, housing choice, and social and environmental sustainability. Canberra's architectural and construction industries have delivered many award-winning examples of housing projects that showcase environmental performance. However, Canberra's overall low density presents many transport, environment, social and economic challenges for our city both now and into the future.

Medium density residential and mixed use developments like townhouses, terraces and dual occupancy are now being encouraged by many Australian cities with limited land supply to accommodate their growing populations and to provide people with more housing choice. Our aging demographics and more diverse household structures are also increasing the demand for housing stock suitable for downsizers and ageing

in place. Therefore, it is important that Canberra, as the nation's capital, takes a national leadership role on housing design and delivery.

I have taken the opportunity to visit leading cities in Europe, Asia and the US to understand how innovative housing topologies can benefit residents and their communities. In Berlin, Germany, I saw how a co-housing model works in modern urban cities. Co-housing provides a level of housing diversity that is innovative yet affordable and has become a standard part of Berlin's housing market.

In Copenhagen, Denmark, I saw how car parking for residential buildings is not on site but in a centralised location up to 200 metres away. This creates a safer, more active communal street level with reduced driveway crossings and vehicle movements. The car park locations are built as multipurpose community areas featuring green space, playgrounds and recreational spaces.

In Singapore I visited an urban rooftop aquaponics farm which produces commercial quantities of crops in the heart of the urban area. In Seattle the eco-district showcases the importance of housing diversity in an area and it allows people to upsize, downsize and age in place while continuing to live in their suburb as their needs shift. I saw how affordable housing can be incorporated into existing building leases by a separate stratum leasing. Seattle's art centre redevelopment added social housing to the building in this way, with the new centre benefiting from new facilities on the same tenure and new residents benefiting from new accommodation in the central location.

These international examples show some of the positive influences that housing diversity and innovative design can have on the health, safety and social qualities of a population. There are also less visible economic and environmental benefits, such as reduced land and energy use through transport efficiencies, and more compact and shared land use.

We must now focus on creating the right conditions for industry and the community to work towards achieving more housing choice for more people here in Canberra. Investigations into suitable sites for demonstration housing are already underway but will be informed through engagement with the community. We expect that a range of sites and precincts will be available for these projects, ranging from residential zoned sites suitable for small-scale developments through to larger mixed use sites suitable for higher density urban renewal projects.

I have spoken previously on the importance of collaboration between government, industry and the community being key to achieving a shared vision for future innovation, and we now have a plan for how this shared vision will be achieved for innovative demonstration housing. Our engagement and urban renewal teams in the Environment, Planning and Sustainable Development Directorate will shortly commence a program of industry and community engagement on housing choices and demonstration housing.

By coordinating the new policy development with the opportunity to illustrate and test new innovations in a simultaneous, integrated and real world way we will ensure that

a broad range of viewpoints can be captured and addressed. We have now identified \$1 million in funding to fulfil our commitments by piloting three important programs: HomeGround affordable rental, Homeshare and the Nightingale housing model.

As part of the announcement we made in October, we will be seeking expressions of interest from organisations to lead these pilots. The first phase will be to engage the community and industry in a comprehensive discussion on Canberra's future urban form through the housing choices discussion paper, and we will also undertake a series of targeted consultative workshops with industry representatives to understand what innovations are possible, and what the perceived barriers are. We expect this will all commence before the end of 2017.

The demonstration housing project will then call proponents to put forward innovative housing delivery models in early 2018 across a number of project streams targeting alternative delivery and tenure models, sustainable and innovative design, environmental performance and affordability. Short-listed proposals will then be invited to develop a detailed proposal which, subject to comprehensive financial assessment, will have the opportunity to enter into agreements with the territory to construct their proposals and issue consequent leases to home purchasers.

This process will allow us to test innovative housing delivery and design models in a competitive process and deliver real built outcomes in a fair and equitable way. The selection of sites and final designs will be developed in consultation with the community and key stakeholders through a collaboration hub around mid-2018. Ideally, the location and design of these projects will allow a mix of innovative housing designs and delivery models to be tested.

Some examples of what we expect to see include small-scale infill—for example, compact laneway housing, duplex or triplex, co-housing developments like Baugruppen by LandCorp in WA, design-led development where architecture teams lead development backed by ethical investors, like Nightingale in Victoria, long-term rentals of five to 10 years delivered by institutional land investors like Smart Urban Villages, and joint ventures or land sale with innovative planning and design conditions like Ginninderry.

The collaboration hub is proposed to capture industry and community input to the housing choices project, and this will in turn be used to guide possible changes to the Territory Plan for the housing diversity needed to accommodate Canberra's growth.

We are confident that the demonstration housing precincts will support industry to deliver more sustainable, livable neighbourhoods with better transport choices. Encouraging design quality and innovative delivery models could also have significant positive impacts on housing affordability, the environment, community health, social values and economic prosperity.

The demonstration housing precincts initiative, first identified in the minister's statement of planning intent, will deliver built outcomes to show how innovative planning, design and delivery can benefit Canberra's future through a more compact, vibrant city whilst delivering on the land release program targets. As the Minister for

Planning and Land Management, I look forward to delivering the demonstration housing project, in collaboration with our agencies, industries and the community, to showcase the future of our city's housing. I present a copy of the following statement:

Demonstration housing precincts—Ministerial statement, 28 November 2017.

I move:

That the Assembly take note of the paper.

Question resolved in the affirmative.

Standing orders—suspension

Motion (by **Mr Gentleman**) agreed to, with the concurrence of an absolute majority:

That so much of the standing orders be suspended as would prevent the adjournment debate for each sitting day this week continuing past 30 minutes.

Sitting suspended from 12.22 to 2.30 pm.

Questions without notice

Land—block 24 city

MR COE: My question is to the Minister for Urban Renewal.

MS BERRY: Do you mean me?

MR COE: Yes. Minister, did the LDA file on block 24 section 65 adjacent to Glebe Park, that is, the block that was the subject of the Auditor-General's inquiry, go missing or did any documents from that file go missing and, if so, what efforts were made to find this file or these documents?

MS BERRY: I will have to take that question on notice. I do not have that information with me.

MADAM SPEAKER: Sorry, the question was to the Minister for Urban Renewal. The Minister for Housing and Suburban Development.

MS BERRY: That was why I answered. I was not sure.

MR COE: Minister, have you been briefed or informed in any way that documents have gone missing and, if so, what effort has been made to locate these documents?

MS BERRY: No, I have not been briefed on any documents that Mr Coe is referring to.

MS LAWDER: Minister, what security classification did the LDA file or missing documents on block 24 section 65 have, and have other files or secure documents gone missing from the LDA and/or City Renewal Authority?

MS BERRY: I will have to take that question on notice as well.

Gaming—complaints investigation

MS LE COUTEUR: My question is to the Minister for Regulatory Services and relates to the Gambling and Racing Commission's recent investigation into the case of Laurie Brown. What requirements are there for the Gambling and Racing Commission to consult with the complainant and provide a copy of their findings as part of the complaints investigation process?

MR RAMSAY: I thank Ms Le Couteur for the question. Noting that there is an active investigation, I will keep my comments general, in the knowledge that there are particular requirements all the way through. It is an involved process. Certainly one of the things that are important as part of it is making sure that there is procedural fairness. One of the things that the act requires as part of that procedural fairness for the GARC to follow is quite a clear staged process before arriving at a decision to take disciplinary action.

As part of that, what happens is that Access Canberra, acting on behalf of the GARC, investigates the allegations and prepares an investigation report. The GARC will consider the investigation report. If it is satisfied that grounds for disciplinary action exist, it issues a proposed notice of a disciplinary action to the licensee. The act requires that the GARC give the licensee three weeks to respond to that notice. If it is satisfied that disciplinary action is warranted, the GARC then serves a notice of decision to take disciplinary action that sets out the basis for the decision and the proposed disciplinary action.

At each stage the GARC considers and, if appropriate, addresses any representations from the licensee in response to a notice or a letter and always gives it adequate time for response. Then, after considering any further representations from the licensee, and if it is considered appropriate, the GARC will issue the licensee with a reviewable decision notice saying that it is taking disciplinary action. That means that there are limits on the information that is available to be provided to a complainant, to ensure that the investigation is conducted in a manner that does not compromise the evidence or the avenues of inquiry to ensure that there is appropriate procedural fairness.

MS LE COUTEUR: Will Professor Brown, as the complainant, have standing as an effected person should Raiders Belconnen choose to appeal the GARC's decision to ACAT?

MR RAMSAY: It would not be appropriate for me to comment on the particular case that has been referred to given that it is a matter in relation to ACAT.

Ms Le Couteur: It's not a particular—

MADAM SPEAKER: Was there a point of order, Ms Le Couteur?

Ms Le Couteur: I will take out the words “Professor Brown” and replace them with “will the complainant”. It is not a question about a particular case; it is a question about a class of people.

MR RAMSAY: Given that we are now taking it into the abstract, the decision in relation to standing in this matter is taken by ACAT or the court and not by the Assembly.

Environment, Planning and Sustainable Development Directorate— FOI requests

MS LAWDER: My question is to the Minister for Planning and Land Management. Minister, on 3 August, I made an FOI request to your directorate for documents relating to the Federal Golf Club’s development proposal, the club’s transfer to the Tradies-backed Canberra Community Clubs group, and the government’s decision to hold community panel forums. On 29 August, your directorate provided documents from a similar request from 2015 and asked for further information. I replied on 6 September. On 19 September, I agreed to a significant reduction in the scope of the FOI. Now, more than 10 weeks later, the directorate has still not supplied the FOI-requested documents. Minister, why is your directorate failing to meet the deadlines set by the FOI legislation?

MR GENTLEMAN: I thank Ms Lawder for her question. I understand that the directorate has been working with Ms Lawder to refine the FOI requirements. I do not have anything in my brief in front of me, though. I will check with the directorate and come back to her with the time line for that.

MS LAWDER: Minister, will you now intervene and instruct your directorate to supply the documents without further delay; and if the delay is due to understaffing, will you adequately resource this division within the directorate?

MR GENTLEMAN: As I said, I understand that the time line is due to the amount of detail within the question, but I will come back to the Assembly with those details.

MR COE: Minister, is your directorate deliberately delaying the FOI process and were you informed that an FOI was lodged and who the person was who submitted the FOI?

MR GENTLEMAN: We are not informed about which person lodges an FOI. We are only informed whether it comes from the media or perhaps a Legislative Assembly member or somebody else. But names are not used. I am pretty confident that they are not directly trying to delay the answer.

Greyhound racing—protest rally

MR PARTON: My question is, I think, to the Minister for Transport and City Services, but I will be happy to take direction if it is not the right minister. On 24 November, organisers of the greyhound rally that was held yesterday were denied

access to electricity in Civic Square. Why did the ACT government deny the greyhound industry rally access to electricity in Civic Square?

MS FITZHARRIS: I thank Mr Parton for the question. I will take the question on notice and endeavour to get a reply to him as soon as possible. I am not aware of the assumption that Mr Parton made in his question, but I will take the question on notice.

MR PARTON: Is the minister aware of any other denial of access to electricity for rallies in Civic Square?

MS FITZHARRIS: No, I am not aware.

MRS DUNNE: Minister, what actions will you take to ensure that community rallies in Civic Square will have access to electricity in future no matter whether they are for or against government policy?

MS FITZHARRIS: I understand that approvals sought by organisations, groups and individuals to hold public events are relevant to a number of different departments. The government always seeks to facilitate as speedily and as smoothly as possible approval for such events. Again, I will come back to the Assembly with any further information.

Economy—performance

MS CHEYNE: Chief Minister, the Australian Bureau of Statistics has recently released the final state accounts for 2016-17. What do these show about the state of our local economy?

MR BARR: I thank Ms Cheyne for the question. In what was a round of excellent releases from the Australian Bureau of Statistics in that week, I can advise the Assembly that the latest data on the ACT's economic growth confirms what Canberrans can see and feel: that our city is going from strength to strength.

In 2016-17, our city's real gross state product expanded by 4.6 per cent. This was the highest growth rate of any jurisdiction in Australia and well up on our prior projections. It was significantly higher than the territory's 10-year average growth rate of 3.2 per cent. It also comes on the back of an upwardly revised growth for the 2015-16 fiscal year, demonstrating that Canberra is undergoing a sustained economic expansion.

Importantly, the growth came from a diverse range of sectors that point to a continued broadening of the territory's economic base. The stand-out was professional, scientific and technical services, which grew by 34 per cent in the past year and contributed more than half of our total GSP growth. However, we have also seen strong growth in the IT and telecommunications sector, which grew by more than 11 per cent, along with an expansion of the construction, healthcare and social assistance sectors.

Strong and sustained growth is good for Canberra businesses because it creates more opportunities for them to expand. It benefits Canberra workers because it creates more

good jobs. And it is good for our community as a whole because it supports the vibrancy and confidence that is making this city a place where people want to live and that people want to visit.

MS CHEYNE: Chief Minister, how is employment growth tracking throughout 2017, and what does this mean for local jobs?

MR BARR: Getting more Canberrans into good jobs, and keeping them in those jobs, is a top priority for the government. The latest employment data from the ABS shows that our unemployment rate, which now sits at 3.8 per cent, is the lowest of any jurisdiction in Australia. This has been achieved alongside a very high and rising level of workforce participation. Almost 20 jobs a day have been created in Canberra every day for the past 12 months, raising local employment by 6,700. With now over 222,100 Canberrans in work, we are experiencing an all-time historic high of employment in our city.

The majority of the new jobs created were full-time jobs: the kinds of good quality jobs that make supporting a family or buying a home possible. We have also seen a significant fall in the youth unemployment rate, which has shrunk by 2.4 percentage points over the past 12 months. Whilst there is always more work to do to get this number lower, the unemployment rate for young Canberrans is well below the national average and shows that our growing economy is creating jobs for people at every stage of their careers.

MR PETTERSSON: What are some of the factors contributing to the very strong economic and employment growth that the ACT has seen throughout 2017?

MR BARR: Our city is growing in every way. That is supporting a strong and sustained expansion of our economy and our employment base. The latest census showed that our population is growing more rapidly than that of any other state or territory. More people are choosing to make Canberra their home. It has been a record year for tourism, with 2.6 million domestic visitors and over 221,000 international visitors visiting Canberra. Our education and research sector continues to grow significantly, with the ACT now being Australia's largest exporter of international education services on a per capita basis.

All of the signs suggest that there is much more to come in 2018 and beyond. Next year, Qatar Airways will launch flights to Canberra, which will bring even more international tourists to our city and make exporting services and products easier. Companies like Canberra Data Centres and CEA Technologies have recently signed major contracts worth hundreds of millions of dollars that will see their local operations continue to grow and see more local jobs created. The University of New South Wales Canberra is planning a new tertiary campus in the heart of the city, further bolstering Canberra's national and international education offerings. This year, 2017, has been a very strong year for Canberra on the economic front. On this side of the chamber we are particularly excited about our city's potential in 2018 and beyond.

Director of Public Prosecutions—resourcing

MR HANSON: My question is to the Attorney-General. It was reported in the *Canberra Times* recently that a DPP prosecutor appeared at the Supreme Court asking that nearly 30 cases be abandoned because “a chronic lack of resources meant it didn’t have enough prosecutors to run the matters”. The court refused his or her request. Are there nearly 30 cases in the ACT that the DPP does not have enough resources to proceed on?

MR RAMSAY: My understanding is that the practice that has occurred for listing between the Supreme Court and the Magistrates Court has resulted in pressure not only for the DPP but also, I am advised, right across the legal profession. That has meant that there have been a number of matters set aside at this stage. As the member is well aware, we are working with the DPP in government consultations at the moment, and deliberations, in relation to the ongoing resourcing of the DPP.

Mr Hanson interjecting—

MADAM SPEAKER: A supplementary, Mr Hanson, not commentary, thank you.

MR HANSON: I was thinking out loud, Madam Speaker. Attorney-General, how can you guarantee that those 30 cases will be adequately prosecuted if they are forced to proceed without sufficient resources?

MR RAMSAY: I acknowledge the wisdom that happens when the member happens to think out loud. It is always a good thing when members opposite think before they speak and I do acknowledge that it happens. Wonderful times! I thank the member for his thinking and his speaking.

What it is that I can guarantee is that we have, as I say, a matter that is putting pressure not only on the DPP but right across the legal profession. Comments have also been made in terms of legal aid and the broader profession. What it is that we have looked at is that in those particular cases they are ensuring that they can be prosecuted but that they can be done in a way that is at no risk to the community.

MS LEE: Attorney, will you now reassess the funding given the real-world impact that the lack of resources has on 30 cases before the Supreme Court?

MR RAMSAY: I thank Ms Lee for the supplementary question. As I think I have said before, the government is indeed looking at and considering the resourcing of the DPP, along with all the priorities across the legal profession and the legal justice system, and our priorities right across government.

Education—school psychologists

MR WALL: My question is to the Minister for Education and Early Childhood Development. Minister, at the 2016 election the Labor Party promised to recruit 20 extra psychologists to work in our school system. So far, no extra psychologists

have been recruited. The government has announced plans to recruit an additional five psychologists, at a cost of \$2.4 million. There is no funding in the budget to cover the 15 additional psychologists promised. Minister, does the government plan to recruit an additional 15 psychologists? If so, when will the additional psychologists be recruited?

MS BERRY: I thank Mr Wall for the question. The first five psychologists have been recruited and will begin at the start of the school year next year, in 2018. The following 15 psychologists will be recruited over the term.

MR WALL: Minister, how will the government fund the recruitment of these 15 additional psychologists?

MS BERRY: Through the normal processes, through the budget.

MRS JONES: How confident are you that the directorate will be able to fill all these positions, given we have some national shortages of people in these professions?

MS BERRY: I am very confident that the Education Directorate will be able to fill all of the positions.

Schools—Gungahlin

MR PETTERSSON: My question is to the Minister for Education and Early Childhood Development. Can the minister update the Assembly on the new school being built in the north Gungahlin suburb of Taylor?

MS BERRY: Thank you for the question. The new school, currently under construction, in Taylor will be a preschool to year 6 school, catering for students in Taylor, Moncrieff and Jacka. I was very fortunate to be able to officially start the construction, along with local members Michael Pettersson and Suzanne Orr, who joined me at the official sod turning a couple of weeks ago.

The engagement from the broader community has been great to see, and I am looking forward to seeing the local school community build around the new school, with parents, teachers and the student community. When the school opens in term 1 in 2019, it will cater for 88 preschool and 600 primary school students, increasing the capacity of public education in Gungahlin. This delivers on a previous election commitment delivering \$32 million for constructing the new school, which will include two playing fields at the site.

Schools are the central hubs in our communities, and more than just where our children are educated. The new primary school will be the first community facility provided in Taylor, and will be a central hub, with a school hall, oval and meeting rooms available for community use.

MR PETTERSSON: How will the design of this school support a great learning experience for children and provide a good place for teachers and support staff to work?

MS BERRY: The new school in Taylor will be a modern facility that will be ready to meet the needs of students, teachers and support staff alike. The north Gungahlin P-6 school will have all the amenities our great schools need, with innovative learning spaces for students, a resource centre, school administration and canteen and out of hours school care facilities as well as outdoor learning and play areas. The school will also include specific facilities for music and curriculum enrichment programs including in the areas of science, technology, engineering, arts and mathematics to ensure that we are equipping our students for the best possible future.

There has been a lot of care and thought put into the design of the school that ensures that it will meet not only the challenges of the future but the needs of all students. For example, the new school will provide some non-gender specific facilities to ensure the inclusion of all students, seamless learning spaces and facilities for the inclusion of students with special needs.

I am confident that the new school will be the centre of the growing community in Taylor and provide a great learning experience for students.

MS CODY: Minister, how else is the government ensuring that children in the growth area of Gungahlin have access to education in the ACT's great public schools?

MS BERRY: Of course, everybody knows that Gungahlin is one of Australia's fastest growing regions. New schools like the north Gungahlin P-6 will provide greater access and capacity for our great public schools. The ACT government has continued to invest in existing Gungahlin schools to ensure that we meet the needs of students in the region. This year's budget included \$24 million for school expansions across Gungahlin, including works at Neville Bonner, Palmerston and the junior schools at Gold Creek and Harrison. \$250,000 has been allocated for early planning for the new school facilities in east Gungahlin. The upgrades at Neville Bonner, Harrison and the Palmerston preschool have all been completed this year, with the Amaroo upgrades ready in time for the 2018 school year.

Planning for future growth in Gungahlin is an ongoing process, with new homes and families moving in each year and with the demand for services, roads, facilities and, of course, light rail coming through next year. The north Gungahlin school has been built for the future, with the potential to expand the school with an extra 44 preschool and 150 primary school places if required to meet demand.

I want to make sure that every child has the opportunity to go to one of our great public schools and that we are meeting the needs in Gungahlin as well as all across the city.

Community services—funding

MRS KIKKERT: My question is to Minister for Community Services and Social Inclusion. ACTCOSS president, Susan Helyar, has pointed out that growth in funding for the territory's social services providers has not come close to matching our 11 per cent growth in population. As a consequence, fully two thirds of the

not-for-profit groups and community providers operating in the ACT are reporting that funding levels are insufficient to meet current demands for their services. At the same time, over the past five years average tax per household in the territory has jumped 28 per cent. Why has the government decided to allow funding for services that assist our most vulnerable Canberrans to decrease relative to both increasing population and increasing demand?

MS STEPHEN-SMITH: The community services sector provides a range of incredibly valuable services and supports not only for the most vulnerable people in our community but also community-wide. This leads to greater social inclusion across our community and greater recognition of people in need.

The resources we put into the community sector, in some ways, will never be enough to support that need. We know that there is always additional work that could be done. We are in constant conversation with the community sector about that. One way that we are doing this is through the ACT community services industry strategy, a 10-year strategy released last year, which identifies a range of pressures and opportunities across the sector, one of which is in relation to skilled workforce. I know that Ms Helyar has talked a lot about this issue in relation to both resourcing and other kinds of needs around training et cetera.

The strategy has identified the need for a skilled workforce to meet growing demand for services and provide more flexible and responsive client-centred care. Consequently a feature of the industry strategy is the development and implementation of a workforce plan, which we expect to be finalised quite soon. The plan will achieve two key outcomes of the strategy, including support for recruitment and retention of individuals with skills and abilities to meet future needs. It will also enhance the ability of the sector to employ professional and highly skilled staff and volunteers committed to meeting community services.

This is just one way we are working with the sector to meet its needs, which we understand are ongoing. We understand that we need to continually have the conversation with ACTCOSS—as I did when I appeared at their AGM the other week—about where we can put our scarce resources.

MRS KIKKERT: Minister, with household tax rates in the territory at an all-time high, why are community providers being expected to provide more and more services without corresponding increases in funding?

MS STEPHEN-SMITH: I do not have the entire budget figures on me but I would suggest that we do continue to increase funding for the community sector. There are indexation arrangements built into most of our agreements. We continue to provide additional resources in each budget to various sectors of the community sector.

MR PARTON: Minister, what specific steps will the ACT government take to fix the growing disparity between the skyrocketing tax revenue and the stagnant funding for community service providers?

MS STEPHEN-SMITH: I thank Mr Parton for his supplementary question. Of course, government resources are limited. There is a tax base, and we need to make decisions about how we spend our resources across the community, including in the community sector. As I said in response to the previous question, we have continued to increase the resources that are available to the community sector. We do that in conversation with the community sector about priorities, and that is a conversation that we are continually engaged in.

Environment—Mugga, Isaacs and Tralee

MS LEE: My question is to the Minister for the Environment and Heritage. Minister, what work is being undertaken along the wildlife corridor linking Mugga, Isaacs reserve and Tralee; what is the purpose of that work; and who is undertaking the work?

MR GENTLEMAN: I thank Ms Lee for her interest in the environment across the ACT. Of course our directorate does quite a bit of work across the ACT in ensuring the best environmental outcomes. My understanding is that that work is to do with the associated burns near the environmental centre at Symonston. We are looking at ensuring that we have the best outcomes for native species, native grasses, around that area. In relation to the detail on that, I will have to take that on notice and come back to the chamber.

MS LEE: Minister, has an EIS been prepared for that work and if not, why not?

MR GENTLEMAN: I will have to take that on notice.

MS LAWDER: What consultation has been undertaken with local leaseholders and others in the vicinity of Hume and dog trap gully?

MR GENTLEMAN: Again I will have to take that detail on notice.

Aboriginals and Torres Strait Islanders—education

MR MILLIGAN: My question is to the minister for education. Minister, in the last sitting in this place, you said in relation to Indigenous education that the government was now working with the community “to improve on all the work the ACT government has done within ACT schools over the last decade”. You then went on to blame the federal government’s funding cuts for your government’s failures.

Minister, your government has been in power in the ACT for the past 16 years, including six years when the Labor Party was in government federally. In those 16 years, your government’s failure in Indigenous education has been endemic, evidenced by failing NAPLAN results and continuing poor attendance and retention levels. Minister, why are you blaming someone else for your government’s failings in Indigenous education over the past 16 years?

MS BERRY: I thank the member for the long lecture before the question provided by the shadow minister opposite. That is—

Mr Wall: Get to the substance.

Opposition members interjecting—

MADAM SPEAKER: Minister, can you resume your seat. Mr Wall, it was a lengthy question and we are 15 seconds into the answer. The minister was not on her feet as long as the time Mr Milligan took to ask the question. I was rejoicing in the quiet question time. Perhaps we could return to that.

MS BERRY: The ACT government is working with the Aboriginal and Torres Strait Islander community to build on the great things that are already occurring in our schools around supporting Aboriginal and Torres Strait Islander students and families. We are also calling on the federal government to support us in the work that we are doing by committing to funding to the ACT and committing to further improving schools across the country.

If there is any issue with any government across Australia taking issue with anyone who is in charge at the federal level, we are not doing our job if we are not holding whoever it is to account when it means that our communities are going to miss out.

MR MILLIGAN: Minister, why did it take your government a decade to realise it needed to engage with the community on Indigenous education?

MS BERRY: It did not.

MR WALL: Minister, why do you continue to blame someone else for your government's failings and why has it taken so long for the government to engage with the community, given that you have been failing in this space for over a decade?

MS BERRY: I have not and we did not.

Waste—green bins

MS CODY: My question is to the Minister for Transport and City Services. Can the minister update the Assembly on the take-up rate for the government's green bins program in Weston Creek and Kambah?

MS FITZHARRIS: I thank Ms Cody very much for the question and her advocacy for this exciting initiative not only in her own electorate but also across the territory. As we know, residents of Weston Creek and Kambah were the first to receive green waste bins, in April this year. It has been approximately seven months since the first collection service. I am very pleased to say that the positive feedback we have received from residents in the pilot area has been terrific. The suburbs in Weston Creek and Kambah were chosen for the pilot region to give the ACT government a good sample size of residents in an established region of Canberra.

The response from residents in Weston Creek and Kambah has been fantastic. More than 8,000 green waste bins, representing an almost 50 per cent take-up rate, have been delivered to households in these suburbs. The pilot area collected a total of 860 tonnes of garden organic green waste between April and September this year, with this figure expected to increase now that the weather is warmer.

I am also pleased to inform the Assembly that exceptionally low contamination rates have been recorded during the pilot: less than one per cent. Nearly all residents involved are using the service in the way that is intended, depositing only lawn trimmings, garden cuttings and leaf litter in their green bins. This low contamination rate is testament to the excellent planning, execution and ongoing communication work of the Transport Canberra and City Services Directorate, and of course full credit should go to the residents of Weston Creek and Kambah.

This reinforces the importance of education and providing high quality information to the community as we roll out key waste reduction initiatives. It also bodes well as we continue to plan for the city-wide rollout of green bins.

MS CODY: Minister, can you update the Assembly on the planned city-wide rollout of the green bins?

MS FITZHARRIS: I am very happy to update the Assembly on the proposed city-wide rollout for green bins. I was very pleased to announce earlier this month, Madam Speaker, that in your electorate in Tuggeranong residents will be able to receive their green waste bins in January next year. Following the success of the Weston Creek and Kambah pilot, residents have been able to sign up for green waste collections from yesterday. The collections will start in January next year, with Belconnen collections to begin in September ahead of a territory-wide rollout in mid-2019.

Madam Speaker, as you know and as a fellow member for Brindabella knows, this is the perfect time of the year for the service to start for Tuggeranong residents: I know Mr Gentleman has already registered his interest, which is terrific. Your gardens are flourishing. Garden prunings are growing. Grass clippings and weeds need to be disposed of, particularly over the summer period. We have had 6,000 Tuggeranong residents already express their interest in receiving a green bin and now these residents can register to take advantage of this great service.

Weston Creek and Kambah residents can still opt in for a green bin. A one-off registration fee of \$50 is required, with eligible concession cardholders exempt from payment. Every Canberran who wants a green bin will have one by the middle of 2019. This means that we will complete the delivery of our 2016 election commitment a full year ahead of schedule.

MS ORR: Minister, what waste management and environmental benefits will the full rollout of green bins provide to the ACT?

MS FITZHARRIS: There are many benefits to having access to a green waste bin that will save the community time and money. Alongside being convenient for residents, there are a number of waste management benefits associated with residents having a green bin that helps to divert garden waste that is currently going to landfill. Garden waste that is sent to landfill generates methane greenhouse gases as it decomposes underground. The impact of methane is considered to be more than 25 times more damaging to the atmosphere than carbon dioxide.

The rollout of green bins has seen very low levels of contaminated green waste being diverted to landfill, as I mentioned earlier. The full rollout will continue to reduce the low contamination rates that have been recorded throughout the pilot. Another great environmental benefit is that Corkhill Brothers process green waste into high quality products, such as compost for the community and businesses to use on their own gardens.

ACT Health—FOI requests

MRS DUNNE: My question is to the Minister for Health and Wellbeing. The ACT open government website has not published any ACT Health FOI requests since November 25, 2015. What is the reason that there have been no ACT Health FOI requests published for the past two years? The answer is not that there have been no FOIs.

MS FITZHARRIS: I thank Mrs Dunne for asking her question and answering part of it. Indeed, I believe that is the case. There have certainly been a number of FOIs. I was not aware of that. I will ask the directorate and provide an answer to the Assembly as soon as I can.

MRS DUNNE: When the minister is seeking information, could she ensure that in future ACT Health is complying with the ACT government's FOI policy?

MS FITZHARRIS: Yes, of course.

MR COE: Minister, will you ensure that any missing ACT Health FOI requests will be published by the end of this year?

MS FITZHARRIS: I will certainly speak to ACT Health. I hope that there is a simple explanation, and I certainly intend to be able to provide, on the open access website, that information.

Municipal services—road repairs

MRS JONES: My question is to the Minister for Transport and City Services. I refer to the Auditor-General's report on maintenance of selected road infrastructure. The Auditor-General said:

Aging road assets and budget limitations have resulted in a backlog of road pavement repairs. Reducing this backlog will likely take years and is best guided by a long-term strategy.

Why has the ACT government allowed a backlog of road pavement repairs to develop, with the backlog increasing by 400 per cent since 2010-11?

MS FITZHARRIS: I note that this was addressed in the government's response to the Auditor-General's report, and previously in the annual reports hearings just a couple of weeks ago. It is certainly the case that we welcomed the Auditor-General's report. As I indicated in annual reports hearings and in the government's response, we have agreed with all the recommendations in the Auditor-General's report and we are seeking to change a number of policy and planning processes. We will endeavour to continue to invest in the maintenance and upgrade of our road network.

MRS JONES: Minister, why had the government failed to develop a plan to address this backlog of road pavement repairs previous to that report?

MS FITZHARRIS: I can speak to what we are doing now, and we are indeed developing our plans.

MR MILLIGAN: Minister, why is Roads ACT unable to ensure that existing assets are being managed and maintained efficiently and effectively and that they fully support the delivery of services?

MS FITZHARRIS: I am not sure I fully understood what the last part of that question was. Roads ACT are indeed making sure that we can manage now and into the future a very extensive road network.

Crime—legislation

MS ORR: My question is to the Attorney-General. How is the government supporting police, prosecutors and courts with legislation to deal with the threat of criminal gang violence?

MR RAMSAY: The government takes criminal gang violence very seriously. We are strongly committed to responding to these gangs' criminal activities in ways that are evidence-based, including lessons learned from other jurisdictions. We also work closely with ACT Policing to ensure that the responses that we develop are forming a practical toolkit of measures genuinely effective in deterring, disrupting and prosecuting gang-related violence and other criminal activity.

The government's approach is a combination of four key response areas: Taskforce Nemesis, legislative reform, intelligence and the confiscation of criminal assets. The government has committed significant funds to Taskforce Nemesis to enhance its investigative and intelligence capabilities, including forensic accounting experts. The government's focus has been to ensure that ACT Policing has the resources and tools necessary to do its job.

We are confident that, through Taskforce Nemesis and its whole range of enforcement tools, ACT Policing is well equipped and will continue to keep this community safe. Our legislative response this year included introducing a specific new drive-by

shooting offence and better powers for police to establish and hold crime scenes quickly so that investigations—

Ms Lawder: A point of order Madam Speaker: I understand that standing order 59 relates to anticipating discussion. Tomorrow we have a notice on the notice paper relating to this matter. I am unsure why we have a question anticipating that discussion.

MADAM SPEAKER: I think this point of order has been raised before. A number of times the Leader of the Opposition has asked questions anticipating private members' business. If we were to take every anticipation as being out of order, there would be very limited discussion and questions. So there is no point of order.

Mr Steel: On the point of order: my understanding is that it does not apply to question time; it applies to other proceedings.

MADAM SPEAKER: Thank you for your assistance Mr Steel!

MR RAMSAY: These changes will give Taskforce Nemesis further practical tools to investigate and enforce the law. We will not be stopping there: we will continue to examine options and bring them before the Assembly to add further tools to assist our law enforcement officials to combat the activity of criminal gangs in the ACT.

MS ORR: Attorney-General, has the confiscation of criminal assets legislation in the ACT been used successfully against organised crime?

MR RAMSAY: I thank Ms Orr for the supplementary. Yes, indeed, an important element of disrupting criminal gangs is to target their finances and to take the profit out of crime. To this end the government has significantly invested in resourcing the criminal assets investigation team within Taskforce Nemesis to focus hard on confiscation of criminal assets. Taskforce Nemesis works closely with the Director of Public Prosecutions to confiscate the assets of OMCG members and together they have had excellent results.

During the 2016-17 financial year tainted interests in six residential properties were forfeited to the territory, with a total value of \$1.1 million. \$720,000 in cash, vehicles and other property was also forfeited. A further \$1.8 million worth of real estate, cash, vehicles and other property was restrained. That work is ongoing. As was reported in the *Canberra Times* a fortnight ago, nearly \$400,000 was seized very recently as the result of a drug trafficking case.

The government will continue to use every available method to let serious organised crime gangs know that our community does not tolerate their criminal behaviour. We will continue to disrupt the illegal activities of criminal gangs to ensure that they are unable to profit from wreaking havoc on community order and public safety.

MR STEEL: Attorney-General, what are the core values that shape the government's approach to legislation that targets organised crime?

MR RAMSAY: I thank Mr Steel for the supplementary. We know that if there were a simple solution—like a hammer—that would solve the problem of criminal gang activity, we would have found it and used it by now.

Mr Hanson interjecting—

MR RAMSAY: What we are doing is providing a suite of tools for a variety of scenarios that give the police and the courts a range of agile and practical tools to deter and disrupt this kind of criminal activity and protect our community. Importantly, our measures must continue to be compliant with the ACT's commitment to being a human rights jurisdiction, adhering to values including the right to privacy, equality, freedom of association and freedom of movement.

Mr Hanson interjecting—

Ms Cody: A point of order, Madam Speaker.

MADAM SPEAKER: A point of order.

Ms Cody: I was very interested in the Attorney-General's answer but I could not hear him over Mr Hanson.

MADAM SPEAKER: Mr Hanson, some silence for the remainder of the attorney's answer, please.

MR RAMSAY: We must strike a balance to ensure that ACT citizens are not exposed to unreasonable infringements of their privacy and that any limitations on human rights are proportionate. That is why anti-consorting laws are always problematic. We know from the experience of other Australian jurisdictions that these laws are disproportionately used against vulnerable people, including Aboriginal and Torres Strait Islander people, young people and people experiencing homelessness.

This view is supported by the 2016 New South Wales Ombudsman's report on the New South Wales anti-consorting law, which found that these laws have the potential to criminalise associations that include normal, everyday interactions between people who are otherwise unrelated to criminal activity. We must instead focus on solutions that are evidence based and do not further disadvantage vulnerable people in our society.

ACT Policing—criminal investigations

MR STEEL: Minister, what action is ACT Policing taking to combat criminal gangs?

MR GENTLEMAN: I thank Mr Steel for his question and his interest in community safety right across the ACT. Disrupting and dismantling the serious and organised criminal operations of criminal gangs continues to be a key operational priority for ACT Policing. The ongoing dedicated action by ACT Policing in this space is an essential pillar of the ACT government's response to the activities of criminal gangs.

As I have done before in this chamber, I would like to commend the efforts of the Chief Police Officer and her officers and staff, who work tirelessly to protect the Canberra community. While Canberra remains a very safe city to live in, we are not immune to the presence and activities of criminal gangs, including those who travel from interstate.

Led by the dedicated Taskforce Nemesis in response to recent incidents of gun violence linked to criminal gangs, ACT Policing has reinvigorated high visibility targeting and proactive patrols around known criminal gang premises. Taskforce Nemesis was bolstered in August 2016 when the ACT government committed an additional \$6.4 million in funding over four years. This additional funding was to increase Taskforce Nemesis by eight additional staff to boost its investigation, intelligence and confiscation of assets capabilities and also to provide a range of physical and electronic capabilities for ACT Policing.

Through Taskforce Nemesis, ACT Policing cooperates closely with its state and territory counterparts and relevant commonwealth agencies. This is not a problem unique to the ACT. Commonwealth efforts have resulted in two ACT-based OMCG members being subjected to visa cancellation under the Australian Border Force led Project Ravelin. The government continues to work with ACT Policing to ensure that police have the necessary tools at their disposal to effectively deal with serious and organised crime entities and, wherever possible, to confiscate their criminal assets and put offenders before the courts.

MR STEEL: Minister, how do recently introduced legislative reforms from the ACT government assist ACT Policing's actions to combat criminal gangs?

MR GENTLEMAN: I thank Mr Steel for the supplementary question. I continue to talk with the CPO about practical legislative and operational measures to address serious and organised crime in order to keep Canberra a safe and secure community. As a result of these discussions, ACT Policing identified that specific powers to secure a crime scene to protect evidence while a warrant was sought would be beneficial to their ability to gather sufficient evidence to prosecute suspected offences. In addition to these powers, the creation of specific offences to address drive-by shootings will subject this dangerous behaviour to a serious penalty, even if it cannot be shown that a particular individual was the target of the shooting.

The government is also committed to the introduction of legislation to establish an anti-fortification scheme in the ACT. Fortifications are, of course, structures designed to stop or hinder uninvited entry to premises. They may provide criminal gangs with time to vacate premises, delay police entry and frustrate the execution of search warrants through the destruction of evidence. Laws allowing police to apply for an order which requires fortifications to be removed or modified may therefore assist police to effectively target serious and organised crime.

The ACT government will continue to work closely with ACT Policing to ensure that any decisions on law reform and resourcing are informed by best available evidence on the local and national picture on criminal gangs. There is no simple legislative

solution to address organised crime. The government is obliged to assess both the operational effectiveness and the human rights compatibility of proposed legislation. We will continue to do the hard work to strike the right balance in giving police effective powers to address crime without diminishing the values and freedoms we hold dear in our community.

MS CHEYNE: Minister, could you please update the Assembly on the recent successes of Taskforce Nemesis, which is targeting criminal gangs?

MR GENTLEMAN: I thank Ms Cheyne for her supplementary question and her interest in safety across the ACT. Between 1 July 2016 and 7 November 2017, ACT Policing charged 28 criminal gang members with 84 offences.

Opposition members interjecting—

MR GENTLEMAN: I thought Mr Hanson might like to listen to these statistics. They are quite important. It has executed 56 search warrants. It has attended 12 shooting incidents, with two people shot receiving non-life threatening injuries, attended 13 arson incidents, some of which also involved shooting, and prepared for and monitored nine criminal gang motorcycle runs. In a recent success on 1 November this year search warrants were executed which resulted in two automatic rifles being seized, one live hand grenade being seized, one pump action shotgun seized, two double-barrelled sawn-off shotguns seized and two self-loading .22 calibre rifles, one with a silencer attached, seized.

Mrs Jones: Why are you so pleased about this?

MR GENTLEMAN: Yes, I am talking about it because it is important that the community and the opposition understand the work the police are doing—

Opposition members interjecting—

MADAM SPEAKER: Resume your seat please. Stop the clock. Members of the opposition, the minister has been subject to your interjections the entire time he has been on his feet. Can we at least get to the last 44 seconds in some level of silence in appreciation of the standing orders?

MR GENTLEMAN: Thank you Madam Speaker. They are doing the hard work on the ground and we really do appreciate their work. As I have said, search warrants executed resulted in two automatic rifles seized, live hand grenades seized, a pump-action shotgun seized, two double-barrelled sawn-off shotguns seized, two self-loading .22 rifles seized, one bullet-proof vest seized, a large quantity of various ammunition for the above firearms seized and a 24-year-old man arrested and a 24-year-old man summonsed to appear in court at a later date.

Mr Barr: It is about the 50-minute mark when the attention starts to drop on that side of the chamber. I ask that all further questions be placed on the notice paper.

Supplementary answers to questions without notice

Greyhound racing—protest rally

MS FITZHARRIS: In response to Mr Parton and Mrs Dunne’s earlier questions, I can provide advice regarding the protest that was organised yesterday in Civic Square. The route from Garema Place to the Legislative Assembly is one of the approved protest and rally routes which do not require temporary traffic management or other Access Canberra approvals. An application was received from the Canberra Greyhound Racing Club for the use of Civic Square—the preferred site—or Garema Place if Civic Square was not available. The protest had a public unleased land permit for Garema Place and not Civic Square, with power to be connected by TCCS at Garema Place from 11.45 am. This is due to the fact that there were three other Public Unleased Land Act bookings for Civic Square yesterday which were booked prior to the rally organiser submitting their application.

The group were then issued access to power in Garema Place as part of their permit. They were advised both verbally and in writing through the permit that three other organisations had previously submitted a Public Unleased Land Act booking for Civic Square yesterday. They were therefore given their second preference, which was Garema Place.

ACT Policing—criminal investigations

Mr Hanson: On a point of order, standing order 118(c), on page 32 of the standing orders, says:

A Member who believes a response given to a question was in the form of a ministerial statement, may seek the leave of the Speaker to respond to the statement at the conclusion of Question Time for a period not exceeding five minutes.

It is my view that the response provided by the minister for police, Mr Gentleman, was in the form of a ministerial statement, and I would seek the leave of the Speaker—

Members interjecting—

Mr Hanson: Not the mob opposite, Madam Speaker; I seek the leave of the Speaker to respond for five minutes to what I consider was the minister’s ministerial statement.

MADAM SPEAKER: I am not going to allow that point of order. Clearly, there is a tradition in this place that you come with prepared questions; government and backbenchers come with prepared questions. There was no ministerial statement. The executive have plenty of opportunity to provide ministerial statements.

Mr Wall: On your ruling, Madam Speaker—

MADAM SPEAKER: Yes.

Mr Wall: Would you perhaps then provide guidance to the chamber in relation to standing order 118? What, in your view, forms a ministerial statement and what does not?

MADAM SPEAKER: A statement provided under the heading of ministerial statements is clearly one of those. In relation to other statements, I am not going to apply it to questions without notice. They are prepared questions.

Mr Wall: Madam Speaker, with your indulgence, and to give you some assistance, standing order 118 has the heading “Answers to questions without notice”.

MADAM SPEAKER: Yes.

Mr Wall: It explicitly relates to the minister’s answering of a question without notice in question time.

MADAM SPEAKER: Yes.

Mr Wall: I seek, again—

MADAM SPEAKER: My guidance?

Mr Wall: your guidance as to what is deemed a ministerial statement in response to a question without notice. I am more than happy for you to take it, consider it and come back.

MADAM SPEAKER: I can reflect on that. I am quite happy to come back. But the question asked for details and details were provided in the answer. You are always asking about relevance and for answers to be detailed and relevant to the questions asked, and I think the minister was just doing that job. But I will come back at a future time and provide you with that guidance, Mr Wall.

Answers to questions on notice

Questions 772-776 and 784

MRS DUNNE: In accordance with standing order 118A, I ask the Minister for Health and Wellbeing for an explanation as to the lateness of answers to questions 772 through to 776 and 784, for all of which the 30 days expired on 26 November.

MS FITZHARRIS: My understanding is that an explanation was provided to Mrs Dunne’s office earlier today, but if not I will follow up on that.

Papers

Madam Speaker presented the following papers:

Auditor-General Act, pursuant to subsection 17(5)—Auditor-General’s Report No 10/2017—2016-17 Financial Audits—Overview, dated 24 November 2017.

Standing order 191—Amendments to:

Justice and Community Safety Legislation Amendment Bill 2017 (No 2), dated 6 November 2017.

Legislative Assembly Legislation Amendment Bill 2017, dated 9 and 10 November 2017.

Mr Barr presented the following paper:

Annual Reports (Government Agencies) Act, pursuant to section 13—Annual reports 2016-2017—Independent Competition and Regulatory Commission—Report 9 of 2017—Corrigendum, dated 8 November 2017.

Capital works program—quarterly progress report Paper and statement by minister

MR BARR (Kurrajong—Chief Minister, Treasurer, Minister for Economic Development and Minister for Tourism and Major Events) (3.30): For the information of members, I present the following paper:

Financial Management Act, pursuant to subsection 30F(3)—2017-18 Capital Works Program—Progress report—Year-to-date 30 September 2017.

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

Leave granted.

MR BARR: I present to the Assembly the September quarterly 2017-18 capital works progress report for the territory. The 2017-18 ACT budget committed to a capital works program with \$1 billion available for expenditure. In the September quarter the government has successfully delivered \$157 million worth of capital investment, including \$132 million on infrastructure development and \$25 million in information communication technology and plant and equipment. This included \$12 million spent on new works and \$145 million spent on works in progress.

The capital expenditure for the September quarter is an improvement on the previous year, where \$92 million was spent on infrastructure development, noting that information communication technology and plant and equipment were not included in the 2016-17 capital works program.

The report being tabled today outlines the significant milestones delivered during the September quarter. The government's two public-private projects, the ACT law courts facilities and light rail stage 1, continue to progress well. Other achievements in the September quarter for the territory include continued works on major road projects across Canberra, including the better roads for Weston Creek, with the Cotter Road duplication, Tuggeranong Parkway to Yarralumla Creek, reaching a 50 per cent construction milestone, and the better roads for Tuggeranong, with the Ashley Drive duplication stage 2 reaching an 80 per cent completion milestone.

With respect to ongoing work under the urban renewal program, as at 30 September 2017 the public housing renewal task force has transferred 585 completed properties to Housing ACT. It has 149 dwellings in the design pipeline, 232 dwellings subject to development applications or tender processes, 12 dwellings under construction and offers have been accepted for the purchase of 287 dwellings. The ongoing construction of the University of Canberra public hospital has now reached 83 per cent completion. These, amongst other highlights of the capital program for the territory, are contained within the report that I commend to the Assembly.

Financial Management Act—consolidated financial report Paper and statement by minister

MR BARR (Kurrajong—Chief Minister, Treasurer, Minister for Economic Development and Minister for Tourism and Major Events) (3.33): For the information of members, I present the following paper:

Financial Management Act, pursuant to section 26—Consolidated Financial Report—Financial quarter ending 30 September 2017.

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

Leave granted.

MR BARR: I present to the Assembly the September quarter 2017 consolidated financial report for the territory. As members would be aware, this report is required under section 26 of the Financial Management Act 1996. I am pleased to advise the Assembly that the September quarter headline net operating balance for the general government sector was a surplus of \$369.7 million. This result was \$39.7 million higher than the year-to-date anticipated budget surplus of \$330 million.

This improvement mainly reflects lower expenses, largely attributed to the timing of payments associated with the law courts public-private partnership initiative. Net debt of the general government sector as at 30 September 2017 was \$1,426.1 million, in line with the 30 June result of \$1,452.8 million. Net financial liabilities decreased, compared to 30 June 2017, by \$2,819 million, largely reflecting a change in the defined benefit superannuation liability estimate for 30 September 2017, based on a discount rate of six per cent, compared to 3.51 per cent at 30 June 2017. The territory's fiscal position continues to improve, and I commend the September quarterly report to the Assembly.

Papers

Ms Berry presented the following paper:

Schools for All Report—ACT Government's investment in providing suitable withdrawal spaces and appropriate calming and sensory spaces in ACT public schools, dated November 2017, pursuant to the resolution of the Assembly of 13 September 2017.

Ms Fitzharris presented the following papers:

Australian Health Practitioner Regulation Agency—Annual report 2016/17.

Health (National Health Funding Pool and Administration) Act, pursuant to subsection 25(4)—Administrator of the National Health Funding Pool—Annual report 2016-2017, dated 10 October 2017.

National Health Funding Body—Annual report 2016-2017, dated 10 October 2017.

National Health Practitioner Ombudsman and Privacy Commissioner—Annual report 2016-17.

Annual Reports (Government Agencies) Act, pursuant to section 13—Health Directorate—

Annual Report 2015-2016—Corrigendum.

Annual Report 2016-2017—Corrigendum.

Annual Reports (Government Agencies) Act, pursuant to section 13—Annual Report 2016-2017—Transport Canberra and City Services Directorate—Corrigendum.

Community contributions—gaming machine licensees Paper and statement by minister

MR RAMSAY (Ginninderra—Attorney-General, Minister for Regulatory Services, Minister for the Arts and Community Events and Minister for Veterans and Seniors) (3.37): For the information of members, I present the following paper:

Gaming Machine Act, pursuant to section 168—Community contributions made by gaming machine licensees—Report by the ACT Gambling and Racing Commission—2016-17, dated 24 October 2017.

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

Leave granted.

MR RAMSAY: I am pleased to provide the Assembly with a report on the community contributions made by gaming machine licensees for the 2016-17 financial year. The report is a requirement under section 167 of the Gaming Machine Act 2004. It is prepared by the ACT Gambling and Racing Commission.

Under current legislation, a licensee that is a club is required to make a community contribution of a minimum of eight per cent of the club's net gaming machine revenue. Hotel and tavern licensees are not required to make community contributions but may do so if they so wish. It is, however, compulsory for them to submit a record of contributions made, along with a financial report, to the commission. The act outlines the broad purposes that contributions must meet to be approved as community contributions and also identifies some types of contributions that are excluded from being a community contribution.

There were 45 club venues and five hotel and tavern gaming machine venues that submitted community contribution reports for last financial year. The 45 club venues made a total community contribution to the value of \$11.928 million during the period 1 July 2016 to 30 June 2017. This was 12.6 per cent of their net gaming machine revenue, a similar level to the previous financial year. The five hotels and taverns provided \$7,018 in community contributions during 2016-17.

In the reporting period, community contributions of \$2.817 million were in-kind donations and \$9.111 million were monetary contributions. In general terms community contributions approved under the act are to be for the benefit of the general public or the community. The contributions should have the effect of contributing to or supporting the development of the community or raising the standard of living of the community or part of the community.

Reported community contributions are described in the Gaming Machine Regulation 2004 as being for one of the following five purposes: charitable and social welfare; problem gambling; sport and recreation; non-profit activities; and community infrastructure. There are two incentive schemes in the act that encourage gaming machine licensees to increase their community contributions to women's sport and to assist problem gambling, allowing those who make these contributions to count \$4 in their report for every \$3 they contribute.

In 2016-17, the contributions included more than \$6.9 million for sport and recreation and a further \$316,999 specifically for women's sport. A contribution of around \$1.7 million was made for non-profit community activities and more than \$1 million to the problem gambling assistance fund. The clubs contributed \$978,820 to the category of charitable and social welfare and \$909,611 towards community infrastructure.

Today I am pleased to share with the Assembly some of the ways in which these funds have been used to the benefit of the Canberra community. The Canberra Southern Cross Club group announced Karinya House as its inaugural community key partner. Karinya House has provided supported accommodation, transitional housing, outreach services and support groups to vulnerable and at-risk pregnant and parenting Canberra women for the past 20 years. The three-year partnership will provide a total of \$150,000 to support the running of Karinya House through an annual monetary contribution of \$40,000 alongside an in-kind contribution of \$10,000.

The Canberra Southern Cross Club group also continues to support the Vinnies night patrol, the Red Cross house program, Woden Youth Centre and Palliative Care ACT by preparing and donating ready, hot, cooked meals, sandwiches and healthy snacks for these groups to distribute to vulnerable and homeless Canberrans.

The Tradies group has been a major supporter of the Canberra Seniors Centre, providing Canberrans aged 50 and above with the opportunity to promote the benefits of healthy ageing through a range of activities and events. The centre's newsletter *The Clarion* helps to keep its members informed of Canberra events and information on consumer protection issues, aged care, health and wellbeing.

One last story: recent vandalism to the Gungahlin Jets junior football club playing fields and canteen left the club in a difficult financial position, with the prospect of a costly repair bill and forgone revenue from the operation of its canteen. The Gungahlin Lakes Golf & Community Club provided immediate financial assistance to help the club repair the damage. These are just some of the great ways that community contributions from gaming machine licensees are being used.

I have tabled for the information of members the 2016-17 report on community contributions by gaming machine licensees, as has been prepared by the ACT Gambling and Racing Commission. I note also that the report will be made available on the commission's website.

Papers

Mr Gentleman presented the following papers:

Subordinate legislation (including explanatory statements unless otherwise stated)

Legislation Act, pursuant to section 64—

City Renewal Authority and Suburban Land Agency Act—

City Renewal Authority and Suburban Land Agency (City Renewal Authority Land Acquisition) Direction 2017—Disallowable Instrument DI2017-261 (LR, 31 October 2017).

City Renewal Authority and Suburban Land Agency (Suburban Land Agency Land Acquisition) Direction 2017—Disallowable Instrument DI2017-262 (LR, 31 October 2017).

City Renewal Authority and Suburban Land Agency Act 2017 and Financial Management Act—City Renewal Authority and Suburban Land Agency (City Renewal Authority Member) Appointment 2017 (No 5)—Disallowable Instrument DI2017-267 (LR, 7 November 2017).

Civil Law (Wrongs) Act—Civil Law (Wrongs) Australian Property Institute Valuers Limited Scheme Amendment 2017—Disallowable Instrument DI2017-266 (LR, 9 November 2017).

Crimes (Child Sex Offenders) Act—Crimes (Child Sex Offenders) Amendment Regulation 2017 (No 1)—Subordinate Law SL2017-31 (LR, 26 October 2017).

Electoral Act—Electoral Commission (Electoral Commissioner) Appointment 2017 (No 1)—Disallowable Instrument DI2017-255 (LR, 26 October 2017).

Gambling and Racing Control Act and Financial Management Act—Gambling and Racing Control (Governing Board) Appointment 2017 (No 2)—Disallowable Instrument DI2017-257 (LR, 26 October 2017).

Plant Diseases Act—Plant Diseases (Importation Restriction Area) Declaration 2017 (No 2), including a regulatory impact statement—Disallowable Instrument DI2017 268 (LR, 10 November 2017).

Public Place Names Act—

Public Place Names (Gungahlin) Determination 2017 —Disallowable Instrument DI2017-258 (LR, 26 October 2017).

Public Place Names (Molonglo Valley District) Determination 2017—Disallowable Instrument DI2017-269 (LR, 13 November 2017).

Public Place Names (Red Hill) Determination 2017—Disallowable Instrument DI2017-259 (LR, 26 October 2017).

Road Transport (General) Act—Road Transport (General) Numberplate Fees Determination 2017 (No 2)—Disallowable Instrument DI2017-260 (LR, 14 November 2017).

Terrorism (Extraordinary Temporary Powers) Act—

Terrorism (Extraordinary Temporary Powers) Public Interest Monitor Panel Appointment 2017 (No 1)—Disallowable Instrument DI2017-263 (LR, 6 November 2017).

Terrorism (Extraordinary Temporary Powers) Public Interest Monitor Panel Appointment 2017 (No 2)—Disallowable Instrument DI2017-264 (LR, 6 November 2017).

Terrorism (Extraordinary Temporary Powers) Public Interest Monitor Panel Appointment 2017 (No 3)—Disallowable Instrument DI2017-265 (LR, 6 November 2017).

Veterinary Surgeons Act—Veterinary Surgeons (Board President) Appointment 2017 (No 1)—Disallowable Instrument DI2017-256 (LR, 26 October 2017).

Racing (Greyhounds) Amendment Bill 2017

[Cognate bill:

Domestic Animals (Racing Greyhounds) Amendment Bill 2017]

Debate resumed from 2 November 2017, on motion by **Mr Ramsay**:

That this bill be agreed to in principle.

MR ASSISTANT SPEAKER: I understand that it is the wish of the Assembly to debate the Racing (Greyhounds) Amendment Bill 2017 cognately with order of the day No 2, executive business, the Domestic Animals (Racing Greyhounds) Amendment Bill 2017. That being the case, I remind members that in debating order of the day No 1 they may also address their remarks to order of the day No 2.

Economic Development and Tourism—Standing Committee Reference

MR WALL (Brindabella) (3.43): I move:

That the Racing (Greyhounds) Amendment Bill 2017 and the Domestic Animals (Racing Greyhounds) Amendment Bill 2017 be referred to the Standing Committee on Economic Development and Tourism.

We are moving this motion to refer these two bills to the Assembly's economic development and tourism committee to allow further investigation into the government's attempts to ban greyhound racing here in the ACT. There are a number of reasons why we believe that further investigation and inquiry is warranted and, in fact, prudent. First and foremost, the government's announcement of this policy was very much a kneejerk reaction to moves undertaken by the New South Wales government, and very little, if any, consideration was given to what these changes would mean in an ACT context.

Most certainly, there has been no opportunity for members of this Assembly, in a formal setting, to take evidence from members of the community on this matter and to form an educated and prudent opinion as to why this legislation should be given passage, given that it has such wide-reaching effects for the racing industry here in the ACT—not just for the animals that are involved but also for the many businesses and individuals whose livelihoods depend on this industry continuing here in the ACT.

The other reason is that on numerous occasions the Attorney-General, and in this case the Minister for Regulatory Services, has taken the ultraconservative approach to sub judice provisions and, particularly during annual reports hearings, has failed to answer a number of questions in relation to these bills, given his citing of current legal proceedings that are underway.

If there are questions that remain unanswered for members of this Assembly because of sub judice provisions, it would be prudent that the Assembly halt its proceeding to push this legislation through, wait for court proceedings to be finalised, which would then free up the Minister for Regulatory Services to answer all questions of members in this place. That would be the proper practice, the proper procedure and the due process that should be afforded to this bill before we give it passage.

MR GENTLEMAN (Brindabella—Minister for Police and Emergency Services, Minister for the Environment and Heritage, Minister for Planning and Land Management and Minister for Urban Renewal) (3.46): We will not be supporting this referral. We met with the opposition at the manager of government business meetings to decide on the legislation that was to be debated during the sitting week. This was agreed to be debated today and we are happy to debate this bill. It is a very important bill.

A lot of the community is ready for this. The government have provided detailed information about the provisions associated with the sport of greyhound racing in the ACT and our decisions in the past. They have been informed decisions, as I have said, based on detailed reports across New South Wales and the ACT as well. We are ready to debate this right now.

MS LE COUTEUR (Murrumbidgee) (3.47): The Greens will not be agreeing to this motion. This is not something that has just come to the Assembly. We have been talking about this for months. In fact, the Greens have been talking about this for years and years. I must say, on that note, that if we were going to refer it to a committee it would be a committee that was concerned with animal welfare, because

from our point of view this is an animal welfare issue. We are very pleased that the legislation will be debated today, as was agreed in admin and procedure. It has been well canvassed in advance.

MR WALL (Brindabella) (3.47), in reply: Just to close, Mr Assistant Speaker, it seems that there is a lack of understanding of how certain procedures in this place work. We have the manager of government business saying that at government business meetings the opposition is consulted on what business is coming forward.

We are informed at the government business meeting of what business is being brought forward. It is, according to standing orders, the executive's responsibility to set the agenda for Tuesdays and Thursdays in this place. Admin and procedure has no involvement at that level. It is the manager of government business who is responsible then for informing the opposition and the crossbench of what the government's agenda is for those sitting days. If the manager of government business wants to stand up in this place and use that meeting as tacit approval of the government's agenda, perhaps the opposition needs to stop attending. That is not the format of the meeting. That is certainly not what the standing orders say about those meetings and the government's role in this.

The opposition stands by this motion that further consideration is warranted on this matter. The banning of greyhound racing is a fairly significant step. As is rightly the case, many in the community outside of greyhound racing—in thoroughbred racing, harness racing and the like—are also very concerned about what the extreme agenda of this government, the Greens-Labor coalition, might be for their racing codes, given that this government has paid little regard to those involved in the industry, their welfare and their wellbeing going forward.

Question put:

That the motion be agreed to.

The Assembly voted—

Ayes 9

Noes 12

Mr Coe	Mr Milligan	Ms Burch	Ms Orr
Mrs Dunne	Mr Parton	Ms Cheyne	Mr Pettersson
Mr Hanson	Mr Wall	Ms Cody	Mr Ramsay
Mrs Jones		Ms Fitzharris	Mr Rattenbury
Mrs Kikkert		Mr Gentleman	Mr Steel
Ms Lawder		Ms Le Couteur	Ms Stephen-Smith

Question resolved in the negative.

Racing (Greyhounds) Amendment Bill 2017

[Cognate bill:

Domestic Animals (Racing Greyhounds) Amendment Bill 2017]

Debate resumed.

MR PARTON (Brindabella) (3.53): This is a very sad day for this Assembly and a sad day for Canberra generally. I am appalled that we are here—absolutely appalled that this government has allowed itself to be dictated to by Mr Rattenbury and Ms Le Couteur and that we see ourselves in this position. How can you possibly shut down an industry on the basis of hearsay and innuendo? Those on the left say that this bill is about animal cruelty. They are right; it is about cruelty. This is one of the most heartless pieces of legislation I have seen tabled.

The people of the greyhound racing industry in and around the ACT have done nothing wrong. Despite the government's attempts to smear, and despite the heightened and completely unnecessary campaign from the government to find the tiniest speck of dirt on this sport, nothing has been found—nothing. I have questioned the minister on a number of occasions and asked him to detail every single animal welfare breach uncovered by the authorities pertaining to this sport in 38 years. There have been none. This is despite the regulatory blitzkrieg that we have seen in this space, with inspections of facilities increasing more than tenfold in the last six months. The people in the local industry are absolutely devastated. They are gutted. They are almost crushed. The damage that has been done to these people was uncalled for, is reprehensible and is unforgivable. Most of these people were once Labor voters. They never, ever will be again.

I stand here today and express my total disappointment that we have come to this. What this government is doing today is absurdly ridiculous. How totally absurd it will seem if and when we get to the stage where a sparkling new greyhound track has been built in Queanbeyan, six kilometres east of the current facility. If and when that occurs, many will be saying, "What was the point of all this?" What was the point? Aside from the loss of jobs, the loss of income for the ACT and the complete dismantling of some individuals' lives, what have we actually achieved? Nothing at all. The only winners out of this will be the Greens. It is based on blind Greens ideology. It will cause enormous pain to a group of people who have been Labor voters all of their lives. But more than anything else, it has been done without regard to process, without regard to evidence and without regard to a growing voice of community discontent and disgust.

I understand that the loudest voices in this debate have come from the two extreme sides. We have had some loud voices from those in the industry and we have had some loud voices from the animal liberation sector, who seek to close the industry down. I note that we have a large gathering in the gallery today. I genuinely respect the position of those who are here, but it must be pointed out very clearly that, certainly based on the many discussions that I have had on social media and the many discussions that I have had with those who are vehemently opposing this industry, if most of those loud voices against greyhound racing believed that there was any sniff of a chance to ban harness racing, they would be jumping on that bandwagon very loudly. And, indeed, they intend to. If they believed that there was even a sniff of a chance to ban thoroughbred racing, they would be there with bells on. If they believed that there was the sniff of a chance to ban all farming—all farming—involving animals, they would be going hard at that too.

These people, who have the ear of the Greens and some within ACT Labor, would ban bacon and eggs for breakfast if they had the chance. The rest of the community need to think long and hard about whether that is the sort of city that they want to live in. I respect the right to be a vegan. I respect the right to support all things animal liberation. But I do not respect the right of those people to impose that way of life on the rest of the city.

My message to all the Labor members in this place is very simply this: we will not forget this day; we will not forget what you have done. When I say “we”, I mean the people of the ACT. You still have the chance to back out of this, even at this late hour. I appeal to Labor members: you have the chance to make a hero of yourself and stand up for the rights of good, honest, hardworking people. I wonder what Tim Cody thinks of what his daughter is about to do today. I wonder what the battlers from Tuggeranong think about what Mr Gentleman is about to do today, after spending so much time as gaming and racing minister actually spruiking the virtues of greyhound racing—doing so only a year and a half ago, and now standing here as virtual executioner. I am dismayed.

I am absolutely dismayed by the performance in this space from Mr Ramsay, who came to this place promising to include everyone, promising to listen to everyone, promising to engage. What a load of rubbish that turned out to be. What a load of rubbish. Mr Ramsay, as we well know, met with the Greyhound Racing Club just once and then refused to talk to them ever again—ever again—or to talk to anyone else about this whole debacle. I sense that he knows in his heart that what he is doing is blatantly wrong. I genuinely believe that Mr Ramsay, in his heart, can see that there are some major flaws here, that what we are doing is wrong. It just heightens my disappointment. We will never forget, Mr Ramsay. The people out at Dunlop, Holt and Charnwood will never forget.

What we have seen over the last year is that, despite the continual claims from the minister, greyhound racing is not out of step with the values of the community. Please let it be known when the data from this phone poll is finally tabled. Please let it be known. Of course, we have not seen the questions. One of the questions pertains to government funding for greyhound racing in the ACT, which, as we all know, no longer exists. The question itself is irrelevant.

And how about the process that we had to go through to get this precious data? What the process says to the community is that this government does not listen, does not care what people think. You have the right to disagree with the government; just do not tell anyone that or you will be accused of being out of step with the community or perhaps a wreckage or a joke. If you stand up and disagree with the government, you will be punished. This is what happens in dictatorships: if you step out of line, they will make life pretty hard for you.

This, of course, is not the only example of the government’s inability to listen to dissenting views. The government response to the industry has now become so cold and repetitive that we can already foreshadow that the minister will point to the transition support team as evidence that the government is listening. Those from the

industry have not accessed the transition support team because they are not interested in transitioning to anything. Furthermore, you are asking people to seek support from their abuser. It just does not work very well at all.

We have watched on as the minister has refused to take questions from the media in regard to the industry and the government's proposed ban. It further contradicts the claims of being clear and open. The minister refuses to defend his own policy in the public space. This has led many in the community to feel as though the minister does not fully subscribe to the policy. What other reasons could he have? Surely it is not just that he is too scared? What other reasons could he possibly have not to defend his own policy actions? If the minister believed that this was the best course of action, why would he refuse to defend the government's position? And if the minister responsible does not want to defend his own policies, one can only wonder how many other members opposite are not fully signed up to this absurd policy.

This is not the first time we have seen the Labor Party sign up to bizarre policy decisions to please their coalition partners. We have already watched in this space as the Greens forced limitations on gaming machines at the casino that make them unviable to operate. We know that the ACT Labor Party is held hostage by the ACT Greens; this is just another example, evidenced by the fact that this is the only branch of ACT Labor anywhere in the country that is against greyhound racing.

I want to address some of the misinformation that the minister put forward in his presentation of the bill. I refer to the training of greyhounds. In his presentation of the bill, the minister said:

The ownership, breeding and training of greyhounds in the ACT for racing outside this jurisdiction will be allowed to continue ...

He then said that the bills "also preserve the ability for ACT residents to own, train or breed greyhounds for racing elsewhere". All it takes is one look at the legislation to see that this is not true. This bill states that greyhound racing means one or more greyhounds racing in competitive pursuit and includes a greyhound trial or training race, which is defined as a test of speed of one or more greyhounds.

What the government is saying here is that it is still legal for you to train a greyhound to run; it is just illegal for you to have the dog actually run during that process. What are we even talking about here? This is impossible. You cannot train a greyhound to race without testing its speed. It is impossible. As I pointed out last week, under this legislation, if you take a racing greyhound to flyball, if you get them to jump over the hurdles and grab the tennis ball, you could end up in jail for a year and cop a whopping fine. That will be the law. That is a test of speed of one or more racing greyhounds.

It is all well and good to say that that it is not the spirit of the law. That is what they will say: "It is not the spirit of the law." I am sure the very same words came from Scott Ludlam, Jacqui Lambie, Larissa Waters, Katy Gallagher, Barnaby Joyce and John Alexander. I am sure they said: "Come on; that is not in the spirit of the law."

The law is the law. To get around that, you just do not pass bad laws. If you pass bad laws, the people will suffer the consequences.

Why are we doing this? God knows. The minister assures me that the people voted on this policy and that it has been a clear and consistent policy decision. That is not the case. On 16 June 2016, the then minister, Mr Gentleman, said that the government's current position was to maintain support to the industry. He said:

Like other racing codes, greyhound racing contributes to the ACT economy in various ways, including through the employment of local people and generation of activity from infrastructure maintenance.

Well done, Mr Gentleman. On 7 July 2016, from New Zealand, the Chief Minister reneged on the minister's support for the industry by declaring:

... there is no future for the industry in the ACT ...

On 16 August Minister Fitzharris told ABC Radio that a ban remained government policy, while claiming to have been meeting with the racing industry. On 23 August in that year, Mick Gentleman told the Canberra Greyhound Racing Club that a ban is not government policy.

On 16 October Mr Rattenbury, on behalf of the Greens, submitted an ACT election policy which, on the assumption of the ban, provided funding for the temporary rehoming of racing greyhounds. Interestingly, this policy included the euthanasia of up to 20 per cent of industry greyhounds. The ACT Greens' election policy was to euthanase up to 20 per cent of the greyhounds in the industry. Wow! On 30 October the ACT Greens and ACT Labor signed the parliamentary agreement which stated the end of ACT government funding and actively supported the end of the operation of the greyhound racing industry.

We are past the election and we are still not talking a ban. We are not talking a ban. On 14 February this year Minister Ramsay stated that the government's policy was to "move to the end of the industry". The very next day, on 15 February this year, the minister said in this place that it would remain legal for greyhound racing to continue in the ACT. That was on 15 February. Then, on 30 June, the minister changed his position by releasing plans to ban the industry by 30 June 2018. Of course, we know that this date was to change again; a leak of government papers revealed the date to be 28 February before it was then again changed, to the date we have before us today, 30 April.

Mr Assistant Speaker, as you can see, the government has been anything but clear and consistent. There have been multiple variations on policy and multiple ministers declaring different positions within days of each other. This is not consistent. In announcing a ban before changing it to defunding the industry, and then going back to a ban, with multiple dates for enforcement, nothing is clear. The minister has, on a number of occasions, refused to clarify his position that greyhound racing is out of step with community values. He declared in relation to election results:

In a democracy I believe there is no higher data.

When you consider how many times the position has changed, there is no possible way we can refer to election results or promises that were made by government.

The minister also declared in his speech that this ban was “about protecting animal welfare”. I find it hard to believe that the minister would use these words in defence of his own policy. The minister has, on multiple occasions, confirmed that the Canberra Greyhound Racing Club has never breached any animal welfare legislation. Mr Ramsay and Mr Gentleman have both confirmed that live baiting has never occurred in the ACT. It has never occurred, and it will never occur. There is one mechanical lure in the ACT, and it is under 24/7 video surveillance. You can be absolutely certain that live baiting will never occur here.

If the government’s priority is animal welfare, why was the Canberra Greyhound Racing Club not held as the benchmark for industry reform? We had an opportunity—and we still do—to be the leaders of industry reform, reform that will see conditions in animal welfare for dogs across the nation lifted. On a number of occasions, the Canberra Greyhound Racing Club has stated, to both the government and the RSPCA, its willingness to engage in further measures to ensure that the ACT held its position as the frontrunner for animal welfare in this country. Both have refused to join the conversation.

The minister’s efforts to draw New South Wales Deputy Premier John Barilaro into supporting the ban is laughable. We know that the Deputy Premier is on the record as stating that he got it wrong, the New South Wales government got it wrong and the then Premier got it wrong. You will not find a more vocal supporter of the greyhound industry than John Barilaro. Unlike this minister, Mr Barilaro was able to recognise that he got it wrong and has since supported a reform package of the industry that ensures that animal welfare is front and centre.

We know that the New South Wales government has acknowledged that there were massive flaws within the McHugh report. This is why the New South Wales government has changed its policy to one that focuses on changing the standards in the training of greyhounds rather than the banning of greyhounds. We know—I acknowledge—that some bad people have done some bad things in the greyhound racing industry, and some of them were in New South Wales. The sport’s governing body in New South Wales and others across this country have dealt with these perpetrators and have made the necessary reforms to the industry so that it has a long-term future.

The only real reason being offered of late by the minister in his very scant public appearances on this matter, the only justification for the ban, is that it is impossible for us to separate the ACT industry from the New South Wales industry and there was once this flawed report which detailed quite a number of animal welfare breaches.

Before I finish, I would like to touch on one thing that the minister said during his presentation speech. He said, “We will continue to work with those in the industry.” This minister has never attempted to work with the industry through this process. He has not once been to the track. He has refused to talk to the media about his policy

decisions. He even left it as late as 10 to six the night before the tabling of this legislation to notify the industry of his intentions. This is just further proof of the minister saying that he is doing one thing while actually doing another. The Canberra community deserves better than this poor excuse for leadership from a poor minister who is clearly in over his head. From multiple policy positions to contradictions within his own presentation speech, this minister has proven that he has an inability to perform his duties to the Canberra community.

This debate is not about greyhound racing anymore. It is about a bullied and vilified section of our community standing up for freedom, standing up against government bullying and lack of process. ACT Labor are about to become the only branch of the Labor Party anywhere in Australia not supporting greyhound racing; they should all feel ashamed of themselves. We will not be supporting this pathetic excuse for legislation.

MR RATTENBURY (Kurrajong) (4.11): The Greens do believe that the time has come for an end to greyhound racing in the ACT, and we are pleased to support these bills today that put that policy into effect.

I appreciate that this moment represents a difficult point in time for some people within the greyhound industry, but we believe that the time has come to acknowledge the toll on the animals used in this commercial operation and draw a curtain on this part of our history.

The reality is that, despite the ACT greyhound racing industry's claims of an unblemished animal welfare record, the Canberra Greyhound Racing Club's own reports provide a record of the many dog deaths and injuries that have occurred here in the ACT. This is proof positive that the industry is unable to operate without these kinds of unacceptable animal welfare outcomes and shows why we need the legislation that is before us today.

Of course, the decision to end greyhound racing in the ACT was not taken lightly or without considerable evidence. That evidence is plain to see in stewards' reports, with the following incidents recorded in the five years between 2012 and 2016: 26 greyhounds experienced catastrophic injuries and were euthanised track side; 39 greyhounds experienced major injuries; 92 greyhounds experienced medium injuries; and 171 greyhounds experienced minor injuries. So that is evidence of 26 dogs so badly injured that they had to be euthanised track side, and a total of 302 injured simply as a result of participating in a greyhound race in the ACT.

Mr Parton: Out of 20,000, is it?

MR RATTENBURY: To me and to the Greens this is an unacceptable toll of the animals involved. Mr Parton, who we heard in silence despite his many slurs on members this side of the chamber, is interjecting saying, "Out of how many?" So is there an acceptable toll? Is Mr Parton saying that if it is only one per cent it is okay? Is it several hundred that is okay?

Members interjecting—

MR RATTENBURY: The sheer lack of respect shown by those opposite, who were heard in silence, underlines the weakness of their case. Those numbers I have just read out, nobody has ever disputed. They have never been disputed. They all say, “We’ve got an unblemished animal welfare record. Just do not look at all the dogs that are euthanised track side because they are so badly injured.”

In addition to the more than 300 injuries that are recorded in the Canberra Greyhound Racing Club’s own reports for that period, the Durkin report, an independent assessment of the ACT greyhound industry, provides a list of another 42 greyhounds that never competed in another race or trial following their last race in Canberra. Thirty-one dogs are recorded as euthanised or dead from natural or unknown causes, with 17 of these deaths occurring within one or two months of the dog’s last race.

These figures are provided in the context that there is also evidence of stewards being directed to produce misleading injury records in order to reduce public backlash. There is a question about the reliability of what is on the public record, which means that we do not even know for sure how many healthy greyhounds have been euthanised or injured here in the territory.

To be clear about that, before anybody suggests that there is no evidence of it, the New South Wales special commission of inquiry revealed that Greyhound Racing New South Wales chief steward Clint Bentley directed stewards to produce these misleading injury records. I will quote the email in a moment. It is worth noting that Mr Bentley has been the steward at 10 Canberra Greyhound Racing Club days across 2014 and 2015 and one race day that I was aware of in 2016. Mr Bentley’s email is quite telling. On 30 April 2013 he says in an email to stewards:

Hi All,

As you would all be aware we have copped some pretty bad publicity recently with regard to injuries suffered by greyhounds at race meetings. It has been discussed at a recent management meeting and decided that it is in the best interests of all that we desist from providing too detailed information in our Stewards Reports with regard to injuries sustained by greyhounds. In order to do this we suggest that you no longer report injuries such as fractures or breaks but rather just as injured i.e. If a greyhound was to sustain a fractured hock we would report it as an injured hock. For those of you on-course we ask that you continue to provide accurate references to the injury on the Incapacitations Form even if no period is recommended or required if the greyhound is deceased.

Cheers
Clint Bentley

I now table that email so that it is on the public record in case any members wish to look at it themselves.

In addition to these disturbing incidents, we must also consider the fact that the ACT industry, as the minister has pointed out, is inextricably linked with the New South Wales industry. In addition to this being a key finding of the Durkin report, it is

on the public record that there are seven trainers linked to live baiting in New South Wales who have raced here in the ACT. That is why we cannot limit our assessment to the records of the Canberra Greyhound Racing Club and the findings of the Durkin report, which are ACT specific.

A true assessment of the record of the greyhound racing industry must also consider the incidents revealed by *Four Corners* in February 2015 and the subsequent findings of the New South Wales special commission of inquiry, also known as the McHugh report.

We cannot pretend that the extensive findings of abuse and neglect highlighted in the McHugh report have nothing to do with greyhound racing in the territory. Data analysed by the RSPCA shows that the vast majority of individuals who participate in greyhound racing in the ACT are actually from New South Wales, including 90 per cent of all starters and 89 per cent of trainers.

The findings of the McHugh report are damning, highlighting the prevalence of inhumane and unethical practices such as live baiting and wastage. The McHugh report found that the greyhound racing industry implicitly condoned, as well as caused, the unnecessary deaths of tens of thousands of healthy greyhounds, engaged in the barbaric practice of live baiting, caused and will continue to cause injuries to greyhounds that range from minor to catastrophic, treated greyhounds as dispensable commercial commodities, and deceived the community concerning the extent of injuries and deaths caused during race meetings. The Greens believe that the greyhound racing industry is an outdated industry that relies on animal exploitation, and we base those beliefs on the significant amount of evidence that we have just outlined.

Despite several attempts by the Canberra Greyhound Racing Club to bully and silence critics of the industry, including threatening a defamation suit against me and similar SLAP suits against the RSPCA, the figures show that dog deaths and injuries are inescapable realities of greyhound racing. If the club does not consider the incidents I have highlighted to be serious animal welfare issues then I think this further confirms that at least those doing their public arguing are out of step with what our community expects in the modern world. That is why the Greens are supporting this legislation to bring about an end to the industry in the territory.

I appreciate the view that has been put forward by some people that the industry should be given an opportunity to address these issues through reform. However, it is the Greens' belief that these practices were found to be so systemic that genuine reform would not be possible. The ACT has some of the highest standards for animal welfare in the country, and we do not believe that any amount of reform in the industry can achieve the animal welfare outcomes demanded by the general community, particularly when we consider those earlier figures that I cited, which show that death and injury are evident by-products of this industry.

While it is disappointing that the New South Wales government has backflipped on its commitment to also bring an end to the greyhound industry over the border, the ACT cannot wait and hope that the New South Wales reform process will be a

solution to all of the issues and a culture of animal abuse that was highlighted in the McHugh report.

We need to be certain that all greyhounds in the territory are being treated in accordance with the highest animal welfare standards. That is why this legislation places a ban on greyhound racing and trialling here in the territory and also enhances safeguards for those people who choose to breed and train greyhounds for racing in other jurisdictions. The reality is that we cannot control the animal welfare standards in other jurisdictions. That means we have no way of knowing whether dogs racing in the ACT that have come from other states have been subjected to live baiting or other cruel practices, though we do have evidence that those practices have been systemic in the greyhound industry in the past. Given that the ACT industry is so reliant on dogs coming from interstate, the ban on greyhound racing in the ACT is the only way to be sure that those horrific practices are not occurring here.

Furthermore, the licensing and registration requirements outlined in the changes to the Domestic Animals Act will ensure there is stronger oversight of any racing greyhounds in the ACT. A particularly important addition is the requirement for owners to apply for racing greyhound registration for their dog from the age of six months, and that the dog is assumed to be a racing greyhound unless the owner declares otherwise. This is important so that greyhounds that are being reared and educated for racing before they start formal training are still being monitored to ensure that their welfare is being protected. This requirement, along with the requirement to notify Domestic Animal Services about the details of new litters, is important to protect against wastage and the killing off of dogs where there is an oversupply, problems that were highlighted in both the McHugh and Durkin reports. The Greens are also pleased to see that the costs associated with the additional oversight will be passed on to those who choose to own, breed and train racing greyhounds and will not be subsidised by the broader ACT community.

I genuinely appreciate that the people involved in the greyhound racing industry will experience distress over the end of the industry. That has been made clear in this place and outside. That is why the Greens proposed redirecting government funds into helping ACT greyhound owners, trainers and workers to be retrained for work in other industries and providing other assistance as required. I share the concerns that others have raised about the welfare of people involved in the industry, and again encourage those people to contact the transition task force so that emotional, psychological and financial support can be provided in a way that best meets the needs of each individual.

These changes are hard. We see it as various industries, for a range of reasons, close down or are reformed over time. Perhaps the case that is most akin to this is the end of the whaling industry in Australia in 1978. There were entire towns based on that industry but, as a community, we decided that it was time to end that practice. New practices have sprung up since that have become new industries. But these changes are hard. I do not step away from that at all. I have sympathy for those who find this a very difficult transition. But this is an industry. It is not a pastime. It is about making money from the racing of dogs. And, as I have cited in the figures earlier, the toll on

those dogs is significant. I do not think that that is something we can condone in this territory. That is why we are supporting this legislation today.

Mr Parton made reference to hearsay and innuendo; that nothing has been found in 38 years. I come back to that point. I have heard this time and time again and it has been reported in the media. People are accepting this line that there have never been any animal welfare issues for the greyhound industry in the ACT. The term “unblemished record” has been used regularly. I do not consider self-reported figures of animals having to be euthanised by the track because they are so badly injured to be an unblemished record. That is not an unblemished record; that is a record of death and injury that this territory should not tolerate.

The Greens are proud to support this legislation today. We think this is an important step forward for animal welfare in the ACT. We thank those in the community who have worked so hard to highlight some of the issues that have brought this matter to the fore both here and across the nation.

MS LE COUTEUR (Murrumbidgee) (4.25): I rise today to support the view that greyhound racing is an outdated industry that just promotes animal exploitation. It is an issue that, as I said earlier, the Greens have been pushing for years and years. I am very pleased that today should see the end of greyhound racing in the ACT.

As my colleague Mr Rattenbury mentioned, there has been extensive evidence provided through the Durkin report in the ACT and the McHugh report in New South Wales which confirmed many animal welfare issues, including dog deaths, injuries, live baiting, use of banned substances and wastage of dogs. These are endemic to the greyhound racing industry.

As well as this, recently released stewards’ reports from the Canberra Greyhound Racing Club show that another greyhound was euthanised following a race on 17 September this year, having sustained a fractured hock in the race. Two other dogs at the same meeting sustained serious injuries and both were given stand-down periods of 56 days. These are the realities of greyhound racing. That is why the Greens have called for an end to this sport in the ACT. We do not believe that this is an industry that can be reformed. Worldwide there are very few jurisdictions that still allow greyhound racing, because other jurisdictions have come to this conclusion. It is not an industry that can be reformed.

Earlier this year we saw the removal of the \$1 million ACT government subsidy to the Canberra Greyhound Racing Club, which was an important first step to bringing this industry to an end. Today’s legislation makes the commitment to ending it a reality. The bill before us will see greyhound racing banned in the ACT and stronger animal welfare safeguards put in place for those who choose to own, breed or train greyhounds in Canberra.

I am very proud that the ACT will be the first jurisdiction in Australia to take this important step. It is a fantastic win for all the animal rights activists who have worked tirelessly to bring attention to the inhumane practices of the greyhound industry for many years.

I am very pleased that the ACT has been a leader in animal welfare. This started with banning the exploitation of exotic animals in circuses in 1992. We have come a long way since then, and quite a lot of it has been due to my colleagues. We do not let people dock dogs' tails or de-beak hens. We do not let people put spurs on cocks for fighting. We do not have any battery cage egg production in the ACT. We do not force sows into stalls. And we do not let people overbreed with puppy and kitten farms.

I accept that for those in our community who are passionate about greyhound racing this is clearly a very difficult time and a very difficult transition. I reiterate the comments of Mr Rattenbury and Minister Ramsay that there is a transition task force; please contact them. But I think the time has come to acknowledge the toll on the animals used in this commercial operation and say, "Enough is enough."

MS CHEYNE (Ginninderra) (4.28): I stand today to support these two bills that represent a balanced and justified response to examples of animal cruelty and violence so extreme they nearly defy belief. Unlike Mr Parton's hyperbolic speech, what I will present today are the facts. In 2015 *Four Corners* exposed the brutal reality of the New South Wales greyhound industry. Live baiting, blooding and mass killing of greyhounds were all uncovered, these heinous acts done in the name of making money from a sport; a sport involving animals.

In the wake of the *Four Corners* bombshell broadcast on the New South Wales greyhound industry, the McHugh report was commissioned as an independent investigation into that industry in that jurisdiction. What was uncovered was an industry rife with illegal behaviour and with inadequate regulatory safeguards to bring itself into line.

We in the ACT must look at what that means for us. We are located completely within New South Wales. We are at the centre of a regional network. That means that those in the New South Wales greyhound industry who are torturing animals may very well be participating in and benefiting from the greyhound industry here in the ACT.

The relationship between the greyhound industries in the ACT and New South Wales was confirmed in the Durkin report which looked into the industry in the ACT and how we can successfully transition away from greyhound racing in this jurisdiction.

The Durkin report found that the industry in the ACT is in fact relatively small with only 70 active owners, breeders and trainers in the ACT. Around 309 dogs are owned by ACT residents but only 52 of those dogs are based in the ACT. It is in fact New South Wales participants who represent a significant majority of the greyhound industry in the ACT.

Let us be clear, Mr Assistant Speaker. I know there will be many people involved in the industry who have followed all of the rules and always cared for their dogs and other animals. But the New South Wales greyhound industry and its participants also always had the option to operate legally and humanly. It failed and it failed miserably.

When torture is involved there should be no second chances. We in the ACT cannot turn a blind eye. The ACT government's subsidy to the greyhound industry, a subsidy of \$1 million, has been redirected to help people transition out of the industry. With these bills today, greyhound racing will be banned in the ACT. To do anything less would be inconsistent with the expectations of the ACT community.

The outcomes of these bills today are threefold: they remove the legal and administrative basis from greyhound racing in the ACT; they will proscribe greyhound racing and trialling; and they will place controls on those who continue to own, breed or train racing greyhounds in the territory. These measures are proportionate and justified to ensure that animal welfare is protected in our territory. We are not turning our back on Canberrans who are currently involved in greyhound racing. We have taken active steps to establish a transition program which is overseen by the new greyhound industry transition task force.

The transition program includes transition support packages to help people and businesses exit the greyhound industry. These packages comprise elements to provide emotional support, training opportunities and financial support, all issues that Mr Parton raised, to give people meaningful options when it comes to redirecting their career paths.

A person or business transition support package could include a combination of counselling, subsidised places in training programs, short-term financial support, subsidised assistance in business planning, specialised assistance about future career and financial options and no-interest loans. The packages will be tailored to the needs of each applicant to give them the best opportunity of finding new, fulfilling work options.

For the 70-odd active participants in the greyhound industry in the ACT this may be a very tough time. I recognise that. For those who have always acted according to the law, it is a great shame that some in the industry showed the greatest cruelty and violence towards the animals entrusted to their care.

This is and always has been an animal welfare matter. I commend the government for showing great leadership, even when other jurisdictions turned their back, and for showing integrity in taking these difficult steps to ensure that the wellbeing of animals in the ACT is protected. I commend these bills to the Assembly.

MRS JONES (Murrumbidgee) (4.34): Yesterday it was my privilege to stand alongside decent, law abiding Canberrans who are part of Canberra's greyhound industry. Unlike any single member opposite, I was proud to stand side by side with the AWU which represents these decent people of our city, some of whose families have lived in Canberra since before this city was named.

Most of these people do not have a posh voice or a university degree. Their work and their passion is greyhounds. So what? Some of them give up the couch for the greyhounds to sleep on and woe betide anybody who comes between them and their dogs.

The Greens are so full of contradictions. I have never heard the Greens come in here and say that people who push drugs should have their industry completely stopped. No, they roll out pill testing. We do not hear that prostitution should be curtailed because of the clear and evident harm it does to women and children. We do not hear the government coming in here and saying that illegal bikie gangs should be unarmed, dispersed and stopped. No, all this government and this minister—a former minister of religion—can say is that those things are a choice and the choice is apparently sacrosanct, except when it comes to greyhounds.

All this government is is a bunch of university elitists, controlled by the more lunatic Greens fringe. They are destroying an industry run by good Canberrans who love their dogs and who have always run a clean outfit here. The government is running them out of town saying, “You have no place in our moral dictatorship.” This is the price we all pay for Labor-Greens government, and doesn’t the minister know it!

I spoke with the workers, the 50 or so workers of the greyhound industry, who love their dogs, who love their families and who honestly are not only having their jobs pulled out from under their feet but who are being turned into subjects of ridicule and disgust in the community by a government that has unleashed such lies about them that it is now hard for them to find jobs in other areas.

You can shake your head, Ms Cheyne, but that is their experience. They have applied for jobs, been offered them and then been denied them because of their contacts with this industry, this industry which here in the ACT has been following the law and following good practice as best it can.

This is so un-Australian. This is about lies. This is about a government who is clinging on to power in its 15th year. It is like the movie *The Castle*, except in this version the ALP and the Greens evict Dale from his house and send him packing because they do not like the way his house looks, they do not like the dogs that he keeps and they do not like the way that his dogs love to race.

It has been said in this place before that Giulia Jones understands the value of unions—good unions—and yes I do. I can say as someone who has worked as a union organiser and as a national representative of a union in this country, that the ALP is now doing to the members of the AWU—law-abiding trainers and lovers of dogs—exactly what they did to me.

But I have some older values. I still think that family matters. Because I still believe that people deserve a fair go from conception to their natural grave that it is not up to government to pick winners, to pick whose sport or work is good enough for its elitist views.

I applaud the AWU and the Canberra public who attended yesterday’s rally. I think it is not so strange that the ALP did not have a single MLA in attendance. Yet the Liberals had five representatives there, because politics has changed. We on this side of the chamber are not a dictatorship. We do not tell people how to behave. We do not force people against their conscience. We value freedom and we see ordinary people

as free agents whose own values and choices are valid. We are the party of freedom and free conscience. And I tell you what, Mr Assistant Speaker: there will be more voters for us in the next election as a result.

The decision to ban greyhound racing is anti-worker. It is anti-ACT voter because it is not the responsibility of those opposite to make people in New South Wales good. That is a massive overreach and in the process you abuse people who have probably voted for you. That is an embarrassment and a disgrace. You should hang your heads in shame when you leave this place.

This is against small businesses, the tiny microbusinesses that have worked for this industry for over 30 years, who do not have any option for retraining, who may not ever be able to get a job again. This is a decision by government which is more captive to the ALP movement. It is displaying totalitarian tendencies. “If you do not agree with us you are bad. You are not worthy of respect.”

It is a very ugly side to this Labor government and it will spell the end of continued support for so many workers and their families who just cannot believe that a former church minister who prayed in his congregation for those who could not put a roof over their heads or food on the table has become the unflinching arm of an increasingly totalitarian approach of winners and losers in dictator Barr’s government. It is not so Labor orientated. It is more like an extreme regime.

I wish it were not so. When things can be done together, everybody in this place knows that I work together with those on the other side. But there are no open ears and there are no listening hearts in this debate from those opposite. This is very ugly

The Greens and Minister Ramsay started telling Canberrans who the good and the bad people are, who they will tolerate in this city when they have taken over and who they will not suffer being here. Watch out anyone who disagrees with this mob, because they are coming after you.

MR GENTLEMAN (Brindabella—Minister for Police and Emergency Services, Minister for the Environment and Heritage, Minister for Planning and Land Management and Minister for Urban Renewal) (4.40): I stand today to correct the record in respect of some of the comments that Mr Parton made. Firstly, earlier in this debate he said that I had met with the greyhound racing club in Canberra and told them that no ban was going to occur. I did meet with them. We discussed what the club was doing in the ACT, the amount of money that was flowing across the border into New South Wales from prize winnings, and the number of New South Wales dogs and trainers that were operating in the ACT—quite a large number, Madam Deputy Speaker.

The term I used was that at this time we would not be using the term “ban” but we will assist the industry to transition and we will be winding it up and that funding will cease. I made it very clear that we will be assisting the industry in winding up, that funding will cease, and that we will help them transition.

Our decision to cease the industry was firmly based on the McHugh report, the original report. The report found that:

... in New South Wales in the last 12 years, somewhere between 48,891 and 68,448 dogs were killed because they were considered too slow to pay their way or were unsuitable for racing.

It also included a claim from a trainer who admitted to engaging in live baiting and who said that about 10 to 20 per cent of trainers engaged in live baiting, despite its carrying heavy penalties. The industry knew there were penalties for the work that they were doing with their greyhounds but still continued to go ahead. We heard that:

... such is the culture of the industry and some of its leaders that it is no longer, if it ever was, entitled to the trust of the community ... GRNSW had adopted a policy of deliberately misreporting the extent of injuries suffered by greyhounds at racetracks ... it appears unlikely that the issue of the large scale killing of healthy greyhounds by the industry can be addressed successfully in the future.

As I said, our decision was based on that information and we have the Canberra community in support of this ban. They have voiced their support in public and to us. I commend Minister Ramsay for bringing forward this legislation.

MR COE (Yerrabi—Leader of the Opposition) (4.43): I imagine there are many founders of the Labor Party who, should they be around today, would be absolutely devastated by what this ACT Labor Party have become. They have become an elitist party that has abandoned the workers they were set up to represent. They are a party that champions the cause of the minority, a fringe minority, rather than mainstream Canberrans. This is a party that has become way too familiar with power. They have a born-to-rule mentality, and that is evident from their decisions today.

In its crusade to terminate the livelihoods of people in the greyhound industry, the Labor Party have not only shown contempt for those families who were largely Labor supporters but they have also shown contempt for the processes and procedures of what should be a rigorous democracy. The government spent money commissioning a survey to try to gauge people's views on this issue. It is interesting that it is all about principle, it is all about conviction, it is all about policy; yet they also did a poll to see whether they were on the right track or not. Surely, if this were all about conviction, they would not have needed to do a poll. They would not need to know whether Canberrans are onside with them or not.

Further to this, the government refuses to actually detail the answers to these questions. I expect there is a fair chance that, in closing this debate, the minister will finally reveal these figures. But it will be interesting to note that he has left it until the eleventh hour to do so. He spent taxpayers' money commissioning a poll to see whether they were on the money or not, yet he will not actually make those figures public, all this at a time when they say it is all about conviction, and all about policy.

This is a government that has lost its way. It is a Labor Party that is isolated in the labour movement. Every other Labor Party around the country is staying true to its

values on this issue. When you hear about what the Premier of Victoria said, or when you hear about what the opposition leader in New South Wales has done, it is like chalk and cheese, having regard to the elitists that we have opposite.

Indeed there are numerous unions sticking up for Labor values. Professionals Australia director and the right faction party convenor, Dave Smith, has said that there is very little evidence to justify the ban and that the ban seems to be almost entirely based on emotional reasoning. Even the AWU, the ETU and numerous other unions have actually stood up for their members.

It is interesting that today, from the Greens and from the government, we have heard an explanation that it is a commercial operation and that it simply supports animal exploitation. Further to that, I note that in the gallery today we have members and staff of the RSPCA. It is interesting that the Greens would say that animal exploitation should not exist, yet we also have the RSPCA with approved meat chicken farming schemes. Surely, farming chickens for meat is the very definition of animal exploitation. Surely, all farming for meat is the definition of animal exploitation. One hundred per cent of animals that are farmed for meat end up being killed. It seems some of those people opposite do not have a problem with that, yet they do have a problem with one in 1,000 dogs dying as a result of the greyhound industry.

If that is now going to be the benchmark, that one in 1,000 means the industry is shut down, that does not bode well for farming, does it? It certainly does not bode well for equestrians. It does not bode well for the thoroughbreds. It does not bode well for harness racing. There are huge inconsistencies in what this government is proposing, and what the Greens are leading.

They also say that death and injury are a by-product of the industry. If death and injury are a by-product of the industry, why are they not standing up to end farming in Australia? Of course, it would be crazy to do that, but it is also crazy to end greyhound racing on the back of very flimsy arguments.

Further to this, as someone who actually has gone to the track, and as someone who knows greyhounds pretty well—and related breeds—I know that these dogs love running, and they love racing. They love running around that track.

There certainly have been people interstate that have done the wrong thing. They have done terrible things. But as Luke Foley said in New South Wales, they should be cleaning up the industry, not banning it, because the core activity is actually okay. The core activity of running around a track is what the dogs love doing. It is actually a very natural pursuit, dogs running around a track. You could argue that it is a more natural pursuit than thoroughbred or harness racing. But neither the government nor the Greens will actually take on those industries because they are much more powerful industries. The government and the Greens will not take on farming because they know that is an outrageous proposition. But if death and injury being a by-product for animals is the problem, how could you possibly have RSPCA-approved meat chickens?

I really feel for the people in this industry and I am concerned that there could well be people in this industry who self-harm as a result of the decision that has been taken today. That will be a pretty heavy burden for some people to carry, because I believe that could well be on the cards. For some people, greyhound racing, breeding greyhounds and loving their dogs have defined who they are. But today this elitist Labor Party is taking that away. It is outrageous and it is unbecoming of the labour movement.

MR RAMSAY (Ginninderra—Attorney-General, Minister for Regulatory Services, Minister for the Arts and Community Events and Minister for Veterans and Seniors) (4.52), in reply: I am pleased to speak on the Racing (Greyhounds) Amendment Bill 2017. As I told the Assembly when I introduced the bill earlier this month, this bill and its companion, the Domestic Animals (Racing Greyhounds) Amendment Bill 2017, will give effect to the government’s commitment to end greyhound racing in the ACT.

Together, the bills provide for greyhound racing and trialling in the ACT to cease, but for the ownership, the breeding and the training of greyhounds in the ACT for racing outside this jurisdiction to continue, provided that it complies with the ACT’s strict animal welfare standards and does not come at a financial cost to the broader ACT community.

In the debate today we have again certainly seen and heard personalised attacks, scaremongering, the introduction of inaccurate and irrelevant information and arguments, delaying tactics by the opposition, mirrored by the greyhound industry and its representatives. It is something that we know happens when those opposite understand that they cannot win on the merits of the case, so they go into other areas again. It is an irresponsible argument and it is not something that the government will allow to stand.

Even today we have heard the opposition’s grip on accuracy of facts be quite strained. Let me give one of many examples. Mr Parton suggested that I said in this space that racing would continue to be legal. He does not draw to the attention of the Assembly the question that he actually asked and to which I responded. I quote Mr Parton’s question:

I have a very simple yes-no question: ... will you tell the Assembly whether or not it will be legal to conduct greyhound racing in the ACT after 1 July?

That was 1 July this year. I said: “Yes.” As Mr Parton well knows, it was a very specific question for which he asked for a single word answer about a particular date. But accuracy has again given way to hyperbole and drama when it comes to the opposition spokesperson.

This bill removes from the Racing Act the legal framework for the administration and control of greyhound racing in the ACT. The Canberra Greyhound Racing Club is currently the controlling body for greyhound racing in the ACT under section 27 of the Racing Act. Under the amendment bill there will no longer be a controlling body

for greyhound racing in the ACT, nor will it be possible for an entity to become an approved racing organisation for race meetings involving greyhound races. The definition of “race” in the Racing Act will be amended so that it no longer includes greyhound racing.

The amendment bill includes consequential amendments to a number of acts and regulations as a result of ending greyhound racing in the ACT. A number of these amendments are necessary to continue to allow betting on greyhound races that are held outside the ACT.

When I introduced this bill, I spoke about the history behind the government’s decision to end greyhound racing in the territory. I note that Ms Lee asked me in annual reports this year if I thought this Assembly could have a full and robust debate on the greyhounds legislation, given the ongoing litigation. I can say with confidence that not only does this Assembly have enough information to debate these bills but it certainly has been a full debate today. There is compelling evidence on the public record, and continuing to emerge, that this Assembly should act now to end the greyhound racing industry.

In introducing this bill I recalled the disturbing stories about the greyhound racing industry that were exposed in that infamous episode of *Four Corners* in 2015. I also referred to the extensive inquiry and report prepared by the Hon Michael McHugh, in his capacity as Commissioner of the Special Commission of Inquiry into the Greyhound Racing Industry in New South Wales. The McHugh report found “overwhelming evidence of systemic animal cruelty, including mass greyhound killings and live baiting”, and concluded that the industry had “fundamental animal welfare issues, integrity and governance failings that cannot be remedied”.

Some of those who wish to see greyhound racing continue in the territory have argued that the Canberra Greyhound Racing Club itself has a blemish-free record in terms of animal welfare. Indeed it may be tempting to think that the abhorrent practices exposed by government inquiries in New South Wales, Queensland and Victoria have no impact on the greyhounds that race here.

However, we know that this cannot be true. We know this because the government has engaged an independent consultant, Ms Mary Durkin, to analyse the greyhound racing industry as it operates in the ACT and outline transition options for the industry. After the government decided that there was no future for greyhound racing in the territory, we wanted to have a clear picture of what needed to be done to best consider the needs of the people and the greyhounds involved here.

Ms Durkin met with Canberra Greyhound Racing Club employees, board members, contractors and service providers attached to the local industry. She went out to the track on race day. She spoke to owners and trainers. She spoke to animal welfare experts and those involved with rehoming retired racing greyhounds. Ms Durkin gathered the best data and evidence available to her and provided me with a detailed and considered report on 15 May 2017.

The Durkin report found that the ACT greyhound racing industry is small and inextricably linked with a broader regional network of greyhound racing activities. It is impossible to divorce the ACT greyhound racing industry from the industry across the border.

Perhaps one of the most striking pieces of information is that in 2016 approximately 71 dogs that raced at the Canberra Greyhound Racing Club were based in the ACT, while 1,107 were from New South Wales. That means that 94 per cent of the dogs that raced in Canberra were from New South Wales, the same jurisdiction that has been clearly shown to be struggling with animal welfare and integrity issues in greyhound racing.

The opposition has asked again to see if there is a speck of dirt. The reality is that, given the numbers, greyhound racing in the territory is but one drop in a very polluted ocean. In light of all the evidence provided by special inquiries across the country, we can have no certainty that dogs being brought to the ACT from other jurisdictions to race have not come from breeders and trainers engaging in practices that are abhorrent from an animal welfare perspective.

As recently as last week, Greyhound Racing New South Wales banned a trainer for killing a greyhound puppy by smashing it over the head with a hammer twice. This particular trainer has had 15 race starts at the Canberra Greyhound Racing Club.

In fact a look at the statistics shows that the reporting and transparency concerns identified in New South Wales are an issue here in the territory. My office has compared data from steward reports and OzChase records managed by Greyhound Racing New South Wales. Of 215 dogs checked by a vet at the track between September 2016 and August 2017, 78 were given incapacitation certificates. That means they were injured on the track. Of those, 28 never raced again as of 22 November 2017. Of all those dogs, only five were ultimately documented as retired. These statistics illustrate a very real concern that the CGRC is not living up to its public commitment to a 100 per cent rehoming rate.

Governments in other jurisdictions have taken differing approaches in response to the range of concerns that have been raised in recent years but before the last election this government decided that greyhound racing should not have a future in the territory, and we took this position to the people of Canberra.

The greyhound industry in the ACT is small and racing itself is out of step with community values. What is it that people in Canberra think? What about “mainstream Canberrans”, as the opposition asks? Phone polling on the future of greyhound racing in the ACT was conducted, with 99 per cent of respondents indicating that they had zero involvement in the industry. Sixty-six per cent of respondents said that they agreed with removing government funding from the industry, and only just over 10 per cent opposed the removal of the government subsidies.

Again the opposition today has revealed its double standards. It calls for the results, and then it tries to dodge and excuse them when they find that they are unlikely to suit their argument. Again, facts seem to bother them little. Canberrans stand with us on these values and stand with us on these principles.

As I said when I introduced the bill, the government is aware that ending greyhound racing will have a significant impact on those who are actively involved in the industry, some of whom have been for many generations. So the decision to end greyhound racing is not about punishing or targeting these people, as has been claimed by some industry lobbyists. It is a decision that is firmly and solely rooted in concern for animal welfare.

We know that industry transition is seldom an easy approach for those who are involved. The government has established the greyhound industry transition task force to assist the people and the racing dogs involved in the industry to transition out of it. The task force continues to accept applications for transition support, and will continue to do so until 30 June next year.

These amendments will commence on 30 April next year, which leaves industry two months from the cessation of racing in the ACT to register for transition support. Further, the government has decided to roll over the \$1.033 million in transition funding available to allow transition support packages to be finalised by 30 September next year.

Not all people involved in the industry in the ACT will take up the opportunity to transition out of it. Some may continue to breed and train racing greyhounds in the ACT. However, this will be on the basis of heightened animal welfare controls and at no cost to the community.

The Minister for Transport and City Services will shortly speak to her bill, which provides for specialist regulation and control to enable appropriate protection for greyhounds that are based in the ACT that will continue to race elsewhere.

Finally, in turning to Assembly matters, I would like to thank the Standing Committee on Justice and Community Safety for its considered review of this package of bills in its scrutiny report No 12. This is a piece of legislation that will implement an important animal welfare reform and that will do so on a time line that gives workers in the industry time to get support to transition. I commend the bill to the Assembly.

Question put:

That this bill be agreed to in principle.

The Assembly voted—

Ayes 12

Noes 9

Ms Burch	Ms Orr	Mr Coe	Mr Milligan
Ms Cheyne	Mr Pettersson	Mrs Dunne	Mr Parton
Ms Cody	Mr Ramsay	Mr Hanson	Mr Wall
Ms Fitzharris	Mr Rattenbury	Mrs Jones	
Mr Gentleman	Mr Steel	Mrs Kikkert	
Ms Le Couteur	Ms Stephen-Smith	Ms Lawder	

Question resolved in the affirmative.

Bill agreed to in principle.

Detail stage

Bill, by leave, taken as a whole.

MR PARTON (Brindabella) (5.08): I move amendment No 1 circulated in my name [*see schedule 1 at page 5194*].

This amendment is very simple. We obviously do not support this bill but, as shadow gaming and racing minister, I feel that I have to do my best to make a slight adjustment to what is bad legislation. At the start of this, I would not have put the amendment forward unless I had some hope that it would be adopted by at least a couple of parties here.

I understand that those on the other side are committed to closing down the greyhound racing industry in this town. I think that is plain wrong, but I understand their position. I understand that we are in opposition, which means, of course, that you guys have the numbers. Try as we might, there is a clear chance that we are not going to convince you to abandon things like this.

Although we will never in a million years vote to end the greyhound industry, I feel compelled to offer this amendment purely on the date. When the government announced that they were banning the sport of greyhound racing, they indicated a date of 30 June 2018. Although I know that since then they have relied on the semantics of language by saying that their statement six months ago was for a ban “by” 30 June 2018, the genuine expectation from all those involved was that if push came to shove, if somehow the left-wing ideologues in this place got their way, if the ban was enforced, it would be enforced on 30 June 2018.

Why would you, out of the blue, bring that date forward by two months? Semantics of language aside, the reality is that the accused believed in all of their hearts that they would be executed on 30 June 2018. This is like sentencing someone to be shot at dawn and then sneakily waking them up at one in the morning and dragging them out in the courtyard before the firing squad. Why would you do that? I just do not understand why you do that. Do we get joy out of this? Is this some sort of sadistic torture?

Furthermore, and Mr Rattenbury and I had some conversations about this, the commercial reality is that the Canberra Greyhound Racing Club—which is operating as a standalone business, without government support, which is reflective that those polling numbers on funding were completely irrelevant, because they had no government support; they are operating as a standalone business—has contracts in place until 30 June. That is for a number of reasons. First, that is the end of the financial year and the end of the racing season. Second, and much more importantly,

the club was of the belief that 30 June would probably be the ban date. That was their belief. They believed that 30 June would be the date that they were closed.

The Canberra Greyhound Racing Club have commercial contracts in place with caterers, videographers, security companies, veterinary surgeons and Tabcorp. They have commercial contracts in place with Sky Channel. They have races scheduled and prize money allocated for racing dates in May and June.

Why on earth would you, just because you can, be so sadistic when cutting them off at the knees? Whatever happens, the legislation will get through. Whatever happens, the ban will come in. Why would you move the date? I just do not understand why. Who would get joy out of seeing staff losing their jobs two months earlier, pushing people to the brink of self-harm two months ahead of schedule?

I feel like the father of a son who has been sentenced to hang and I am begging for a show of two months of mercy. I believe that the government created a genuine expectation that the ban would be 30 June. Please, show some mercy; don't bring the guillotine down until the date that you originally suggested.

MR RAMSAY (Ginninderra—Attorney-General, Minister for Regulatory Services, Minister for the Arts and Community Events and Minister for Veterans and Seniors) (5.13): Madam Deputy Speaker, the government will not be supporting Mr Parton's amendment. The date determined for the end of the industry was selected so that it would maximise the chances that everyone who needs support to transition will engage with the task force.

We have continued to emphasise at every opportunity that the government will help workers to retrain and to get assistance, and we are absolutely committed to working directly with people in the industry and their unions to achieve that outcome. The proposal by Mr Parton is part of an irresponsible and concerted effort to deter people in the industry from engaging with the task force and to attempt to promote a change in policy by maximising their pain.

It is clear that some people in the greyhound racing industry are turning to Mr Parton and to the CGRC for guidance. They occupy a position of trust and they have used that trust to convince people that refusing to engage in transition is some way of reversing the policy. Mr Parton's comments on this policy and this legislation have, as a whole, been both irresponsible and unhelpful. If his aim really were to help the people in the industry, he would be acknowledging that the government is firm in this policy, which we have been ever since it was announced, well before the election, and he would be using his position of trust to ensure that people get assistance.

In response to the specific claim that the government implied a date of 30 June, I would like to draw this Assembly's attention to the following facts, again facts which seem to be beyond the grip of the spokesperson from the opposition. The Durkin report recommended ending the industry by the end of 2017, and this was made public when the government released the Durkin report.

I personally wrote to the chair of the Canberra Greyhound Racing Club on 23 June 2017 and explicitly told him in writing that the ban would take place before 30 June 2018 and that the CGRC would be advised of specific dates as part of the transition process. On 23 June, on the same day I announced the ban, I issued a media release and social media information emphasising that the ban would take place before 30 June.

To step back now and pretend that the government has somehow committed to 30 June itself as an end date is disingenuous. It is the same sort of denialist, lobby-driven behaviour that has plagued the Canberra Liberals' position on greyhound racing.

30 April 2018 is a date that gives people in the industry time to assess any unforeseen impacts between the end of racing and the end of the financial year. It will encourage those who continue to be misled by the CGRC into believing that this policy is somehow magically going to end to seek help from the task force, and it will maintain certainty for everyone involved. I oppose the amendment.

MR RATTENBURY (Kurrajong) (5.16): The Greens will not be supporting Mr Parton's amendment. I appreciate his flagging it with us earlier in the week, and we did give it consideration but, on balance, we formed the view that it is best to allow the industry to make the most use of the transition fund and that being clear with the industry about the end date was the most important consideration for us, because we have been very clear that this legislation was going to be supported. It is important that we continue to be clear with the industry that there is not going to be a change of policy; and, as the attorney has just touched on, I think that is what Mr Parton is trying to sell, to some extent, to the industry as well as the industry leaders.

The decision to bring the legislation into effect in April next year means that for those people who choose to continue racing greyhounds up until that date, there will still be an opportunity for them to reassess after that point and make an application for transition funding once the new arrangements have come into effect. If the implementation date were moved back to July, there is, I think, a fair likelihood that people would miss out on that opportunity to access transition funding.

We have been very clear that we want people to access that funding to ease the transition as much as possible. I would encourage people to take it up. It is there as a genuine offer. It is there to be spent in a range of ways that most suit the individuals involved.

I reject the characterisation that Mrs Jones particularly brought to this debate when she perhaps tried to characterise it as some sort of personal vendetta against the individuals involved. This is not about attacking individuals. In fact, most of the individual attacking has come back the other way. That is part of this job; that is the way it goes. I have no disrespectful words for the individuals involved. I have deep problems with the consequences of this, but I would probably happily sit at the pub and have a beer with the individuals involved. That is not the issue here. It is actually

about ensuring animal welfare and not accepting the inevitable toll that arises from greyhound racing.

I do not want to rehash the earlier discussion, but we will not be supporting this amendment. We think that the government has been very clear about the time line. Minister Ramsay has just outlined a whole series of dates which I think underline that fact. To extend the date undermines the impact of the well-constructed and genuine attempt to encourage people to engage with the transition package.

Question put:

That the amendment be agreed to.

The Assembly voted—

Ayes 9

Noes 12

Mr Coe	Mr Milligan	Ms Burch	Ms Orr
Mrs Dunne	Mr Parton	Ms Cheyne	Mr Pettersson
Mr Hanson	Mr Wall	Ms Cody	Mr Ramsay
Mrs Jones		Ms Fitzharris	Mr Rattenbury
Mrs Kikkert		Mr Gentleman	Mr Steel
Ms Lawder		Ms Le Couteur	Ms Stephen-Smith

Question resolved in the negative.

Amendment negatived.

Bill, as a whole, agreed to.

MADAM DEPUTY SPEAKER: Order! Clapping in the gallery is considered unparliamentary and I would ask visitors to refrain.

Bill agreed to.

Domestic Animals (Racing Greyhounds) Amendment Bill 2017

Debate resumed from 2 November 2017, on motion by **Ms Fitzharris**:

That this bill be agreed to in principle.

MS FITZHARRIS (Yerrabi—Minister for Health, Minister for Transport and City Services and Minister for Higher Education, Training and Research) (5.24), in reply: I speak today to the Domestic Animals (Racing Greyhounds) Amendment Bill 2017, which I introduced earlier this month. The bill is part of a package that implements the government's commitment to ending greyhound racing and trialling in the ACT.

We heard previously the Attorney-General outline the background to and context for this package of amendments and speak to the ways in which this companion bill will

alter the legal framework in the territory to remove provision for greyhound racing. In my capacity as minister with responsibility for animal welfare and domestic animals, I speak to reforms that directly address concerns that are troubling many other jurisdictions across the country.

The ACT community has a high level of awareness about animal welfare, and this contributes to high expectations about how all animals are cared for and managed. That is why the government has a strong commitment to best practice in animal welfare and management. The territory's recently adopted animal welfare and management strategy is an example of this commitment. The strategy builds on the existing framework of legislation, codes of practice, guidelines and management plans already in place to more effectively regulate animal welfare and management practice in the ACT. It includes a clear vision and aspirational objectives for all animals in the ACT, whether they are pets, working or wild animals, livestock, racing or displayed in zoos. To ensure that this vision is realised, the strategy is underpinned by tangible outcomes and actions to ensure best practice management.

One of the messages we have heard from our community is a concern that the commercial greyhound racing industry has been shown to pose unacceptable risks to the lives and welfare of greyhounds. The vast majority of those risks stem from practices in other jurisdictions where this government has no power to act. I have also received representations from members of the community expressing concern for the welfare of racing greyhounds, including grave concern for the injuries, wellbeing and ongoing welfare of racing greyhounds following their involvement in racing activities.

There are two ways that we can take and have taken action. We have moved to stop racing activity here in the ACT, where almost all participating greyhounds have been shown to come from New South Wales. While this removes only one stop on a much larger regional circuit of racing for many greyhound owners and syndicates, it is the only stop that this government has the ability to close down. The second way that we are acting to better protect greyhounds involved in or intended for racing is to introduce an improved framework for monitoring and supporting those people in the ACT who continue to be involved in breeding, training or owning greyhounds for racing elsewhere.

From 30 April 2018, these amendments make it an offence to conduct or facilitate the conduct of a greyhound race in the ACT. It will also be unlawful for a person to allow a greyhound to take part in a greyhound race in the ACT. For the purposes of these reforms, greyhound racing is defined broadly and includes racing for trialling or training purposes. It will be unlawful to competitively race greyhounds with a live bait or a mechanical lure, or using entirely different methods.

The prohibition has never been intended to capture the ordinary play of a non-racing dog; nor will it do so. Greyhound racing, for the purposes of this bill, means one or more greyhounds racing "in competitive pursuit". This is a concept that is common to legal definitions of greyhound racing in Australia and internationally and it clearly does not extend to a prohibition on recreational or non-competitive play of greyhounds.

The amendments do expressly prohibit trialling or training races, by including these concepts in the definition of “greyhound race”. This is, again, a similar approach to that taken in other jurisdictions when defining greyhound racing. In the ACT, the government has decided to prohibit all racing and race-like activities, because it is in these instances that there is a higher risk of injury.

For those who decide to conduct or take part in illegal greyhound racing in the ACT, the maximum penalty will be the same as for existing offences in the Animal Welfare Act relating to illegal participation in rodeos, circuses and game parks.

Despite the ban on greyhound racing, ACT residents will still be able to own, breed and train greyhounds for racing elsewhere. Training methods that do not rely on competitive racing, such as conditioning, exercise, nutrition, socialisation and non-competitive fitness training will all still be permitted.

This bill introduces a range of new measures to protect and monitor the welfare of these greyhounds that will continue to race, to train or to breed puppies destined for racing in other jurisdictions. We are implementing an approach that seeks to protect the whole-of-life welfare of greyhounds, as has been advocated by government inquiries and animal welfare experts alike. This care will start from the very beginning. We will make it clear to those involved in breeding greyhounds intended for racing that they are required to hold a licence to do so. Breeders will be required to notify the registrar of the details of any greyhound litters within seven days of their birth, to ensure that every young greyhound is accounted for. Breeding racing greyhounds in a way that contravenes the breeding standard will be an animal welfare offence, whether or not that breeding is for profit.

The owner of a greyhound that is to be used for racing will be required to apply for registration for that dog every year from the age of six months, at a higher cost than general registration. People who have day-to-day control of racing greyhounds for training, handling or rearing purposes will be required to obtain a racing greyhound controller licence. This licence must also be renewed annually and will track the greyhounds under the licence holder’s control. When granting either racing greyhound registration or racing greyhound controller licences, the registrar will consider the conditions that the dog will be kept in, together with any previous animal welfare or racing offences.

The new mandatory code of practice for the keeping of racing greyhounds is currently being developed in consultation with industry and animal welfare experts, to detail the obligations on racing greyhound owners, breeders and trainers. Compliance with the code will be a condition of obtaining and retaining the relevant licences.

An increased capacity to monitor, respond and educate will also be part of these reforms relating to greyhounds. As well as increasing compliance activities, the government will work with those ACT residents who continue to be involved in greyhound racing to ensure that they understand their obligations under the new monitoring and registration framework. This will, of course, require resources. As I said on introduction, the increased costs to the government of improved monitoring will be recovered through annual fees for racing greyhound registration and racing

greyhound controller licences. All greyhounds remain subject to the existing general dog registration requirements in the Domestic Animals Act 2000, which at this stage involves lifetime registration. Owners of pet, rescue or retired greyhounds will not be liable for any additional registration requirements or costs.

Concern for the care and welfare of animals is a reflection of the values of a community, and the ACT community demonstrably has animal welfare at its heart. This is evident in the good work of those dedicated and skilled community members who volunteer to foster and re-home retired greyhounds and who will be welcoming greyhounds that are retired as a result of this transition process. In addition, the staff of Domestic Animal Services are, as always, prepared to assist with re-homing greyhounds and indeed all dogs in need of this service.

I have recognised before the impact that these measures will have on those who have had greyhound racing as an important part of their economic and social lives, sometimes for generations. The government made the decision to end greyhound racing in the ACT because it came to the view that it was necessary to do so to protect the welfare of greyhounds. It does not signal disrespect for those individuals involved in our local industry who share the same commitment to animal welfare that I have spoken of today.

We understand the impact that the closure of the industry here will have on directly affected individuals, and we continue to offer support, to work with them through this transition. As the Attorney-General has outlined today and previously, the government has organised counselling and personal support to assist individuals to progress through this period of change by making use of available options for transition support.

The government has also commenced development of a new mandatory code of practice, made under the Animal Welfare Act 1992, relating to the keeping of racing greyhounds. The code will be developed in consultation with industry and animal welfare experts. The government is confident that the new legislation contains sufficient measures to ensure the protection and welfare of animals in the ACT.

The welfare of greyhounds is at the centre of these important reforms, which are in keeping with the ACT's historically proactive stance on animal welfare. It has been 25 years since the territory banned circuses containing exotic animals from performing here. We were the first—and only, at that stage—jurisdiction in Australia to do so. We are now set to be the first to follow through on a commitment to end greyhound racing, in response to the threat this industry has been shown to pose to animal welfare. Although it may take time, the evidence of continuing problems in other jurisdictions also makes it unlikely that we will be the last to discontinue racing.

Question resolved in the affirmative.

Bill agreed to in principle.

Leave granted to dispense with the detail stage.

Bill agreed to.

Crimes (Police Powers and Firearms Offence) Amendment Bill 2017

Debate resumed from 31 October 2017, on motion by **Mr Ramsay**:

That this bill be agreed to in principle.

MR HANSON (Murrumbidgee) (5.34): The Canberra Liberals will be supporting this bill. We have been long-term supporters, in fact we have been the champions, of giving police the tools that they need to deal with crime in our city, especially serious and organised crime, and we have long been calling for this issue to be taken seriously and for powers to be given to police to deal with these issues.

We have looked at this bill and we agree that it does add to the suite of tools that the police will have at their disposal. We will support the bill. But we do so with an important note of caution, which I will expand on towards the end of my speech.

Firstly, going to the bill itself, it creates powers for police in two important areas that recent incidents have shown are lacking in legal protection under the current laws. One is the activity known as drive-by shootings. The other is crime scene powers to assist the police on the spot when incidents occur. I will briefly look at each of those before concluding.

With regard to drive-by shootings, we have seen an increase in incidents across our suburbs which are really acts of indiscriminate and extreme violence in our streets. I have noted some of the reports previously but they are worth repeating in this context. These are just the headlines: “Three cars torched, shots fired in Kambah”, “Bikie shooting: 27 shots fired at house in Canberra on Tuesday night”, “Bullets fired into home next to childcare centre” and “Isabella Plains shooting the third Canberra bikie shooting in two weeks”. There are many more, and I have read them in this place before.

While there are laws which, until the bikie turf war erupted in this territory, had been sufficient, that is not the case anymore. Furthermore, there are evident gaps in the current law, such as the fact that a person needs to be present and fearful in a building for existing laws to have full effect.

With this new wave of violence, we need laws to meet these threats. This is recognised in the bill. The offence is punishable by a maximum of 10 years imprisonment, which is the same penalty as for similar acts endangering life. This new provision does meet this gap in the law, and we will support it.

With regard to crime scene powers, the police currently have no express statutory power to establish and control a crime scene in a public place or a private premises. The explanatory statement provides a graphic example of the need for this legislation from a real life incident. I invite members to read that. It is illustrative of the problem that is faced by the police.

The bill provides for a statutory process for establishing a crime scene with consent. Those sections appear not to be contentious. The bill also allows some extra search abilities for those at or leaving a crime scene, giving an example of an incident where a person who had discharged a pistol attempted to leave a scene. Clearly this needs to be addressed. It needs to be addressed not only because of the increase in crime in our suburbs and the types being committed but also because of the types of people committing those crimes.

However, in addressing the issue we must always have regard to the extent of the laws and to unintended consequences. It is here that the Canberra Liberals are raising a serious and considered note of caution on the operation of this bill. The Law Society of the ACT and the ACT Bar Association have put in a detailed, considered submission raising serious concerns about the level of operation of these laws. I acknowledge their input and put on the record these concerns.

While several sections are raised, their principal concern is the threshold at which these powers can be applied. That threshold is set in the bill where it defines a “serious offence” as including one with a maximum penalty of five years or longer. The ACT Law Society and the Bar Association have argued that this is too low and that many offences may fall into this category:

... pretty well all the offences in the Crimes Act 1900 (excluding common assaults), all offences against the person committed in a domestic violence context (including common assaults) and offences committed in another jurisdiction that meet the definition of serious offence.

They put forward, correctly and appropriately, that protections are validly required to protect citizens from arbitrary invasion of privacy or property. They also raise the valid concern that misuse could have a perverse effect, stating that it could “greatly and unnecessarily escalate the scope for conflict between the police and our citizens”.

These are valid and important concerns. I acknowledge them and the work being done by the legal profession on raising these issues. I think that in that context it would be valuable to have their submission tabled. I seek leave to table the submission from the Bar Association and the ACT Law Society to form part of this debate.

Leave granted.

MR HANSON: I table the following paper:

Crimes (Police Powers and Firearms Offence) Amendment Bill 2017—Copy of letter from the President, ACT Bar Association and the President, ACT Law Society, to the Attorney-General, dated 21 November 2017.

We note the legal profession’s concerns. We also acknowledge that the government has taken some of those concerns on board and has moved its own amendments. The amendment circulated by the Attorney-General includes some minor amendments relating to owners and occupiers but also, importantly, the inclusion of a review provision after 12 months of operation of the new powers. The amendment provides

that the review must be conducted, that a minister must present the report and the review to the Legislative Assembly, and that the report must be delivered within a stated deadline. This is a welcome amendment. It does not address directly the concerns raised by the profession but it does provide us as an Assembly with the guaranteed ability to make sure these powers are not misused. This is an important safeguard, and one that we support.

But if you take the time to read the bar and the Law Society's submission you will note that their concerns were grave and strident. This is one that has taken some consideration by me. I went as far as having an amendment drafted. On balance, and given the serious nature of the violence currently unfolding in our suburbs, we will be supporting the bill and the amendments. But we will be looking very closely at the review. I put the Attorney-General on notice that delaying the review or not providing a full review will be seen as unacceptable and, in a sense, will result in an automatic response from the opposition to move amendments to strike out some of these clauses. I do not want to be in that position.

I do note the irony that these laws—and I hope that the police minister and the Greens member listen to what I am saying here—have had serious concerns raised about them by the legal profession, about the extent of police powers and what that means in terms of legal and civil liberties. These are laws that the government, the Labor Party and the Greens together, are putting through this place, and they raise our concerns. Tomorrow we will be debating laws that have been extensively worked through with the Human Rights Commissioner and that she has said are consistent with the Human Rights Act, but it appears at this stage that they will not get support. There is an odd contradiction that in choosing to support laws—and there is no silver bullet—the government and the Greens are cherry-picking and seem to be using advice from some sections but ignoring advice from others at their will. I do not think it is helpful.

On balance, in assessing the bill there are a variety of factors that must be considered, and our primary responsibility is to keep our community safe. We must give our police force the powers to do that. Yes, they must be balanced against the protection of rights for citizens. But in this case, although it was a fine line, we have come down on the side of supporting these new police powers, with the note that I have provided that we will be expecting a full and timely review provided by the minister.

This has been a difficult issue in our community. The Canberra Liberals have indicated before in this place that we will support reasonable measures that are put forward to deal with the scourge of bokie violence in our suburbs. We will deal with these matters seriously, as I hope members of the government and the Greens will tomorrow when we are looking at further steps, additional steps, as part of a suite of measures that can become available to our police.

MR RATTENBURY (Kurrajong—Minister for Climate Change and Sustainability, Minister for Justice, Consumer Affairs and Road Safety, Minister for Corrections and Minister for Mental Health) (5.44): The ACT Greens will be supporting this bill this evening. The Greens believe that this bill will assist police to disrupt outlaw motorcycle gang activity in Canberra and, in particular, will assist police with their

investigations and will lead to more successful prosecutions related to outlaw motorcycle gang activity.

The bill creates a new offence to capture drive-by shootings. Current offences under the Crimes Act have proven inadequate to deal with the act of discharging a firearm into a building or conveyance. Current offences address the severity of shooting at a person. The act of endangering life requires the offender to discharge a loaded firearm at another person so as to cause that person reasonable apprehension for their safety. The maximum penalty for this offence is 10 years imprisonment. However, if an empty building is shot at in a drive-by shooting, it can be difficult to make out an offence, as no-one would have feared for their safety at the time of the shooting. Furthermore, if the victim is a member of a rival OMCG or other criminal organisation they will often be unwilling to cooperate with police and, for example, not admit to feeling apprehension for their safety.

There are also a range of offences available to police under the Firearms Act. However, these offences are aimed at regulating the use of firearms by licensed firearm owners and do not target serious crimes. This is reflected in the maximum penalty of 12 months imprisonment.

The new offence created in this bill will cover situations where a person, from a car or otherwise, shoots at a building or vehicle, including homes and businesses. A particular individual need not be the target of the shooting; nor is there a requirement for someone to be injured in the shooting or for a victim to have a fear or apprehension for their safety. This will better capture OMCG activity, where drive-by shootings are often done to intimidate members of rival gangs. The new offence has a maximum penalty of 10 years, the same as for acts endangering life.

The crime scene powers give police a new power to secure a crime scene without a warrant. This is a significant power. I note that there have been concerns raised about this power, including by the bar and the Law Society. However, the Greens are satisfied that there are enough safeguards in place to ensure that the power will only be used appropriately.

Currently police do not have an express statutory power to establish a crime scene, either in a public space or a private premise. Common law powers relating to crime scenes are limited and inadequate when there is the potential for evidence to be interfered with, removed or destroyed. For example, a police officer can only enter a premises without a warrant when pursuing an offender who enters the premises. This means that even when police arrive 10 minutes after a shooting, they are unable to secure the scene. The ability to preserve evidence is fundamental for police to be able to conduct investigations. As has been touched on previously, I think by the Attorney in this place, we have seen examples where people have sought to clear away evidence, or even have tradesmen turn up and be fixing it by the time police have got there. The removal of crucial evidence is obviously a significant problem for police in trying to prosecute matters.

As there should be, there are significant limitations regarding when a police officer can use these powers. For a private premises, where the owner or occupier consents to

a crime scene being established, a police officer may enter the premises if they reasonably suspect that any offence punishable by a term of imprisonment has been or is being committed at the place and they consider that it is reasonably necessary to immediately establish a crime scene to protect or preserve evidence of the offence.

The same thresholds apply for a police officer to secure a crime scene in a public place. There is a higher threshold to exercise the crime scene powers at a private premises when consent cannot be obtained. Importantly, the police must make reasonable attempts to obtain consent from the occupier or owner of the premises. When consent is not obtained, a police officer can only establish a crime scene at a private premises if they reasonably suspect that any serious offence has been or is being committed at the place and they consider it reasonably necessary to immediately establish a crime scene to protect and preserve evidence of the offence.

A serious offence is defined as a crime punishable by five years imprisonment or more, as well as specific high-risk offences, including family violence and death or serious injury caused by a motor vehicle. This definition ensures that the power is appropriately targeted. Police cannot simply enter private property without consent merely to investigate minor or trivial offences. The offence must be serious and there must be a need to preserve evidence of the offence. This ensures that members of the public are not at risk of being subject to unreasonable infringements on their privacy.

When a crime scene is established without consent at a private premises, the police have a clear process to follow. The police officer must take reasonable steps to tell the owner or occupier that a crime scene has been established at the premises, and the expected duration of the crime scene. Where appropriate, the police must inform the owner or occupier of the offences to which the crime scene relates. There are also a range of oversight mechanisms and obligations placed on the police officer who establishes the crime scene, including a requirement to inform a senior police officer that a crime scene has been established.

Once a crime scene has been established, a police officer may exercise certain powers only if it is reasonably necessary to immediately exercise the power to protect or preserve evidence in relation to the offence. Following the establishment of a crime scene, a police officer may enter the place or any part of the place or enter other premises to access the place, control the movement of people or other things at the place, and direct a person at the place to give the police officer their name and home address. Finally, if the police officer reasonably suspects that a person possesses or has removed evidence, the police officer may detain and conduct a search of the person. Failure to comply with a police officer's direction when a crime scene has been established is an offence punishable by two years imprisonment and/or 200 penalty units.

Importantly, these powers are limited to securing a crime scene for the purpose of preserving evidence. It will remain the case that police cannot search a premises without a search warrant. This ensures that there is still judicial oversight of any search undertaken by police officers. These powers, while significant, may only be exercised for the specific purpose of preserving or protecting evidence relating to a serious offence. When securing a crime scene, police officers will need to do so by the

least restrictive means possible. This includes, where possible, cordoning off only part of the premises so as to allow the residents to remain in other parts of the property.

Police will also need, when necessary, to provide the occupants with an alternative place to stay for the duration of the establishment of the crime scene. A crime scene cannot last for longer than six hours on a private property without a search warrant or, where the crime scene relates to a motor vehicle which has been relocated to a secure facility, 48 hours. If the police fail to obtain a search warrant within this time frame, they cannot continue to secure the premises. It is expected that in most instances the police will not need the whole six hours to secure the scene. A telephone warrant is likely to be granted in a much shorter time frame, although the bill does account for situations where there may be a delay in acquiring a search warrant. Furthermore, when it is no longer reasonably necessary to protect or preserve evidence at the premises, the bill provides that the crime scene is no longer in effect.

I foreshadow there are a number of government amendments today and the Greens will be supporting the government amendments to the bill. The amendments appear to be in response to concerns that some in the community have raised regarding the bill. I believe that these amendments are entirely appropriate and that they will ensure further oversight of the new powers.

The amendments make clear that the police officer should obtain consent to establish a crime scene from the occupier rather than the owner if the premises are occupied. If the premises are not occupied, the police officer should get consent from the owner. The amendments also require the minister to review the crime scene power one year after its operation. This review must be presented to the Assembly within six months of the review. As these new police powers are quite significant, we consider it appropriate that there is a statutory review and that members of this place have an opportunity to consider that.

I think the public would expect the police to be as transparent as possible in relation to their use of these powers. The review will enable us to determine whether the powers are operating as has been expected and for the legislation to be changed or refined if not or if it finds that that is required. I, for one, will certainly be looking forward to the outcome of that review process.

In summary, the Greens will be supporting the bill. We believe that it gives practical measures for police to investigate and disrupt OMCG activity in Canberra. The new drive-by shooting offence will assist police in their investigations and is likely to lead to more successful prosecutions where previously offences have been difficult to have stick.

I acknowledge that the crime scene powers are significant. However, the Greens have formed the view that on balance they are necessary and that the bill has sought to appropriately limit the circumstances where the power can be used. We believe that it will enable police to secure a crime scene to prevent the destruction of evidence, which will increase the likelihood of successful investigations. So, with those remarks, we will be pleased to support the bill tonight.

MR RAMSAY (Ginninderra—Attorney-General, Minister for Regulatory Services, Minister for the Arts and Community Events and Minister for Veterans and Seniors) (5.54), in reply: Firstly, I would like to thank members for their contributions to this debate and for their support of this bill. I would also like to thank the scrutiny committee for its comments, and I foreshadow that I will be moving amendments that are partially in response to their comments.

This government is deeply concerned about the level of outlaw motorcycle gang activity in the territory. Our approach to address this problem must be operationally viable for ACT Policing, compliant with human rights and consistent with the criminal law in the territory. Most importantly, our approach must actually be effective in criminalising offenders and protecting our community.

Let me make this very clear: the government takes the issue of OMCG activity and organised crime very seriously. Organised crime is flexible, resourced and able to adapt in order to respond to efforts designed by lawmakers to thwart criminal activities.

The government understands that, as a community, we need to remain vigilant and work as part of the ongoing national effort to disrupt, disable and dismantle the activities of organised crime. We also need to support law reform proposals that address serious and organised crime in the ACT and ensure that our police have the necessary tools at their disposal to effectively deal with serious and organised crime entities.

To this end the Crimes (Police Powers and Firearms Offence) Amendment Bill 2017 amends the Crimes Act 1900 and introduces a specific offence expressly prohibiting drive-by shootings. It also provides police with crime scene powers in statute. This new offence is critically important in the fight against recent drive-by shootings in the ACT, and bridges an existing gap in the offence structure. Under the bill, a person who shoots at a building, including at a home, will now face 10 years imprisonment. Importantly, a particular person does not need to be the target of the shooting.

The new offence departs from the current offence structure under the Crimes Act, which requires the offender to discharge a loaded firearm at another person. The penalty for the new offence of drive-by shooting better reflects community expectations for this type of crime than what is currently captured by regulatory summary offences under the Firearms Act, where the maximum penalty is 12 months.

The bill also introduces statutory crime scene powers to enable police officers to secure a crime scene and preserve evidence in a timely manner. Police have limited statutory power to establish and control a crime scene in a public place or private premises under existing provisions of the law. While there are a number of common law powers to secure crime scenes, they are limited in scope. For example, a police officer has the power to enter premises without a warrant where the officer is pursuing an offender who enters the premises.

The existing inability for police to secure a crime scene in private premises while obtaining a search warrant under sections 194 or 205 of the Crimes Act is especially problematic in relation to OMCG-related shootings where rival gangs, despite being the victim of a crime, will not consent to police entry as they do not want to be seen to be cooperating with investigations.

I do not propose to go into detail on the powers, noting that other speakers have done so; I also did when introducing the bill. I do note that these measures in the bill ensure that citizens are not exposed to unreasonable infringements on their privacy, and that limitations on human rights are proportionate.

Every effort has been made in the drafting of this bill to ensure that limitations on rights are proportionate by enshrining safeguards but allowing police to secure a crime scene and ensure that evidence relating to the commission of the serious offence is not compromised. Further, if police act in a way that is inconsistent with legislation, it may affect the admissibility of evidence and the successful prosecution of a matter, as is the case with any misuse of police powers.

This bill is a testament to the ACT government's commitment to tackling serious organised crime in a logical and evidence-based manner. The government will continue to act and let serious organised crime gangs know that our community does not tolerate their criminal behaviour. I commend the bill to the Assembly.

Question resolved in the affirmative.

Bill agreed to in principle.

At 6 pm, in accordance with standing order 34, the debate was interrupted. The motion for the adjournment of the Assembly having been put and negatived, the debate was resumed.

Detail stage

Bill, by leave, taken as a whole.

MR RAMSAY (Ginninderra—Attorney-General, Minister for Regulatory Services, Minister for the Arts and Community Events and Minister for Veterans and Seniors) (6.00), by leave: Pursuant to standing order 182A(b) and (c), I move amendments Nos 1 to 7 circulated in my name together [*see schedule 2 at page 5194*]. They are minor and technical in nature and in response to scrutiny committee comments. I table a supplementary explanatory statement to the government amendments.

The amendments that I am moving today will address the issues that have been raised by the scrutiny committee, and will introduce a legislative requirement to review the legislation. The changes show that the government is taking feedback on its legislation seriously, and that it is committed to being transparent.

As has been noted, the Bar Association and the Law Society have jointly written to the members of this Assembly to express their disagreement with this legislation. At

its core, their issue with this legislation is that police can use this new power to enter a private home without a warrant.

The government has crafted the legislation to ensure that it is tailored to the need to preserve evidence. It does not give police a general power to ignore the need to get a warrant. It is solely in place for those situations where it is reasonable to suspect that evidence of a serious crime might be destroyed, and the power to take action in response is limited to immediately preserving the evidence.

Police still need to get a warrant to effect a search with the passage of this bill. Citizens will still have the right to argue their case if the exercise of the power is unreasonable, and to seek remedies as they would in relation to any action taken by police that is beyond their legal power. The Ombudsman will, as with other police activities, have an oversight role and provide avenues for complaints. Nonetheless this government will be fully transparent about how this power operates. We will undertake a review after the first 12 months, and table those findings in the Legislative Assembly so that the whole community and everyone interested can see how these powers are being used.

The amendments that I have circulated also contain some drafting clarifications in response to the scrutiny of bills committee's comments. Again I thank the committee for its contribution to this legislation.

Taken as a whole, the bill provides very practical tools for ACT Policing to better investigate crimes and to enforce the law. These tools have been crafted in a way that recognises the importance of human rights, and that narrowly targets the situation where there is a compelling public interest in police having the tools to preserve the evidence of a crime.

Amendments agreed to.

Bill, as a whole, as amended, agreed to.

Bill, as amended, agreed to.

Standing orders—suspension

Motion by **Mr Wall** agreed to, with the concurrence of an absolute majority:

That so much of the standing orders be suspended as would prevent Assembly business notice No 5—Proposed disallowance of DI2017-208, being the Planning and Development (Lease Variation Charges) Determination 2017 (No 2), being called on and debated forthwith.

Planning and Development (Lease Variation Charges) Determination 2017 (No 2) Motion to disallow

MS LAWDER (Brindabella) (6:04): I move:

That the Planning and Development (Lease Variation Charges) Determination 2017 (No 2)—Disallowable Instrument DI2017-208, be disallowed.

The lease variation charge is something that we on this side of the chamber have often talked about. It is a policy that has never raised the amount of revenue that the government has anticipated that it would raise. We have also seen a remission of LVC to some developers worth millions of dollars in some cases. So it is an inconsistent tax on development and it has not been particularly effective to this point. But earlier this year the Labor/Greens government announced an increase of 300 per cent to the lease variation charge on unit titles as part of the 2016-17 budget. I think that that increase showed the contempt that this government has for the people of Canberra.

The increase was done without consulting with the property and the building industries. It appears to be just an exorbitant tax grab. I asked the planning minister when he found out about this particular tax. I asked whether the Treasurer applied this tax behind the planning minister's back. "No," the minister for planning said. In answer to my question, he said:

The Environment, Planning and Sustainable Development Directorate was involved in the proposed changes for a Lease Variation Charge (LVC) for unit titling as part of the budget consultation process.

He went on to say:

The Directorate—

—as in the planning directorate—

—administers LVC, but is not responsible for setting the LVC charges, which is a Treasury responsibility. It—

—the planning directorate—

—provided data to Treasury about LVC determinations.

In the budget this year, it appears that the government is anticipating quite a high revenue: \$125,000,000. On unit titling it said:

The Government will increase the codified Lease Variation Charge required to enable unit titling on certain residential leases to a flat fee of \$30,000 per dwelling. This will improve consistency with the "per unit" charges which apply to other types of residential lease variations, and will take effect from 1 July 2017.

We did, earlier this year, have a motion in the Assembly relating to the LVC. It noted that the LVC system is complex and presents opportunities for rationalisations and improvements in consistency. We talked in this place about a review of the full suite of LVC and remissions that apply to residential and mixed-use developments to include consideration of options for simplification of charges; to consider charges in context with the factors that influence the financial viability of redevelopment, including zoning et cetera; to be conducted in consultation with the community,

industry groups and other stakeholders; to be closely coordinated with the review of housing affordability policies et cetera; and to introduce any resulting changes to charges by the 2019-20 budget cycle, with appropriate communication and transitional arrangements as necessary.

This is a motion that is important. It includes consultation. It includes careful review of all the elements of the LVC, which is not what happened in this case, in the budget this year. We have the opportunity now to ask this Assembly to demand that these types of changes, with no consultation, stop. We have the opportunity today to say, "Enough is enough. You cannot make these changes without suitable consultation." We have the opportunity to say to this government, "Go and review the LVC before you implement these changes." Putting forward this notice of disallowance of the disallowable instrument is the last-ditch effort to salvage something from this debacle of the huge increase, the 300 per cent increase, in the LVC on unit titling.

Earlier in the year, when this came out, we had some comments from Ms Le Couteur in the paper. She said she thought the increase was unfair. She talked about the Greens being champions for housing affordability. Yet in the budget they supported this increase. They talk about the importance of housing affordability, but I have yet to see them actually stand up and make it happen by voting against these types of charges.

Many people will be worse off because of this decision. Many young people will be worse off. Many young people enter the housing market for the first time with a new unit, a townhouse, an apartment or a smaller housing model, because they cannot afford a big house in the suburbs, or even a small house in the suburbs. A smaller thing such as a unit is a way for them to enter into the housing market and start on their journey of the great Australian dream of home ownership. At this point it is something that we all still aspire to. But this big tax, this 300 per cent increase in the LVC on unit titling, will affect young people, it will affect other first home buyers and it will affect those who want to age in place. We are seeing young people being locked out of the housing ownership market, but it will also affect those who want to rent, because any increase in the price of units will be reflected in the rent that landlords charge.

A recent QBE report forecast that there will be a double-digit house price increase over the next seven years in Canberra. This is going to make it even more difficult for young Canberrans and first home buyers to enter into the housing market. On top of that, the government is looking to increase LVC on unit titles by 300 per cent.

I have said it before in this place, I have said it in estimates and I have said it in annual reports hearings, I am sure: I am gobsmacked by this change, this 300 per cent increase. In any other area of our life, people would not stand for a 300 per cent increase. It just does not stack up.

This change will encourage people to build their house and retain it. It will not encourage them to build and sell. It will not encourage more land being put to market. It will encourage the building of—and I think I am quoting Ms Le Couteur and probably many other people—McMansions. I think she was quoted in the newspaper as saying that. Back in July, Ms Le Couteur said the Greens:

... were particularly concerned about the impact of these changes on housing affordability and infill. The industry has told us that it will lead to a major reduction in townhouse development in existing suburbs. I am concerned that the perverse outcome of this new change could be McMansions in inner city suburbs rather than the missing middle—smaller dwellings such as townhouses and terraces, that we know our community actually want in our city.

The government did not even consult before they brought in this 300 per cent change. They did not consult with the Master Builders association, who could have given them a bit of a glimpse of what would happen with this change. They did not consult with the Property Council. They did not speak with those who would be most in the know, those working on the ground and in the sector, who would be able to give them a bit of insight into how these changes would impact on the sector.

Had they consulted, they would have found out prior to estimates, prior to the community day when Master Builders and the Property Council appeared, that townhouses are a good urban infill option, particularly in the older, established suburbs where streetscapes are not necessarily suited to unit developments but prime for a terrace, which is where the schedule 1 land is situated.

This 300 per cent increase to the lease variation charge will hinder these urban infill developments. Prior to this change, if a developer bought a block in a suburb such as Dickson, Turner or any suburb built before 1971 to convert to units, they would have faced a strata title change of \$7,500 a unit for the first three units and \$5,000 a unit after that. This charge is hiked to \$30,000 per unit.

For a six-unit development, for example, this will push the bill just for the LVC component from \$37,500 to \$180,000. This increase will move many developments from viable to unviable, or many developments from affordable to unaffordable if they go ahead. This is a perverse outcome. This is not what we should be looking for. The cost associated with an eight-dwelling development, as another example, would jump from \$47,500 to \$240,000, once again moving development from viable to unviable and potentially, if it goes ahead, housing from affordable to unaffordable. Either way, this 300 per cent increase does not address affordability in any way. It is the complete opposite of helping affordability. It is clear that increasing LVC by 300 per cent can make a lot of developments, if not all developments, unviable.

Despite this, the government has decided on the creation of a dual occupancy LVC of \$60,000. We have already seen in the short period after this was announced in the budget a rush of development applications being put in—152 of them, in fact, to October this year—by developers desperately trying to beat this increase. That is up from 90 developments in 2016-17 and 60 development applications in 2015-16. We have had 152 just up to October, as developers have tried to beat this projected increase.

Too often we have seen policy on the run like this: policy development without proper consultation, without talking to the people who will understand the impact on the market. As the now CEO of Master Builders said during the budget estimates:

Remember that it was only a few months ago that we were having similar discussions with Icon Water about similar charges that they were seeking to introduce almost overnight, with very little consultation, very little transition.

So we are not learning our lessons; we are not learning from previous mistakes about lack of consultation. This government is getting a name for itself as the government that does not consult, the government that is arrogant and believes that it knows better than those who are actually working in the sector. Because of this arrogance, the government have already had to backtrack on this change, making conditional arrangements for the next six months and then having the review in 18 months time. Had the government done its job on consultation from the start, there would not have been any need to backtrack.

Good policy happens when the government consults appropriately and genuinely with those in the sector. This motion to disallow is the last-ditch effort to save housing affordability in this sector. I commend the motion to the Assembly.

MS LE COUTEUR (Murrumbidgee) (6.18): The Greens will not be supporting the disallowance motion, although clearly I support many of the points Ms Lawder made. I am very flattered that she quoted me so extensively.

The Greens have always supported the lease variation charge as an equitable way of raising revenue. It is quite reasonable that the community as a whole, in the guise of the government, should tax the windfall gain that landowners make when the purposes that their lease can be used for change. I think that that should be an accepted and reasonable thing to do. It is one of the advantages, I suspect, of our having a leasehold system that we are able to do this.

But, in saying that the lease variation charge is a quite reasonable tax, I do not mean that we agree with everything that has happened with that charge. I have to agree with Ms Lawder that a 300 per cent increase without any consultation is not the way to go.

Members interjecting—

MS LE COUTEUR: As the interruptions have said, “Consult.” That is entirely what we think and that is why a motion was moved by my colleague Mr Rattenbury—I only get four motions a year—on this exact subject. That is why we moved the motion for a full review of the lease variation charge on residential development.

There should have been better consultation. I should not say better consultation; there should have been consultation in the first place. There should have been a phase-in process. I am pleased that the government introduced transitional arrangements. That is one of the reasons why so many applications were brought forward this year.

Ms Lawder is correct: I stand by my comments that the changes as originally announced by the government are likely to increase “redevelop, knock down, rebuild as McMansions”. We know from studies everywhere that this is not what the people of Canberra are looking for. Some of them are, clearly, but a lot of the people of

Canberra are not. Particularly they would like to age in place. They would like to have the situation where, if the house they are living in has become too big and in particular the garden has become too big, they can move in a reasonably similar location to a smaller house with a smaller garden. This will probably happen via unit titling.

I note the housing choices discussion which the planning minister has just started. I sincerely hope that that leads to a lot more flexibility in our planning system so that we end up with more sustainable development: sustainable economically, sustainable socially and sustainable environmentally. I agree that the LVC charge does not appear to be moving in that direction. That is one of the reasons why we moved the motion, which was successful, in the Assembly to have a full review of the LVC on residential development.

Given that, this disallowance is just not the right way ahead. The review is the right way ahead. While I sympathise with Ms Lawder's intentions, I do not think this is the right way to do it; I think the review is the right way to do it. So the Greens will not be supporting the disallowance.

MR GENTLEMAN (Brindabella—Minister for Police and Emergency Services, Minister for the Environment and Heritage, Minister for Planning and Land Management and Minister for Urban Renewal) (6.22): The government will not be supporting this disallowance motion. The last time this chamber sat there was a detailed debate on the lease variation charge following an executive member's motion, which you have just heard about from Ms Le Couteur, which was moved by my colleague Mr Rattenbury and supported by government.

The chamber has debated at length the change to LVC made in 2017 in the budget, which forms part of our efforts to make the territory's budget fairer. Nevertheless, if those opposite want to keep raking over this ground, the chief and I are more than happy to talk about how LVC ensures that the Canberra community shares in the gains of development.

Unlike those opposite, we do not believe that the windfall gains delivered by a government decision to vary the lease on a block of land should be handed entirely to developers. There are a number of different LVC schedules dealing with the assessment of the charge for different types of development. The change announced in the 2017 budget updated the schedule 1 charges associated with varying a lease to specify a number of dwellings allowed on a block, which is necessary for unit titling in the case of townhouse and apartment developments.

The previous fees were based on the administrative cost of processing schedule 1 lease variation applications. They did not reflect the actual value uplift that results from these lease variations, as the amounts payable under the other LVC schedules do.

For example, in Kingston in 2014 a developer consolidated two blocks and built 30 units on them, resulting in an increase in land values of \$1.6 million. The LVC payable was \$165,000, or just 10 per cent of the actual value uplift.

Similarly, in Dickson in 2013 a developer consolidated two blocks and built 19 units on them, generating an increase in land values of \$1.5 million. LVC payable was \$110,000, only seven per cent of the actual value uplift.

In updating schedule 1, the codified charge, the government's intention was to better design and better align the LVC payments for these types of developments with projects assessed under other LVC schedules. To the greatest extent possible, we want there to be consistency and clarity on how LVC charges are assessed and determined.

The instrument that Ms Lawder is attempting to disallow contains a number of transitional arrangements that were put in place to facilitate the change to the new codified charge. After listening to the feedback from the housing industry stakeholders, we allowed the previous LVC rate to apply to properties purchased between 1 July 2016 and 30 June 2017 where suitable development application paperwork can also be lodged to get projects underway.

We also put arrangements in place to assess projects which relied on block consolidations over a longer time period on a case-by-case basis. These transitional arrangements were put in place deliberately to ensure a smooth transition from the old fee structure to the new one. I am not sure how affected businesses feel about Ms Lawder's attempt to upturn those arrangements and create huge uncertainty about their projects, but I imagine they have got some views.

We do understand that the territory's tax policies are one of the many factors that impact housing affordability. Along with issues like zoning and planning rules, construction costs and market demand, our tax settings play some part in determining the development mix across Canberra.

The government does not agree with the view put by the property industry that LVC prevents development. The number of new developments going on all across Canberra provides a powerful counterargument to this view. But we do acknowledge that in a market as complex and significant as the housing market, it is very important to ensure that our policy settings are properly calibrated and working in the same direction as the government and community's broader objectives.

That is why we have already committed to review the schedule 1 LVC charge within 18 months of its implementation in this year's budget. It is also why the ACT Treasury and other government directorates are working together to better understand how all of our policies on tax, planning, development and more intersect in the context of housing affordability. That is the careful, considered work that we are doing while those opposite are spending their time working up parliamentary motions to try to channel more development profits to developers and not to the community.

They do not have a plan for housing affordability, Madam Speaker. They do not have a plan to see this city's finite land put to its best use to give Canberrans housing options and choice. But they do have a plan to make developers richer, as reflected in the motion before us.

MS LAWDER (Brindabella) (6.27), in reply: This is a very simple question before us today. As the representatives of the people of Canberra, we have the opportunity to say that enough is enough. We need consultation. We need better analysis before these huge changes are made and we have, somewhat after the time, already agreed that through agreeing to the review that was previously put to the Assembly.

The review, as some members of this place have already said, is the right way to go ahead. But these huge changes should not take place until such time as a comprehensive review of all elements of the LVC has taken place. We need to listen to the feedback.

Mr Gentleman said that he and his directorate have listened to the feedback and that is why they allowed previous arrangements to continue for some time. Madam Speaker, there is an admission right there that the change was wrong, was bad, was ill-conceived and ill-considered in the first place. There is an admission if ever you have heard one.

He has also said that they are now looking at development applications on a case-by-case basis. Yet again it is another acknowledgement of a lack of consultation, a lack of understanding of the changes, the impact this would have on the market, an acknowledgement that it is an ill-considered and ill-conceived increase of 300 per cent.

I have heard Ms Le Couteur talk about the fact that she agrees with many of the points I have made yet, apparently, will not vote against this disallowance motion. I would like to say to Ms Le Couteur and to the Greens: listen to your own words. The Greens said, "We were particularly concerned about the impact of these changes on housing affordability and infill."

It is not about windfall gains to developers, because who is the bunny that pays in the end? Who is the person that has to buy a house or a unit? It is your average person: my kids, my sister, your friend, your cousin trying to get into the housing market. They are the ones who will be affected by this.

We are not talking about windfall gains to developers. Mr Gentleman attempts to smear us by saying that we are trying to approve these windfall gains to developers. We are trying to say that this will have an impact on housing affordability. Despite the way that she will be voting today, Ms Le Couteur many times has said she agrees with that. She said, "We were particularly concerned about the impact of these changes on housing affordability and infill."

Madam Speaker, surely it is common sense—unless you are a government that has been in power for quite some time and are so arrogant—when you want to make sweeping changes. I for one would consider a 300 per cent increase to be a sweeping change. I am not sure about anyone else but to me that is pretty much a sweeping change. If you want to make sweeping changes to how development in this community is done, you consult.

This government have it round the other way. They have announced all these changes in the budget. But now they say, “Oh, we are now going to do some consultation about housing.”

Ms Jones: And it will not be real, will it? It will be like the rest.

MS LAWDER: Yes, absolutely. We have heard about that on many occasions. But in the Assembly here today we have the opportunity to demand that this stops. We have the opportunity to do something real about housing affordability, not more consultation, not more reports.

This sounds a bit to me like some other portfolios I have been the shadow in. We commissioned more and more reports, more and more experts, but we did not actually make changes. That is what is happening here. We are going to have another consultation, another paper.

Do not forget that Mr Stanhope has said that the lack of action on housing affordability and the affordable housing action plan is his single greatest regret as chief minister. Yet we are voting against it here. You are voting against housing affordability here again today. I hope you feel proud of yourselves.

You have the opportunity to reject this increase today. It is the opportunity to tell the people of Canberra that you actually care about housing affordability, you are actually going to do something. It is the opportunity, for once, to move from talking the talk to walking the walk.

Question put:

That the motion be agreed to.

The Assembly voted—

Ayes 8

Noes 11

Mr Coe
Mrs Dunne
Mrs Jones
Mrs Kikkert
Ms Lawder
Mr Milligan

Mr Parton
Mr Wall

Ms Burch
Ms Cheyne
Ms Cody
Mr Gentleman
Ms Le Couteur
Ms Orr

Mr Pettersson
Mr Ramsay
Mr Rattenbury
Mr Steel
Ms Stephen-Smith

Question resolved in the negative.

Adjournment

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

That the Assembly do now adjourn.

Valedictory

MR GENTLEMAN (Brindabella—Minister for Police and Emergency Services, Minister for the Environment and Heritage, Minister for Planning and Land Management and Minister for Urban Renewal) (6.37): Over the past year, the directorates that serve this government have worked extremely hard and extremely effectively, and I rise today to thank them for the great work they do.

Firstly, I want to acknowledge the excellent work that both ACT Policing and our Justice and Community Safety Directorate do. Both the police and our directorate do an excellent job in keeping our community safe. As minister responsible for these services, I am fortunate enough to see the achievements of the directorate on a daily basis, achievements that are not always immediately evident to the community.

Likewise, the ESA has this year shown its continued dedication to protecting the safety of all Canberrans. This year, ESA's work has ranged from fitting all ESA vehicles with automatic external defibrillators to launching the new SouthCare rescue helicopter fitted with the latest aviation safety technology.

The Environment, Planning and Sustainable Development Directorate has also been hard at work. I will give some short examples of the projects and ongoing initiatives that EPSDD has been part of this year. Being such a large directorate, it would be difficult to list all of the great work they do in a short time. Since the beginning of the year, EPSDD has introduced more quolls into the Mulligans Flat sanctuary; they are now adjusted to their new home and getting on very well. The directorate has put Canberra heritage on show at one of the region's most successful heritage festivals. The festival drew one of its largest crowds this year, with events such as the Majura bush festival and Gungahlin homestead tour. Both the ACT government and EPSDD are working to raise awareness for the health of our waterways through the H2OK healthy waterways project. This represents just a handful of the examples of the great work our directorates do, and I want to thank the men and women of all ACT government directorates for their continued dedication to their roles.

I want to take this opportunity to thank my office for the fantastic work they have done this year, too. I will start by congratulating Dan on his new role as a father. He is doing a great job as the COS, and the team appreciate his knowledge on all things economics. Look out at budget cabinet, Mr Treasurer.

Bethel is my senior adviser for EPSDD; she took up the role as acting COS while Dan was on paternity leave. I appreciate her sage advice on all things planning; the knowledge gained from working with Simon Corbell and her engineering skills have helped the office immensely. Frances is my police, ESA and MGB adviser. She has a wide range of knowledge on all things legal and even more on sci-fi things.

Kim is our dedicated DLO for EPSDD. She is incredibly tenacious in ensuring that every i is dotted and every t is crossed on our corro and briefs. I should mention that it is only three more days until the festival of Kim. Gail is our ESA DLO and has a keen eye on the rule of law. She even quotes acts and regulations off the top of her head

when asked detailed questions. Tex is our CPLO; he is a dedicated AFP officer, husband and father. Tex is an early adopter of technology and is sometimes referred to in the office as “Three Screens”. I want to thank him for his dedicated work and I look forward to him keeping the Canberra community safe: as safe as his safe is safe, in fact. I have mentioned Gayle, our ESA DLO; I told you about her keen eye on the law.

Hayden is our talented media adviser, and when I say talented, I do mean it. He is the only adviser who can belt out a rock-and-roll song on the Dickson piano without even trying. Eben is our part-time Englishman, with a passion for the left. He is doing a great job researching and prepping speeches for the office. He is the most knowledgeable on political history; he regularly wins the office quiz. Tash is our office manager. She is great at organising visitors and meetings for the team. Tash is a passionate mum with two youngsters. We are very grateful that she can give some of her time to us.

I am incredibly proud of my office, both for office outcomes and also for their support for our front-line directorate staff. Not only are they on the job and ready all the time, but they are the most convivial team that I have ever worked with. It is an absolute pleasure to come into the office every day; I wish them all the best for a great Christmas and look forward to an even brighter 2018.

Mr Chris Latham

MRS DUNNE (Ginninderra) (6.41): Tonight I want to pay tribute to one of Canberra’s arts luminaries, Mr Chris Latham, who received an award recently from the French government. Mr Latham is in esteemed company with the likes of George Clooney, Ron Radford, Robyn Archer and Kylie Minogue, also recipients of the award, the Chevalier de l’Ordre des Arts et des Lettres, which recognises significant achievements in arts and literature.

For Mr Latham, the award acknowledges 10 years of research into the impacts of the First World War on music through its musicians and composers. The work has culminated in Mr Latham’s project *Flowers of War*, in which he has brought to light the many talented people lost or injured on the battlefields of Europe and the Middle East. The recently released double CD set of music of Frederick Septimus Kelly is an example of that work. Kelly was an Australian musician and composer, and also an Olympic rowing champion, who, having survived Gallipoli, was killed at the age of 35 in France in the last days of the Battle of the Somme.

Flowers of War also spawned a series of concerts, held both here and in France, featuring music written during or about the First World War. This cultural exchange is an important element of the great respect the two countries hold for each other. Another of Chris Latham’s projects is his *Diggers’ Requiem*, which will be performed in both countries, movements from which have already been featured in some of the *Flowers of War* concert series. *Diggers’ Requiem* will be a companion piece to the much acclaimed *Gallipoli Symphony*, which was premiered on the battlefield in 2015.

As artist-in-residence at the Australian War Memorial, Mr Latham’s work already has deepened the relationship between Australia and not only France, but also Germany.

It is an important new string to the bow of remembering the many thousands of Australians who gave their lives for our country and our freedom. I congratulate Chris Latham for his achievement and his award, and I wish him well in his continuing journey of discovery.

Demonstration housing precincts Valedictory

MS LE COUTEUR (Murrumbidgee) (6.43): I rise to speak about the demonstration housing precincts statement made by Minister Gentleman this morning, noting that it arises from a motion I brought to the Assembly in June. It also, importantly, arises from years of lobbying from the community, the industry and, in particular, the Institute of Architects.

Demonstration precincts are important because they can lead to the testing of innovative design, construction and planning processes; demonstrate to industry that there is a demand for more innovative housing; demonstrate to the community that new forms of housing can work well; and lead to improved industry skill levels and the showcasing of local industry capabilities.

I would like to address five points which will determine whether or not we get all the benefits this process could deliver.

First, one critical barrier to innovation is, unfortunately, our planning system. The ACT's rules for housing are in desperate need of an overhaul. The rules were designed almost 20 years ago to limit change, but in many areas change is happening anyway as big houses are replacing small ones. We talked earlier about McMansions. Our community has also changed greatly in the past 20 years. We have both more seniors who want and need to downsize and more young people staying in Canberra after they finish their education. A well-run demonstration precinct process can use a hands-on design process to test out new planning approaches. The minister's decision to link the demonstration housing projects to his housing choices process is interesting, and I am very hopeful that it will work well.

The second is community involvement. Minister Gentleman's housing choices paper is suggesting that there will be community involvement in the EOI process, and this is a good start. For the demonstration housing to be delivered successfully, the community participation must be successful. The challenge will be getting both a broad and representative community involvement in housing choices overall and getting local community support around selected demonstration sites.

The third is the government's level of ambition in the EOI process. Getting the best possible impact will require the government to back proposals that will go beyond making a small number of minor changes to the Territory Plan and go beyond slightly better versions of normal practice. The information that we have had to date is promising. For example, it talks about co-housing and long-term rental housing, both of which would be completely new in the ACT, and I think very welcome.

My fourth point is about the availability of land. If work is not done to facilitate land for this process, the risk is that the only entities that can be involved will be those with an existing land bank that they can hold on to for a few years while the EOI and the Territory Plan variation process take place. I urge the government to consider making some of its large land holdings available for this, both in greenfield areas and, courtesy of ACT Housing, in general, in existing areas where urban renewal could be taking place. Additionally, I believe the government could call for proposals for consolidation to allow groups of landholders to participate. The debate that we have just had about the LVC will be very relevant to how well this process finally works out.

Finally, the time line for delivery is going to be critical for keeping the confidence of the people who submit EOIs. The time line shown in the housing choices paper would see decisions made on EOIs in August 2018 and housing delivered during this term of the Assembly. This would be excellent. I very much hope that Minister Gentleman and the government can keep the project to this time line.

This is a promising start to delivering what should be an important step towards better housing, more affordable housing and a better planning system for Canberra.

While I have a few seconds left, I would like to very much thank all my staff for their contribution to this: Jason, Veronica and Travis, and the staff that I share with the rest of the Greens. My office and Minister Rattenbury's office work closely together in an interesting dance while respecting very much the limitations between ministerial and crossbench activities. It is a pleasure to be working with them, and all of you, and the attendants. I wish us all a happy festive season.

Valedictory

MR RAMSAY (Ginninderra—Attorney-General, Minister for Regulatory Services, Minister for the Arts and Community Events and Minister for Veterans and Seniors) (6.48): Having put up the Christmas tree last weekend, I have been reflecting on this past year and found myself thinking about the song *Seasons of Love* from the musical *Rent*. Possibly people more the ages of Ms Cheyne and Mr Pettersson might recall that the lyrics suggest that a year can be measured as 525,600 minutes. It can also be measured in sunsets, cups of coffee, and laughter and strife, amongst other things.

I have been contemplating this past year as the member for Ginninderra, as the Attorney-General and as Minister for Regulatory Services, the Arts and Community Events and for Veterans and Seniors. I have discovered that life as a minister of the government can be measured at least in everyday terms by meetings held, decisions made, letters received and responded to, community events attended, grant funds disbursed, a number of corny puns about my name and, of course, cups of coffee.

In basic numeric terms I calculate that I have read and signed approximately 2,000 briefs and pieces of correspondence this year and participated in just under 900 meetings or events. These events have been wonderfully diverse, from the solemn privilege of representing the ACT government at veterans' remembrance ceremonies

to the delight of opening art exhibitions that showcase the vast artistic talent that walks amongst us here in the ACT. And I have indeed consumed many cups of coffee.

I have also enjoyed a great number of conversations with people from all across Canberra and all walks of life. I have listened and consulted as much as I can, and I can affirm that many of those are difficult conversations. People have laughed with me and they have cried with me. I have attended more funerals than I would have liked this year. I have celebrated with my fellow Canberrans at the marriage equality survey results. I am proud of the work that is being led in gambling harm minimisation and what we have done in liquor reform in transforming the late night economy. I am also pleased to have brought forward legislation to address drink spiking and criminal activity.

I am energised by the spirit of constant innovation and service improvement that drives Access Canberra. I am excited for the next steps of the Belconnen Art Centre and to see what our project funding recipient artists will produce in the coming months. And I look forward to continuing to drive better employment outcomes for veterans transitioning to civilian careers. I constantly delight in the wisdom and generosity of our senior Canberrans.

But none of this would have been possible without the many people who contribute to this work and this service. First of all to my smart, fun, hardworking staff here at the Assembly, I am indeed fortunate to have such a strong team working for me. Thank you to Brooke, David, Michael, Alex and Laura as well as to Sukanya, Abby and Kim who got me started here 12 months ago.

We have also benefited from the incredibly hardworking DLOs and the enthusiasm and the energy of some great interns and work experience students. We are indeed supported by a large number of very dedicated, innovative, and highly experienced public servants. I thank them for their patience, their persistence and, at times, their pointed perseverance.

I also must thank my ministerial advisory councils who advise me in the areas of veterans and seniors, both my outgoing and incoming counsels. The collective wisdom and energy of such eminent, diverse and experienced Canberrans provides great input to us and it is a great privilege to work alongside them.

To my colleagues in the Assembly across and around the chamber, to my comrades and my fellow cabinet members, it may not be *La Vie Boheme*, but I look forward to the fact that we will indeed come back another day.

To the people of my electorate of Ginninderra by whose choice I am here, I pass on my thanks for the letters, emails, phone calls and conversations and for the ongoing support. I remain steadfastly determined to serve your interests.

Finally, given that this speech started with a reference to *Seasons of Love*, to my family whose support does not get measured, thank you.

And so, Madam Speaker, with that I look forward to the next 525,600 minutes.

Valedictory

MRS JONES (Murrumbidgee) (6.53): I would like to take this opportunity to reflect on what has been an eventful 2017. This is the first year of my second term in this place, and I am so grateful to the people of Murrumbidgee for choosing me again to represent them. Over this year I have had the pleasure of meeting hundreds of new people. I have met Natalia from Pearce, so proactive and full of energy that she recently organised a petition we will see later in the week and will be able to have a good look at calling for improvements at Torrens playground at. I have got to know Rochelle, Thea, Bethany, Caitlin and Jess, young women who have taken a keen interest in politics, policy, and leadership. It is great to know and to assist these young women where I can. They will no doubt be amongst our future leaders.

It was great to reconnect with Peterson, a lovely fellow who volunteered on my 2012 campaign. Peterson is the expert when it comes to all things HR, employees and payrolls, and his advice has been wonderful. To Mark, Ben, Rochelle, Leanne and other local Liberal Party members in my electorate, it has been my pleasure to work with you in the establishment of our local branch. I look forward to many more years of working closely together.

This year has also given me new opportunities and experiences. Working as the shadow minister for corrections, emergency services, and police I have had a really engaging time studying these portfolio areas, delving into the many different policies and identifying areas that need further attention. I guess one of the downsides is that there is just so much in these areas that we need to work on. I will continue to advocate for better solutions in these spaces.

I am also pleased to still be shadow minister for women. I have long been an advocate for women and, in particular, mothers. It is great to see some improvements in this place. After much lobbying, the Chief Minister has audited breastfeeding rooms across ACT government directorate buildings and identified rooms requiring a lock to be installed.

We have also had some agreement on a much greater deployment of portaloos for the firies. I know that has made some of the gentlemen in the force upset because they are good gentlemen and they do not like talking about these things.

I thank the Minister for Women for the constructive and genuine good-willed approach taken by her and her office in dealing with me on these matters. I also thank Minister Rattenbury and Minister Gentleman—and Frances in Minister Gentleman's office in particular—for facilitating visits for the JACS committee to many of the facilities under their portfolios.

I thank the attendants, the OLA staff and opposition staffers who work tirelessly in their respective fields. Special mention must go to Dr Andrea Cullen and Ms Anne Shannon, who work so hard and professionally in their support of me in the committees that I chair, Thank you. I also thank fellow committee members: Minister Rattenbury when he sat in capacity as chair on the temporary ICAC select

committee, Bec Cody, Elizabeth Lee and Chris Steel. I thank you for your good grace in our discussions.

I also thank the team at HR and the Clerk's office, Max in particular. Max Kiermaier, our Deputy Clerk and Serjeant-at-Arms will be retiring soon. We will miss your friendly face and we thank you very much for your many years of absolute solid service. I thank Janice and her team in chamber support; Jan and the team over at the library; and Pattie, Meryl and Devika at Hansard.

Most importantly, I would like to thank my great family. To my loving husband Bernard who always puts me ahead of his own happiness, my beautiful daughter Nicolina, my caring boys Felix, Leo, Ambrose and Maximus, without your love and support I would not be able to do what I do.

Thanks to all of the Canberra Liberals who are continuing to work hard to keep this government accountable. I especially want to thank my office staff, and past staff where life has moved on: Adam, Josh and Nathan. I thank Danielle who has also assisted over a range of policy and portfolio and community engagement areas this year. And I especially thank Liam: great, capable Liam. You are a young man working well beyond your years. You are totally dependable, and I thank you for standing by me this year.

Jeremy did a sterling job last term as leader, and Alistair is continuing this hard work this term. I thank Alistair for his leadership and Nicole, Vicki, Elizabeth Lee, Kikko, Andrew, Mark, Jeremy and James for their tenacity. We are continuing to improve each day as a team. And to Steve, who without a doubt is listening in, one of the most dedicated Liberals we have ever seen, you will be sorely missed. I sincerely hope that as you look down on the work we do here in this place and across Canberra you will be proud.

I am looking forward to what 2018 will bring. I plan to build on the hard work I and my colleagues have undertaken this year so that we can continue to represent the people of Canberra: those who voted for us and those who did not vote for us.

Mrs Jeanette Cody

MS CODY (Murrumbidgee) (6.58): Well, Madam Speaker, what a year it has been. It has been a year of triumphs and tribulations, my first full year as a member of this great place and a year in which my parents finally made the decision to retire and head to the sunny shores of Queensland. I am sure many members of this place will miss Tim's contribution to the public life of the territory. But this speech is not about him or me or what this place has achieved this year; this speech is about my mum.

As I have mentioned in this place on many occasions, I was raised here in Canberra, in Kambah as a matter of fact. And it was in Canberra that my mum made the decision to expand her education by attending the then CCAE, or Canberra College of Advanced Education, for those who may not remember what is now known as the University of Canberra.

With one child in primary school and the other too young for preschool, mum took the bus from Kambah to Bruce every day in order to gain her bachelor of education in primary teaching. Mum did not have her drivers licence and therefore relied heavily on the Australian Capital Territory internal omnibus network. That was not easy without the decades of ACT Labor investment that have happened since, that was not easy. At that time, my dad had started a logistics business and, after a full day at CCAE, mum would have to navigate the bus network from Bruce to Fyshwick to meet Dad before going home to finish her study and be a mum.

At the time I remember thinking that life was pretty tough for me as the oldest child. I had to help out with the washing, cleaning and cooking. I like to think I was only the average level of ungrateful kid. It is only now as a mum myself that I realise the sacrifices my mum made all in the name of supporting her family and broadening her horizons.

My mum's first teaching job was doing relief at my primary school, Mt Neighbour. Thankfully it was not my class. My friends knew she was my mum and gave her such a hard time, but she took it all in her stride. Now, after well over 30 years as a full-time primary school teacher in ACT's fantastic public schools, mum has decided it is time to pack the chalk away. I am relying heavily on my memory now, but she taught at many south side primary schools in this time, including Mt Neighbour, Farrer, Bonython and Gordon. I am sure there are many more, but I cannot remember them. In all of these schools she has had a positive impact on many children's lives. Out and about in the community, people often ask me if I am related to Mrs Cody.

As a politician, I could not have had a better pre-publicity for my campaigns than my mum provided. There are decades of Murrumbidgee locals who have told me how my mum made a difference to their education and their lives. I congratulate her for decades of caring for and educating our children. Thank you.

Mr Kivashan Pillay—work experience

MS LAWDER (Brindabella) (7.01): I have recently had a work experience student in my office and he has written a speech that I would like to read out today:

... my name is Kivashan Pillay, I'm 21 years old, and I'm from Durban, South Africa. I like cars, entertainment, video games and action animated movies.

I'm also part of the School Leaver Employment Support ... program with House with No Steps.

In the past, I have done work experience at the Brindabella Waste Management Facility, the Marist College library, and at Target. I've also had interviews at Ikea and Coles.

Unfortunately, I was not hired.

I began to ask myself, questions such as: "what went wrong during the interview?", "why wasn't I hired?", "was it because I have a disability?" I will probably never know the answers to my questions.

I know that finding work can be difficult, even for a “normal” person, But is it really that much harder if one has a disability? If I were to ask the people standing here today, do I look like I have a disability? If this was a job interview, how would you decide if I was qualified for the job? Would I be even allowed the chance to work for your company?

Recently, I have been given this wonderful opportunity to work at the ACT Legislative Assembly since September 14. I have learned basic skills such as filing, sorting, making inventories, doing computer work, data entry as well as writing this speech; all of which I had no real-world experience of due to my disability.

For that, I am very thankful for this chance to learn, to work, and to know that I can contribute to my community. I am grateful for Nicole and her staff: Adam, Mary, and Will for accepting me in her office, for being friendly, and especially for being patient with me as I learn new skills and concepts that will be applied in the office. I know for a fact that I need time to learn and understand the new concepts but once I do, I am able to work independently.

I, for one, am not limited by my disability, but by the chance to work ... I shouldn't speak for all people with a disability but if I could, I would say, just let us have a fair-go to experience work. That is, to provide a chance to learn new life and work skills, a chance to prove ourselves to possible employers so that we can do our part for the community and to be an asset to the workforce.

Thank you.

I would like to pass on my thanks to Kivashan for his contribution to my office over the past few months. I want to wish him all the very best for the future and I hope that other people will have the opportunity to offer people with disability the chance at a job. It is something that we can all learn more from than what we impart to them.

Hon Bill Haigh

MR COE (Yerrabi—Leader of the Opposition) (7.04): I rise this evening to pay tribute to the Hon Bill Haigh. Bill was a resident of Macquarie and passed away this month at the age of 92.

I first met Bill in December 2008. He contacted me soon after I had been elected about some issues with the maintenance of local infrastructure in Belconnen. I went to his house in Macquarie and we walked around the neighbourhood to look at the paths and nearby bus stop. Bill confidently gave me some advice about how to deal with the issue and some tips for getting a quick response from the minister. His advice was spot on. Whilst he did not mention his experience, he modestly said that he knew a thing or two about local government.

Upon arriving back at the office, I did a search for his name and discovered his extensive public service. He had been a Randwick municipal council alderman from 1956 to 1968, including six years as mayor. He went on to be the state Labor member for Maroubra from 1968 to 1983. During his time in the bearpit he was a minister

from 14 May 1976, responsible for assisting the Premier in the Wran government. He would also later serve as Minister for Services and Minister for Corrective Services.

In the six elections he fought, his primary vote was extraordinary: 52 per cent, 59 per cent, 55 per cent, 62 per cent, 70 per cent and 68 per cent. In fact since the seat was established in 1950 the best two results recorded were by Bill in his last two elections. His performance was even better than for the two premiers that preceded and succeeded him as members for Maroubra.

I met with Bill on numerous occasions. He was great company and I thoroughly enjoyed our conversations. We chatted about campaigning, his time as a minister, his cruise ship holidays and current affairs. He would talk about his past community engagement, including how sitting at the local TAB was one of the best ways to get news about the comings and goings around town.

Forever a politician and intrigued by comings and goings, I remember him telling me about the rumour mill on cruise ships. While on the cruise ships, he told me he would test the rumour mill by telling a tall story to someone and wait to see how long it would take before he heard someone pass on the same story back to him.

Bill was a convivial person. In fact in his maiden speech in the New South Wales parliament on 8 August 1968 he finished with the following sentences:

I thank the members of the House for the very courteous way in which they have listened to me. I hope that on some future occasion the House will not be so quiet, for I appreciate a more raucous and a more lively atmosphere.

Bill also told me the story of when there was a strike at the government printing office ahead of the 1978 New South Wales state election. The strike was threatening the election because the ballot papers were unable to be transported out of the Ultimo building. As the responsible minister, it was left to Bill to work out a way to get the ballot papers to the booths. He hatched an elaborate plan, involving analysing the plans for the buildings to discover alternative entrances and exits, getting trucks from a friendly union, having vehicles travel the wrong way up a one-way street, various road closures and a police escort.

At 6.20 pm on Friday, 29 September 1968 the ballot papers that were subject to a blockade by the Printing and Kindred Industries Union were successfully removed from the Quarry Street premises using Bill's plan. The papers were then delivered to the polling booths across the state. For Bill and his Labor Party, the fact that the election was able to go ahead through his ingenuity was a very good thing, as the Labor Party had a resounding victory.

From reading about Bill as Mayor of Randwick and as a member and minister in the New South Wales government, I can see that he was a practical, affable and community focused man. This is consistent with the Bill I knew later in his life. The Bill I met nine years ago had more than 80 years of experience and wisdom, and I was very fortunate to have shared some time with him. I had the pleasure of meeting his

late wife Edith, and I am also pleased to know his daughter Frances. I extend my condolences to Frances and her siblings, and Bill's grandchildren.

Canberra Liberals—apology to the CFMEU

MR PETTERSSON (Yerrabi) (7.09): It was brought to my attention last week that the Canberra Liberals had made a public statement regarding alleged corruption in the ACT. For the historical record, I will take a moment to inform the Assembly of their announcement, because I suspect they will not.

On 24 November at 4.29 pm the official Canberra Liberals Facebook page posted the following update titled "Canberra Liberals: apology and correction to the CFMEU". The text of the update read as follows:

In the video and caption posted on the Canberra Liberals Facebook page at 7.10am on 26 October 2017, the Liberal Party of Australia—ACT Division made statements relating to the ACT branch of the Construction, Forestry, Mining and Energy Union concerning office space occupied by the CFMEU, a carpark owned by the CFMEU and the CFMEU's relationship with the Labor ACT government.

It has come to our attention that the Publication may have been interpreted as suggesting the CFMEU has a corrupt relationship with the Labor ACT government.

The Liberal Party of Australia—ACT Division did not intend to convey any such suggestions and, insofar as the Publication may have conveyed any such suggestions, the Liberal Party of Australia—ACT Division withdraws them unreservedly.

The Liberal Party of Australia—ACT Division apologizes to the CFMEU for any distress or embarrassment that the Publication may have caused.

Question resolved in the affirmative.

The Assembly adjourned at 7.11 pm.

Schedules of amendments

Schedule 1

Racing (Greyhounds) Amendment Bill 2017

Amendment moved by Mr Parton

1

Clause 2

Page 2, line 5—

omit

30 April 2018

substitute

30 June 2018

Schedule 2

Crimes (Police Powers and Firearms Offence) Amendment Bill 2017

Amendments moved by the Attorney-General

1

Clause 6

Proposed new section 210D (1) (c)

Page 6, line 10—

omit proposed new section 210D (1) (c), substitute

(c) consent has been given by—

- (i) if the premises are occupied—the occupier of the premises; or
- (ii) if the premises are not occupied—the owner of the premises.

2

Clause 6

Proposed new section 210D (2) (b) (i)

Page 6, line 17—

omit proposed new section 210D (2) (b) (i), substitute

(i) has made reasonable attempts to obtain the consent of—

- (A) if the premises are occupied—the occupier of the premises; or
 - (B) if the premises are not occupied—the owner of the premises;
- or

3

Clause 6

Proposed new section 210G (2)

Page 8, line 11—

omit

at or in relation to the place

4

Clause 6

Proposed new section 210H (1)

Page 9, line 23—

omit

for an offence

5

Clause 6

Proposed new section 210H (1) (d)

Page 10, line 4—

omit proposed new section 210H (1) (d), substitute

(d) a police officer starts executing a warrant to search the place;

6

Clause 6

Proposed new section 210H (1) (e)

Page 10, line 5—

omit

in relation to the offence

7

Clause 6

Proposed new section 210M

Page 11, line 27—

insert

210M Review—div 10.4A

- (1) The Minister must review the operation of this division as soon as practicable after the end of its first year of operation.
 - (2) The Minister must present a report of the review to the Legislative Assembly within 6 months after the day the review is started.
 - (3) This section expires 3 years after the day it commences.
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