



Debates

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Thursday, 20 September 2018

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Thursday, 20 September 2018

MADAM SPEAKER (Ms J 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.

Leave of absence

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

That leave of absence be granted to Mr Barr for this sitting due to his participation in an international ministerial delegation.

Petition

The following petition was lodged for presentation:

International students—petition 19-18

By Mrs Kikkert, from 508 residents:

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, on 1 July 2017, the ACT Government widened its criteria for nomination for a 190 (skilled nominated) visa. It then advertised these changes, encouraging migrants to move to the ACT and complete a Certificate III or higher to qualify for this nomination.

This resulted in a large number of interstate international students who trusted the ACT Government's implied offer of nomination for a 190 visa under the new criteria and therefore relocated to Canberra.

By April 2018, the Government knew it couldn't meet the demand it had helped create for territory-sponsored visas.

The ACT Government nonetheless continued to promote its Skilled Migration program, encouraging international students to move to Canberra in order to qualify for sponsorship. As late as 13 June 2018, the Government told migration agents that there would be no changes to the application and assessment processes.

The ACT Government then abruptly closed the program to most applicants on 29 June, dashing the legitimate expectations of thousands of international students who had chosen to relocate to Canberra.

Your petitioners, therefore, request the Assembly to call upon the ACT Government to honour its implicit promise to international students who

were enrolled in an ACT educational institution on or before 29 June 2018, the day of the program closure, allowing these individuals to apply for ACT nomination for a 190 visa under the policy in place before 29 June.

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

Pursuant to standing order 99A, the petition, having more than 500 signatories, was referred to the Standing Committee on Education, Employment and Youth Affairs.

MRS KIKKERT (Ginninderra) (10.01), by leave: I have presented a petition signed by 508 Canberra residents calling on this Assembly to urge the ACT government to allow international students who were involved in an ACT educational institution on or before 29 June 2018 to apply for ACT nomination for a 190 visa under the guidelines that were in place before this date. Many of these students find themselves in very difficult circumstances. I have spoken with a number of them, all of whom carefully chose to migrate to the ACT because of what they understood about the territory's skilled nominated visa scheme. This understanding was based upon information provided on the government's migration website and also in government-sponsored promotional material.

In previous years these students would have been fine, as the figures and charts in the government's recently released discussion paper make clear. The 190 visa scheme has functioned quite well in the past, attracting roughly the same number of intending migrants each year as the number of sponsored visas allotted to the territory by the Department of Home Affairs.

This changed dramatically in 2017-18. Again referencing the government's own discussion paper, in the first nine months of the last financial year international student commencements in vocational education in Canberra jumped 700 per cent. The University of Canberra reported a nearly 30 per cent increase in international student commencements in 2018.

In short, the ACT has had a large influx of international students since 1 July 2017. The government's discussion paper considers a number of possible reasons for this influx, but in my personal conversations with many of these students they have assured me that they were specifically attracted to the territory's skilled nominated visa scheme and its implied assurance that they would be able to apply for nomination after only 12 months of residence and completing a certificate III or higher qualification.

From their perspective, the ACT government specifically targeted them through its advertising and promoting of potential migration opportunity. The problem is that this promotion works too well and, by the time the ACT government abruptly closed the scheme to many intending migrants on 29 June this year, nearly 1,100 applications for territory sponsorship had been filed, despite there being only 800 visas available.

It needs to be pointed out that these students understand how migration works and they certainly understand that there are no guarantees in the system. Their primary concern is specifically that they were lured into moving to Canberra even after the government understood that the demand for ACT-nominated visas was surging.

I cannot say for sure what the government knew when, but what we know from public reporting appears troubling. Migration lawyer Nicholas Houston told SBS that he met with ACT government officials in November last year and warned them that thousands of students were already moving to Canberra in the hope of securing territory nomination. I quote him:

But they—

the government—

kept advertising the program and hundreds and hundreds more kept coming ... If they had pulled the plug on the program back then, all these students wouldn't have been in the situation that they are now.

A ministerial brief sent to the Chief Minister in April and released under the Freedom of Information Act reveals that Mr Barr had been informed that the scheme was oversubscribed. Nevertheless, the government agency responsible for the program still told migration agents on 13 June that there would be no changes to the application and assessment process introduced on 1 July last year. Thirteen days later the scheme was abruptly closed to most would-be applicants.

The nearly 300 extra intending migrants who had filed their applications by this date have been grandfathered into this year's visa allotment. This is a good and decent thing, but this still leaves a large group of international students who find themselves in limbo. The government's discussion paper acknowledges the impact that this mess has had on these students, and the government has promised a review that will better manage both expectations and demand in the future.

None of this, however, will help the students caught in the middle. As I mentioned before, these students made a conscious and what they thought was informed choice to move to Canberra to study. Many of those I have spoken with even gave up good jobs elsewhere to do so. They know that visas are capped by the Department of Home Affairs. They know that the success of an application for nomination is not guaranteed.

What they do not understand is why the ACT government kept encouraging them to come when the data showed that the 190 visa scheme was already being overwhelmed. Why, when the Chief Minister knew that applications had surged well ahead of places, did this government continue to tell migration agents that there would be no changes to the application and assessment processes?

If these students had been given the correct information they would have been able to make genuinely informed choices. They may well have chosen to invest thousands of dollars into studying elsewhere. They may have held onto good, paying jobs instead.

They may have also still chosen to migrate to Canberra but they would have done so with their eyes wide open to the reality of the situation. Instead, they feel that they were misled by the ACT government.

They petition this Assembly to urge the ACT government to allow them the same opportunity that was given to earlier applicants to be grandfathered into this year's allotment of visas. This will certainly cut into the 2018-19 migration scheme numbers, but these students feel it would be the just and honest thing. A review would do them no good. Future fixes will be too late for many of them. Canberrans understand that fair treatment for all must include our visitors and students from afar. They deserve so much more than the way that the ACT government has treated them. On behalf of these students and other concerned Canberra residents, I commend this petition with its 508 signatures to the Assembly.

MR COE (Yerrabi—Leader of the Opposition) (10.09), by leave: I believe that there are many families in Canberra that have been let down by this government with regard to their hasty decision to change the rules on the 190 visa. Numerous members of the opposition have met with people that moved to Canberra in good faith, following the advice of the ACT Labor government. To have the system change overnight with no warning, with no notice, is absolutely unacceptable. It is unethical; it is wrong. And for this government to claim that they are a socially progressive government, yet to leave hundreds of people in the lurch the way that they have, does themselves and unfortunately this territory a real disservice.

I fear that the decision that the government has made with regard to the 190 visa has done real reputational damage to the ACT. I think we are going to struggle to attract skilled migrants in the future if people are concerned that they cannot move here with certainty because the government could change the rules once again.

There are so many people that have been let down by the government as a result of this decision. I remember chatting with people who had a choice of whether they moved to Tasmania, moved to Canberra or moved to another part of the country, chasing a 190 visa, and they chose to move to the ACT. Some of them packed up businesses interstate; some of them sold homes interstate; some have even moved here and put their kids in Canberra schools. Now they have been told it is all for nothing because the rules changed overnight.

I find it amazing that there seems to be no backlash amongst the Labor Party MLAs about this government decision. How is it that there can be 12 members of the Labor Party and two members of the Greens that are happy for this to happen? All of them have sat back and allowed hundreds of Canberra families to be left in the lurch as a result of their bad decisions and their bad planning.

There are other jurisdictions that had to make a similar decision, but they decided to grandfather in the changes so that people that had made decisions based on the information available to them would not be put at a disadvantage. In particular, the jurisdiction of Tasmania said that anybody who had moved until that date would have their conditions and their circumstances recognised according to the former rules.

Instead, what happened here in the ACT was that the government just turned off the tap right away. It is wrong, it is unethical and—as a result of getting 500 signatures, the referral will take place—I hope that the standing committee is able to look at this issue and provide tripartisan advice to the government that they should grandfather in the changes and allow for these families to remain in the ACT.

Leave of absence Amendment to motion

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

That the words “participation in an international ministerial delegation” be omitted from the motion of leave of absence for Mr Barr and substitute “attendance at an international conference”.

Public Accounts—Standing Committee Report 4

MRS DUNNE (Ginninderra) (10.14): Pursuant to order, I present the following report:

Public Accounts—Standing Committee—Report 4—*Methodology for determining rates and land tax in strata residences*, dated 20 September 2018, together with a copy of the extracts of the relevant minutes of proceedings.

I move:

That the report be noted.

I want to take this opportunity this morning to speak on the report of the Standing Committee on Public Accounts on the methodology used to determine rates and land taxes for strata residences. As members will recall, this inquiry was initiated in response to two out-of-order petitions. As you would expect, given its genesis, the inquiry received many contributions—in fact, 99 submissions in all—ranging from brief comments to fully worked up examples. The committee held public hearings on the matter over several days.

Community contributors told the committee that there was considerable distress about the changes in the ACT’s rates and land tax system which occurred in 2017. Of most concern was the fact that virtually all properties on strata title had been elevated to the top marginal rates for the calculation of rates and land taxes. In effect, contributors told the committee that owners of strata titled properties were being denied access to the progressive scales set out in regulations.

There was also strong concern about anomalies that had arisen in the system; anomalies in the rates and land tax levied for freestanding houses and units; and anomalies between rates and land taxes levied for different types of units. A number of contributors told the committee that retirees on fixed incomes were struggling to pay increases in rates.

Investors told the committee that it was no longer viable to own or acquire unit titled properties in the ACT. As a result, some contributors told the committee that they were actively considering getting out of the ACT property market in favour of property markets in other jurisdictions.

A consistent message that came through from contributors was the sense that the ACT government had not kept faith with property owners. People had bought property on one set of assumptions and in 2017 had been abruptly confronted by quite another scenario. There was a sense that consultation and communication by the government had broken down before, during and after the changes were put into effect.

In addition, a number of contributors felt that they were seeing no reciprocity in exchange. There was a perception that although property taxes in the shape of rates had increased, local services were minimal and had not improved. They also noted that in many cases unit titled complexes paid privately for services that would, for freestanding properties, be provided by government—for example, roadworks, internal roadworks and the collection of garbage.

Madam Speaker, these messages were consistent across the contributors to the inquiry. The high quality of contributions was striking. A number showed impressive levels of expertise in economic policy.

Turning to the six recommendations made by the committee in this report, I will start with what is considered the most important, which is recommendation 2. It states:

The Committee recommends that the ACT government devise a new method for determining rates and land tax for unit title properties.

Effectively, what the committee has said is that the government has got the system wrong and it needs to go back to the drawing board. The present system really is not working. It started in 2012 as tax reform, with progressive scales for rates and land taxes, and then in 2017 effectively denied access to the progressive scales for all unit titled properties.

Recommendation 5 responds to this, recommending that the system be changed to restore access for unit titled properties to a progressive scale for rates and land tax. In the process, some dramatic anomalies have emerged which to all appearances are simply unfair. This damages the relationship between government and its constituency and must be changed.

However, the committee also acknowledges that the value of land attributable to freestanding houses and unit titled properties presents a problem for working out rates and land taxes, and recommendation 4 acknowledges and responds to this problem.

Recommendations 1 and 3 respond to the fact that, despite the expertise and awareness displayed by contributors, a number did not understand important elements of the rates and land tax system. These recommendations seek to provide clarification of these elements.

Recommendation 6 recommends that the ACT government conduct a public review of rates and land tax systems so as to generate proposals that would provide a greater degree of fairness and consistency in rates and land tax across all housing stock in the ACT, including for unit titled properties. This is a bookend to recommendation 2. Essentially, together they call for an overhaul of the rates and land tax system in the ACT so as to resolve the very considerable problems of which contributors advised the committee.

I commend the contributors to the committee for their thoughtful contributions. I thank my colleagues Mr Pettersson, Mr Coe and Ms Cody for the thoughtful way in which this inquiry was undertaken, and I do want to point out that this is a unanimous report. I think there is one footnote that highlights a slightly different approach that Mr Coe and I would have preferred. But all of the recommendations are unanimous. It shows the good collegial approach that the committee has taken on this very important issue.

I particularly want to thank the committee secretary, Dr Lloyd, for his diligence and hard work in putting together this substantial report which, despite its size and despite the controversy of the subject, allowed us to sail through the deliberative processes fairly easily. I thank all those associated with the assembling of this report for what, I think, is an important contribution to the discussion about how we levy rates in the ACT. I commend the report to the Assembly.

MR COE (Yerrabi—Leader of the Opposition) (10.21): I, too, commend this report to the Assembly. Before I make some more substantial remarks, I would like to thank my committee colleagues for the way in which they approached this and particularly thank Dr Brian Lloyd for the very professional way that he manages the Standing Committee on Public Accounts.

Further to those internal people that have contributed to this report, I particularly want to thank all those involved in the Owners Corporation Network that really did do a huge amount in driving public interest in this issue. Of course, they also helped put together a very significant petition that led to the groundswell and the momentum for getting this committee inquiry up.

As can be seen in the six recommendations that have been put forward by the committee, it was a subject that warranted inquiry and it is a subject that warrants further attention by the ACT government. As Mrs Dunne said, quite simply the government have got it wrong and they need to go back to the drawing board.

Recommendation 2 states:

The Committee recommends that the ACT government devise a new method for determining rates and land tax for unit title properties.

Of course, implicit in that is that the old system is broken and a new system is required. Mrs Dunne and I would have preferred a more firm set of words, such as, “The committee recommends that the ACT government reverse its decision to change

rates and land tax calculations for units and then develop and publish an options paper for possible future changes.” That is included in this report as a footnote.

I think that going back to the previous system is better than continuing with the current system. But, one way or another, there is agreement amongst the four members of this committee, agreement from both the Labor and Liberal members of this committee, that a change is required. The current system is not right.

Of course, this is a system that the opposition voted against. It is a system that we raised concerns about at the time. Those concerns have turned out to be true. In a nutshell, in times gone by the government would divide the value of a complex and then calculate it. Now it calculates it and then divides it. The impact is pretty much that every unit in Canberra is at the top marginal ratings factor when it comes to the calculation of rates and land tax. This is wrong. We do not have a progressive ratings system in the ACT when it comes to units and apartments.

I commend this report to the Assembly. But, more importantly, I commend the report to all the people that made substantial contributions to the inquiry. Many of the people that submitted put in very detailed commentary about their personal circumstances but also broader analysis about the impact that the government’s changes have had on the ACT residential sector. I think it is a very important piece of work that has been done. I very much hope that the government takes it on board and releases a discussion paper or an options paper as quickly as possible so that we can get a much better policy outcome for the thousands of people in Canberra that live in units and apartments.

MS LE COUTEUR (Murrumbidgee) (10.26): I very much welcome this report. Of course, it has only just come out, so I am speaking only on the basis of six recommendations and the discussion so far. But on the basis of that, thank you very much to the PAC for this report. It is time to recognise that we have problems with our rates system. I believe these problems are more extensive than just the issues with units, and that is why I put out a discussion document on keeping rates fair.

Units are only part of the problem. One of the things with units as to why they are significantly part of the problem is that, whatever you might say about units, there is no simple way of working out what the land value for a unit is. If you are in an apartment on the sixth floor of a 15-storey tower, what is the value of your land? It just does not make sense. You may be talking about the value of your airspace, so that is inherently problematic. How do we get some sort of relativity between houses and units?

Another problem we have had lots of emails about—I imagine there were a lot of submissions on this subject—is low income people in older suburbs where the value of the land has gone up but their income has not gone up. Last year we asked the government to do more reporting on this subject. They did a spreadsheet which revealed that a single aged pensioner in an older suburb like Garran could be paying over 14 per cent of their income on rates, which is a problem. For the median-income household paying median rates it is about 1.7 per cent of income, which reveals the huge discrepancy.

We also have the issue that at present in Canberra expensive houses often pay less than lower cost houses. The small, old house can be paying higher rates than a nearby knockdown rebuild, which could be worth up to \$1 million more. As Mr Coe and Mrs Dunne have highlighted, less expensive units are often in our highest tax bracket because of the recent changes to how units are looked at. That is just not fair, and I totally agree with the PAC committee's evaluation here.

Before and after putting out my paper on rates we did extensive consultation with stakeholders and, in particular, relevant industry groups, and it is clearly an issue. Almost all economists, including independent groups like the Grattan Institute and the Australia Institute, believe our economy would be better off if we phased out inefficient taxes like stamp duty and replaced them with broader taxes on property, like rates. And this is what we have been doing.

Since 2012 the ACT government has been phasing out inefficient taxes like stamp duty and insurance duty and increasing rates to make up the revenue needed to deliver government services. This has been successful so far, but we are the first part of Australia to do it and so we are the first part of Australia to uncover some of the significant difficulties with this major change.

We put out our discussion paper because we are concerned that these difficulties need to be fixed now. Unfairness is creeping into the system and it is not just for unit owners. The rating system has always been very clunky and had some anomalies. In the past they have largely been addressed by our deferral system and our concession system.

I am very pleased the age deferral system has been extended, I think partly as a result of Greens pressure. But regardless of why, it has been extended to potentially most aged rate payers in Canberra instead of only those living in the very expensive suburbs. There is also a system for rates rebates. But this has been capped at \$700 a year for new entrants. As rates get up to being many thousands a year, it is simply not adequate, and it is only available to people who have healthcare cards from the commonwealth government.

We are concerned that a significant number of people who are not on really low incomes are finding keeping home ownership in Canberra very hard, particularly as they get older and have a fixed income. It is also a problem for younger people. Your first home is usually not one of the most expensive homes, but if you have an older house on a bigger block of land, you could be paying equal rates or potentially more than your next-door neighbour with a knockdown rebuild.

What can the ACT do about it? Of course, the ACT is not in a position to charge any tax based on a person's income or wealth. The closest we can get to that is to base it on their wealth in terms of the real estate they own in the ACT. That, in fact, is our suggestion that we would like the Canberra community and the Assembly and the government to take seriously. We have been looking at what changes could be made to move from basing our rates on the value of land to the market value of the home. It would seem to us to be a lot fairer.

As I have spoken about before, there is a better correlation between someone's wealth and the market value of their home than there is between their wealth and the value of the land on which their home is located. This has been shown in academic studies overseas at some length.

Other reasons include technical issues in working out land values and market values. One of the things the Mr Fluffy buyback showed was that our current system of evaluating land is broken. Mr Fluffy blocks in the inner north and inner south generally sold for significantly more than their rateable value, whereas Mr Fluffy blocks in the outer suburbs sold for their rateable value or in some cases less than that.

In other words, our land value system for rates appears to underestimate the value of land in the inner older suburbs and overestimate it for our outer suburbs. This is another inequity. Because in general we do not sell blocks of land in established suburbs, we have no easy way of ensuring that our land values as used by rates are accurate. However, if you use market value, on average I believe houses are sold every seven years in Australia, so you have a way of validating what value you use. Also, with the advent of Google Earth and other systems for taking photos of residences, you can easily obtain a quick idea of the approximate market value of a house.

I also point out that the market value, rather than the land value, is used in other jurisdictions—South Australia, Victoria and New Zealand. In New South Wales, IPART conducted an investigation into this and their draft report recommended moving to market value. Unfortunately, the New South Wales government, for whatever reason, has not released the final report. We tried to get this through FOI but failed. I also point out that we tried with FOI and failed to get the work the ACT government has done on this; we were given a heavily redacted document.

The clear result of the PAC committee's useful report is that our current rates system has significant problems which are only going to get worse as we continue down the path of reducing stamp duty and making up the slack through rates. It is time for this Assembly, with the government, to establish a full-on inquiry into our rates system before it becomes totally unsustainable.

The Greens have contributed an idea to this. We think our idea would be superior to the current system. As the PAC inquiry has demonstrated, the current system has major problems. I very much thank the PAC committee for their work and look forward to having the time to read all 173 pages.

Question resolved in the affirmative.

Ministerial delegation to New Zealand

Ministerial statement

MS FITZHARRIS (Yerrabi—Minister for Health and Wellbeing, Minister for Higher Education, Minister for Medical and Health Research, Minister for Transport and Minister for Vocational Education and Skills) (10.37): Today I would like to

update the Assembly on my recent New Zealand delegation with officials from ACT Health, the Australian National University and the University of Canberra between 7 and 10 August this year.

Madam Speaker, as you know, New Zealand is one of our closest neighbours, both in terms of distance and in terms of our enduring, positive relationship. The delegation was timely, given that there is much we can learn from each other when it comes to improving the health and wellbeing of our communities and strategies for delivering quality, person-centred health care.

That is why in August this year my chief of staff, the Director-General of ACT Health, the Acting Deputy Director-General, Policy and Strategy, of ACT Health and the ACT Health Chief Medical Officer, along with a number of senior and eminent staff from the ANU and UC, undertook this visit.

During the tour I had the privilege of meeting with the New Zealand Minister of Health, the Hon Dr David Clark. We had a very productive discussion about the challenges faced by the New Zealand health system, many of which are also applicable here in the ACT. These challenges include levels of population growth, the ageing population, managing the procurement of large-scale health infrastructure projects and new hospitals, workforce capacity and healthcare staffing ratios, noting that Australia's ratios are indeed higher than those in New Zealand. Key topics of the discussion included primary care models, health care in homes and health pathway models.

We discussed the importance of clinician engagement as well as different ways of integrating education and clinical service delivery. We discussed population health funding models and the importance of working with many partners in achieving good health outcomes for our community. We also discussed gestational diabetes, a focus of mine. Whilst this is an emerging challenge in the Australian health system, it is not yet registering in the New Zealand setting in the same way.

ACT Health shared information on approaches that do work for the ACT. These include the successes we have had through the healthy weight initiative and preventive health initiatives such as targeting canteens in schools and instilling behavioural change around healthy eating through the it's your move and fresh tastes programs. New Zealand shared information on research into customer supermarket buying patterns as well as a focus on patient data related to health literacy.

The New Zealand Minister of Health and I agreed to continue to share information around approaches to these particular challenges so that we can continue to learn from each other. I want to pay tribute to New Zealand Labour's ambitious health plans to improve the availability of health and mental health services, to improve health outcomes for all New Zealanders, and I especially look forward to hearing more about New Zealand Labour's commitment, already underway, to rebuild Dunedin Hospital, in my old home town and where I still have close family.

During the delegation I also met with Mr Justin Lester, the Mayor of Wellington. As members are aware, Wellington and Canberra share a very productive sister city

relationship. A key focus of this meeting was transport and urban development. The Wellington City Council is working on the observation that better transport systems mean fewer car parks. We also discussed the links between effective public transport outcomes, active travel infrastructure and improved health outcomes. In Wellington, they are splitting many of the bike paths and footpaths to ensure the safety of all users, with dedicated cycling and walking paths. There is also a bikes to school program in New Zealand. It was great to discuss these initiatives and consider possible learnings for the ACT.

Wellington has very impressive mode-share achievements in what is a city that has quite possibly a much more challenging seasonal weather pattern and some incredibly steep hills. If Wellington can do it, so can we. Overall this meeting was very positive, and I am pleased to inform the Assembly that the strong sister city links were affirmed.

We also met with the New Zealand Health Promotion Agency. The Health Promotion Agency is an evidence-based health promotion organisation influencing many sectors that contribute to good health and wellbeing. The work of the agency focuses on promoting health and wellbeing, enabling health-promoting initiatives and environments, and informing health-promoting policy and practice.

Our meeting was very productive and gave us insight into the methods they use to effectively tailor messaging and mass media campaigns to positively influence the community's health. The agency informed us of several successful campaigns they have developed to influence health outcomes, and ACT Health intend to connect with them further on these opportunities. New Zealanders really know how to make good ads, and not just about All Blacks on aeroplanes. I would encourage all members to take a good look at the work of the Health Promotion Agency.

From Wellington we then visited Christchurch, and our first meeting was with the New Zealand Health Innovation Hub. This is a partnership between New Zealand's three biggest district health boards—Auckland, Canterbury and Counties Manukau. We met with Ms Stella Ward, chair of the hub's executive leadership committee, who outlined the key purpose of the hub, which is to accelerate smart ideas, products and services to achieve improved health outcomes. The main goal is to establish and develop partnerships between the public health sector, research organisations and universities, and leverage these to deliver health outcomes while also managing and sharing intellectual property, research and commercialisation opportunities effectively. A key emphasis of the hub is on the motivation behind influencing behaviours that can lead to poor health outcomes.

In addition, the hub provides advice on marketing validation and health innovation funding models available for health professionals, including identifying problems or opportunities to commercialise innovation. There are many lessons we can learn from the New Zealand Health Innovation Hub, especially as we strive to further increase the role of research and trials in clinical service delivery.

Following this meeting we then joined a delegation of ANU and UC staff. I was thrilled to be accompanied by Professor Russell Gruen, the incoming Dean of the College of Health and Medicine, ANU; Professor Jane Dahlstrom, Interim Dean of

the College of Health and Medicine, ANU; Professor Ross Hannan, Centenary Chair in Cancer Research and head of the ACRF Department of Cancer Biology and Therapeutics at the John Curtin School of Medical Research at the ANU and also the Director of Research at ACT Health; Sean Hannan, Senior Government Relations Adviser from Strategic Communications and Public Affairs at ANU; and Professor Karen Strickland, Professor of Nursing and Head of School at the University of Canberra.

The ANU played a key role in facilitating and participating in the discussions with the University of Otago, Christchurch, and I thank the ANU very much for this open collaboration, which we very much look forward to continuing.

We held a very productive session with leaders from the Canterbury District Health Board and the University of Otago Medical School, located at the Christchurch hospital, to discuss how their close relationship works with regard to governance structures, stakeholder engagement and collaborative funding models for academics, infrastructure and student training. The governance structure, both within the university itself and the way it guides relationships between the university and the health board itself, was innovative and refreshing.

Much of this session was dedicated to understanding the structure and detail and considering how the current arrangements differ here in the ACT with respect to the ANU Medical School, UC and ACT Health, particularly where staff share roles across all organisations. This was a beneficial opportunity for the delegation to reflect upon and consider how best we might expand and improve this here in the ACT.

We also had the opportunity to meet with Pegasus Health, who provide services and support to general practices and community-based health providers. The model they use genuinely wraps around patients and makes the most of community health and primary care, in collaboration with acute tertiary level care when it is needed. It is one significant benefit of having one level of government responsible for funding and delivering health care. While we do not have as many levers available to us in the ACT and Australia, there were nonetheless useful lessons we can take away from the CDHB model.

Our discussion also focused on healthcare initiatives that meet the cultural needs of a diverse local population while delivering health care across primary care, health and wellbeing services, mental health services and long-term care for people living with chronic conditions.

We were also really pleased to visit the newly opened Manawa building, a joint teaching and research facility between the Canterbury District Health Board, Ara Institute—effectively their local TAFE—and the University of Canterbury. It was wonderful to see what can be achieved with well-designed spaces for clinical teaching for a wide range of members of the health workforce.

I also note the very recent announcement by the University of Otago of their plans to build a \$150 million state-of-the-art facility for their Christchurch health research staff and laboratories in the same post-earthquake health precinct in Christchurch. The

university have said the new building will enable the growth of the Christchurch campus's health science research and education program and provide new opportunities for collaboration with other important partners in the health precinct. I really look forward to seeing this project develop and to continuing to build these relationships with CDHB and the University of Otago.

We were also very pleased to visit the exciting design lab facility, which is focused on rethinking how health services are provided. The design lab has been used to mock up a new concept for health infrastructure. The work currently being undertaken in the design lab is underpinned by extensive research. This was evident as we toured the facility and engaged with the policy leaders.

The design lab is a hive of activity, with clinical staff, policymakers and healthcare leaders, both national and international, visiting the facility to take advantage of the opportunity for the "disruptive" thinking opportunities that the lab offers. They demonstrated impressive improvements in patient outcomes and clinical service delivery through the design lab. We are keen to learn much more from the Canterbury District Health Board about these impressive achievements, recognised internationally as world-leading health system reform.

This is particularly welcome given the extensive health infrastructure planning that the government has committed to here in the ACT, and a very timely opportunity to consider the opportunities and alternative approaches to health infrastructure policy, planning and outcomes.

On the final day of the tour, at the design lab we also met with officials from Canterbury health to discuss HealthPathways. HealthPathways is an online manual which is used by clinicians to help make assessment, management and specialist request decisions for over 550 health conditions. Each pathway is an agreement between primary and specialist services on how patients with particular conditions will be managed in a local context.

I can advise that over 40 HealthPathways are being implemented in Australia, and ACT Health is actively engaged in progressing this work. In addition more than 50 primary care and hospital care organisations have formed partnerships, which enables them to share knowledge, processes, pathways and infrastructure. As a result, the demand on acute and residential care services is reduced, as patients are being better managed in their community and in their homes. We were pleased this year to continue to support the Capital Health Network to lead the rollout of HealthPathways here in the ACT's primary care sector, and we look forward to continuing to roll out more HealthPathways within ACT Health and particularly within Canberra Hospital.

I am pleased to have had the opportunity to explore the way the New Zealand health system operates—how it is making significant achievements and how it approaches the challenges of running a modern healthcare system. There is clearly more we can do in the ACT to make the most of HealthPathways and maximise their use here in the ACT health system. The ACT has taken away strong and innovative ideas of great relevance to us, which ultimately sets the scene for opportunities to provide the best possible health care and research collaboration in the ACT.

Growing the health and medical research sector to support the delivery of research-led, evidence-based, high quality health care for the ACT is a priority for the government. I am committed to exploring the growth opportunities through my new portfolio as the Minister for Medical and Health Research.

An important step in building collaborative relationships to grow the medical research sector in the ACT was to sign a memorandum of understanding last Friday between the ANU, the ACT government and Australia's pre-eminent cancer centre, the Peter MacCallum Cancer Institute. The MOU records the intention to work together on various aspects of research-led clinical cancer care, which could be significantly beneficial to attracting clinicians and improving healthcare delivery at the Canberra Region Cancer Centre at ACT Health.

I am very pleased to have had the opportunity both to strengthen relationships with the ANU and UC through the delegation to New Zealand and to learn together from some of New Zealand's most successful and eminent public health sector specialists. It is also my pleasure to say that, as a result of the discussions and relationship building during the trip to New Zealand, ACT Health will host a summit in November this year, in partnership with the ANU and the University of Canberra. The summit will allow us to build on a collaborative relationship between research, academic and service sectors to achieve a health system that is fit for the future and provides world-leading health care through research, policy, practice and education. There is much we can learn and leverage from each other, and the government is absolutely committed to making the most of these partnerships with the ACT's higher education sector as well as with ACT Health.

I again thank the ANU and the University of Canberra for their leadership and participation on this delegation. It further supports our joint efforts to collaborate with one another to strengthen the delivery of research-led clinical care and develop in Canberra an exceptional approach to health and medical research, to develop a high quality health system attracting talented staff to our respective organisations, and ultimately providing better health care to our community.

I present the following paper:

New Zealand Delegation—August 2018—Ministerial statement, 20 September 2018.

I move:

That the Assembly take note of the paper.

Question resolved in the affirmative.

ACT housing choices collaboration hub Ministerial statement

MR GENTLEMAN (Brindabella—Minister for the Environment and Heritage, Minister for Planning and Land Management, Minister for Police and Emergency

Services and Minister assisting the Chief Minister on Advanced Technology and Space Industries) (10.51): Madam Speaker, I am pleased to provide to you and the Assembly today my initial response to the ACT housing choices collaboration hub final report. The report details responses to the 13 recommendations presented by the collaboration hub participants to me on 28 July this year.

I want to extend my thanks and appreciation to the 36 collaboration hub participants who committed their time and energy over three months, including the five full days of deliberation at the hub workshops. I am grateful for their contribution to this project and to the recommendations that they have presented to us.

This was a new, exciting and genuine opportunity for the people of Canberra to influence the future of housing diversity in the city. The level of community engagement in this process and the quality of recommendations from the collaboration hub are proof that our local democracy can be enhanced through deliberative engagement with our community.

This is the question that we sought to answer through the housing choices engagement.

Canberra is changing—and there are many different ways our housing needs can be met. What do we need to do?

For the past few years I have heard a wide range of opinions and ideas from the Canberra community about housing choices in Canberra. This project sought to bring together all of those ideas and to reach a consensus set of recommendations the government can use to guide its future planning.

In November 2017, the Environment, Planning and Sustainable Development Directorate launched consultation on the housing choices discussion paper. Through workshops, online surveys and consultation kiosks, Canberrans told us what they valued most about housing choices. These included the ability to age in place, as well as improve the quality of building construction, housing affordability and much more. All community feedback was summarised in the housing choices discussion paper community engagement report that was released in May 2018.

Following this, we launched the housing choices collaboration hub, a deliberative process that brought together 36 randomly selected individuals that represented a broad cross-section of the Canberra community. Over three months the collaboration hub participants considered the insights from our research and community engagement, heard from speakers and read public submissions.

They considered the desires of stakeholders and best practice options to improve Canberra's housing choices. Together, the group developed 13 recommendations around nine themes: zoning, planning and approvals, affordability, character, public housing, quality of design and construction, and lifestyle and diversity.

Housing choice and diversity require considered thinking and balanced solutions. This project therefore required an innovative and participatory form of engagement that

included members of our community in the consensus, building around possible ways to respond to the challenge of diversifying housing choice.

The ACT government has broken new ground with its collaboration hub. Representatives of the Canberra community have had the opportunity to influence the city's planning and housing policies in a new way that is more representative than the standard draft policy and six-week consultation approach.

On 28 July this year, the collaboration hub participants presented their report recommendations to me. The collaboration hub made 13 recommendations on ways to improve housing choices under the following nine themes: affordability, character, environment, lifestyle and diversity, planning and approvals, public housing, quality of construction, quality of design, and zoning.

These themes and recommendations are consistent with messages we have been hearing from the Canberra community in recent years. I have agreed to pursue all 13 of the recommendations. I have given support in principle to the recommendations. They can be addressed through various ongoing and future projects by the government. Work can now begin on considering the recommendations over the next few years.

In addition to recommendations on housing choices, many of the recommendations relate to other responsibilities of EPSDD and other government agencies. These include administration of the ACT planning system, the Territory Plan, the ACT planning strategy, planning approvals, affordable housing, environment, quality of construction and design, affordable housing, and public housing as well.

Recommendations that may involve amending policy and regulations will be examined further in detail to identify the best way for them to be addressed. Some can be resolved through the housing choices project, while others will be resolved through other ongoing work.

Some recommendations could translate into changes to the Territory Plan, which would be undertaken by EPSDD. This process would involve further engagement with the Canberra community to discuss any proposed changes to planning policies and, of course, regulation. Other ACT agencies will be responsible for service delivery and consequently the implementation of the housing choices project in the long term.

A final thankyou to the newDemocracy Foundation and expert facilitators from Straight Talk for the professional management and support they provided to the collaboration hub. These people were the key to ensuring this process and the recommendations were independent of government and grounded in genuine deliberative engagement. I present the following papers:

ACT Housing Choices Collaboration Hub—

Recommendations—Government response—Ministerial statement,
20 September 2018.

Government response, dated September 2018.

I move:

That the Assembly take note of the ministerial statement.

MS LE COUTEUR (Murrumbidgee) (10.57): I thank Minister Gentleman and all the participants in the collaboration hub, firstly, for their report and, secondly, for the government's response to it. I think this is such a contrast for me. I have just sat through a couple of days of committee hearings about the DA process. I would have to say that there were not many positive stories in that—possibly none—whereas this is a methodology that is producing a lot more positive stories and ways forward. As members will know, the Greens have been big supporters of deliberative democracy for a long time. I think this is a very good use of it.

I am not foolish enough to think that we will ever have universal agreement about planning in Canberra or anywhere else. I am not suggesting even that it is a good thing to have universal agreement. But certainly we need to do consultation better and differently from what we have done and I think this is a very positive step forward.

I will go slightly into the detail. Obviously, I have not really had time to absorb the government's response. I am very pleased that, basically, they have in principle accepted all of the recommendations, because I think the recommendations in general are moving in the right direction to a more sustainable Canberra—a more sustainable, a more affordable, a more environmentally sustainable Canberra. These are the sorts of things that the Greens have been pushing for for a long time. I think the community as a whole is realising that these are issues that we need to look at.

One of our problems at present is that our current rules are producing housing that is unaffordable and environmentally unsustainable. The rules encourage very large buildings that are unaffordable and that become environmentally very unfriendly. They allow for development that leaves no room for trees and gardens. The rules make it harder to do smaller, more sustainable and more affordable houses such as dual occupancies, duplexes, townhouses and terrace houses.

From the Greens' point of view, we would like to see ways that we can build smaller, more affordable houses that protect our green garden city. We would like to see ways to build houses of a high quality that work for the residents, are affordable and that protect our environment. I think the recommendations from the housing choices collaboration hub in general walk in that direction.

It is very positive to see their emphasis on landscape in all the zones, realising that we actually need plantable areas, not just areas that are not covered in buildings. The two are not exactly the same. I note that the government says that it is going to start work on these recommendations in a range of processes. I urge the government to do this work sooner rather than later. I would hate to see this become yet another report that in a number of years people do not know where it went.

I thank the government very much for its support, for doing the collaboration hub and for its support for its recommendations. I urge it to get on with the job of looking at them in great detail and implementing them.

Question resolved in the affirmative.

Inquiry into the extent, nature and consequence of insecure work in the ACT

Ministerial statement

MS STEPHEN-SMITH (Kurrajong—Minister for Aboriginal and Torres Strait Islander Affairs, Minister for Disability, Minister for Children, Youth and Families, Minister for Employment and Workplace Safety, Minister for Government Services and Procurement, Minister for Urban Renewal) (11.01): I am pleased to provide the Assembly with an update on the government activities designed to support and protect workers engaged in insecure work in the ACT. This government believes all workers deserve to be treated with respect, be paid fairly, have their workplace rights upheld and go home safely to their families at the end of each day. We also believe workers should be able to have a job they can rely on.

As the Assembly would be aware, an inquiry into the extent, nature and consequence of insecure work in the ACT was recently finalised by the Standing Committee on Education, Employment and Youth Affairs. The inquiry sought to explore the extent and impact of insecure employment arrangements in the ACT, including the labour hire industry.

It sought to explore the consequences for workers in the ACT and the broader community of the shift away from the traditional permanent, ongoing employment towards employment structures such as “permanent casuals” and independent contracting, which provide less certainty for workers and can increase the risk of exploitation. The statement I am making today is in response to the committee report but also in the context of this government’s strong commitment to addressing insecure work in the ACT.

I acknowledge that the commonwealth Fair Work Act 2009 is the main legislative instrument for industrial relations and workers’ rights in the territory. The Fair Work Act provides the foundations to ensure minimum employment standards are applied to all territory workers and, through recent amendments, seeks to provide a greater level of protection for our most vulnerable workers.

The Fair Work Amendment (Protecting Vulnerable Workers) Act 2017 took effect on 15 September 2017, increasing the investigative and evidence-gathering powers of the Fair Work Ombudsman and substantially increasing the maximum civil penalties that apply for certain serious contraventions of the Fair Work Act. Both government and non-government members of the committee recommended that the ACT government advocate for additional Fair Work Ombudsman inspectors to be based in the ACT.

We are committed to pursuing better outcomes for ACT workers and acknowledge that the effectiveness of the Fair Work Act is dependent on its proper enforcement. I have previously raised my concerns about the level of resources available for enforcement activities with the former minister, Senator the Hon Michaelia Cash. ACT government officials have also sought advice from the Fair Work Ombudsman about what resources are available in the ACT to ensure that employers are not exploiting workers. I will continue to advocate to the commonwealth to provide

additional fair work inspectors to be based in the ACT and for greater resources for the Fair Work Ombudsman to investigate and prosecute businesses that are breaking the law.

The ACT government recognises it can play an important role in delivering better outcomes for territory workers by using its purchasing power to set the highest standards for workplace safety and worker rights alongside the delivery of quality services to the people of the ACT. Prior to last year's election, the Chief Minister committed to a secure local jobs for local workers package for the territory. Since that time the government has been working to deliver on this commitment. On 2 August 2018 I was pleased to present the Government Procurement (Secure Local Jobs) Amendment Bill to this Assembly. The bill is one component of this government's secure local jobs package.

The package will drive higher ethical standards, provide a level playing field for businesses that abide by their industrial relations and employment obligations, and ensure that competitors do not benefit from avoiding their legal obligations. In turn, this will deliver better jobs for Canberra workers by establishing clear principles to ensure fair pay and conditions and worker safety on public projects and contracts. Under the secure local jobs scheme, businesses seeking to engage in territory funded work will be required to outline their labour relations plan with details of their expected engagement with current and future staff, including any potential for the outsourcing of labour.

The government is committed to working with industry and the broader community to provide secure jobs for workers, in addition to safer workplaces across the ACT, and is undertaking consultation to ensure all stakeholders can provide their input to the proposals. I look forward also to receiving the report of the economic development and tourism committee's inquiry into the bill.

We know we cannot simply abolish all insecure work practices. We know labour hire services are used in the territory for many legitimate reasons, but we also know the current regulatory framework is not sufficient to deal with the unscrupulous practices which some labour hire firms engage in.

Labour hire licensing was the focus of a number of recommendations made by committee members on both sides of the chamber. Indeed, I was pleased to see that Mr Wall and Mrs Kikkert's dissenting report supported the national adoption of a labour hire licensing scheme. The introduction of labour hire licensing will promote the integrity of the labour hire industry and help establish a level playing field for labour hire providers.

A national scheme is also the government's preference, a position I have made clear in discussions with my commonwealth and state counterparts. However, in the absence of movement by the federal coalition government, the Chief Minister recently announced the ACT government would move to license labour hire companies in the territory. In undertaking this work we will be consulting with relevant stakeholders and other jurisdictions, including Queensland, South Australia and Victoria, all of which have established or are establishing their own labour hire licensing schemes.

A labour hire licensing scheme would contribute to the protection of some of the territory's most vulnerable workers by ensuring operators comply with relevant work health and safety and industrial relations laws. Companies who wish to use labour hire services would also be subject to a legal obligation to use only licensed labour hire operators, making it harder for unscrupulous operators to participate in the market and reducing the incentive to employ workers on insecure and exploitative arrangements.

Recommendations made by both government and non-government members highlight group training organisations and their role in relation to labour hire. We will engage with stakeholders in respect of the appropriateness of their inclusion in a labour hire licensing scheme, noting that other jurisdictions have taken different approaches to this.

Prior to the introduction of a labour hire licensing scheme, whether national or local, the government will engage with the ACT community and will ensure information about compliance matters is clear and easily available. The government will also explore the best way to ensure easy access to a list of licensed operators, which might be similar to the other public registers maintained by Access Canberra.

Young workers are often vulnerable to being engaged on insecure work arrangements, and it is an unfortunate fact that many young workers do not know any different. In August 2017 I requested the tripartite ACT Work Safety Council to establish the apprentice, trainee and young worker advisory committee to consider and provide advice to government on how best to ensure apprentices, trainees and young workers are working in safe environments and are aware of their workplace safety rights and obligations.

The advisory committee comprised representatives from training organisations, government regulators, insurers, unions and employers. I recently received a copy of the advisory committee's final report and have asked that further work be undertaken by the ACT Work Safety Council to address matters relating to mental health awareness, supervision and workplace rights.

This work will complement the young workers advice service. In the 2018-19 budget, the government committed \$470,000 over four years to this service in order to empower apprentices, trainees and young workers with knowledge of their employment rights. The young workers advice service will be facilitated by an independent provider to encourage young and vulnerable workers to freely access information on rights and responsibilities in the workplace.

The government is also committed to educating young people before they enter the workforce, providing them with the opportunity to ask questions and seek more information in a more familiar environment, such as their school. This includes teachers and career practitioners presenting information on workplace safety and rights and responsibilities prior to and in preparation for work placements.

The government knows education and awareness is only one aspect of helping to prevent worker exploitation. Access Canberra has launched the WorkSafe

ACT apprentices and young workers work health and safety campaign 2018-19 which, in addition to raising awareness, includes compliance audits to cover supervision, training and general work health and safety awareness, such as injury reporting, across six key industries. A final report will be completed at the end of the program, which will highlight the current level of compliance, where improvements can be made and next steps.

Skills Canberra has also been undertaking activities to improve safety for apprentices and trainees, including the prioritisation of field officer visits for our Australian school-based apprentices; the introduction of data and information sharing arrangements with WorkSafe ACT; the funding of a dedicated WorkSafe ACT inspector for Australian apprentices; and collaborating with WorkSafe ACT to develop guidance for supervisors of Australian apprentices.

Skills Canberra is also planning to implement empowerment training for Australian apprentices. This includes dealing with work stress, starting tough conversations about mental health and ensuring that apprentices are aware that help will always be available.

The ACT government also recognises that it can play a role in addressing insecure work through being a model employer. The government has committed to establishing a task force to consider the use of different types of employment arrangements within the ACT public service, with a view to strengthening policies to promote job security and permanent employment for ACT public sector employees.

The task force will also consider the government's use of outsourcing. While it may not always be feasible to utilise direct employment relationships for some services, the government is committed to ensuring that industrial and legal mechanisms are in place to protect workers' rights. These mechanisms will be enhanced through the implementation of the secure local jobs package.

The ACTPS also offers vocational employment programs for Aboriginal and Torres Strait Islander peoples and people with disability. These programs include work experience, flexible training relevant to the position and person, and on-the-job learning and development. Each participant who successfully completes all aspects of their program achieves a permanent position in the ACTPS.

In addition, a number of positions within the ACT public service graduate program each year are designated for people from an Aboriginal or Torres Strait Islander background or people with a disability. There are also a range of mechanisms in place to support ACTPS employees, including support networks, individual inclusion support, staff awareness training, coaching and mentoring and individual career development training.

As demonstrated by the activities I have highlighted today, the ACT government has already begun implementing a number of recommendations from the inquiry. We are leading by example as an employer and actively working to support and improve the conditions of vulnerable workers engaged in insecure work in the territory.

A number of other matters raised through the inquiry are under active consideration, such as how we work with the commonwealth government to eliminate the exploitation of visa workers and ensure employers are able to be held to account; how we can improve protections for charity collection workers; and how we work collaboratively with the community sector on a range of workforce issues.

I thank all members of the committee for their thoughtful consideration of the important matter of the extent and impact of insecure work and look forward to continuing the government's work in this area, in collaboration with all stakeholders.

I present a copy of the statement:

Education, Employment and Youth Affairs—Standing Committee—Inquiry into the Extent, Nature and Consequence of Insecure Work in the ACT—Statement regarding the outcomes—Ministerial statement, 20 September 2018.

I move:

That the Assembly take note of the paper.

Question resolved in the affirmative.

Motor Accident Injuries Bill 2018—exposure draft Papers and reference to committee

MR GENTLEMAN (Brindabella—Minister for the Environment and Heritage, Minister for Planning and Land Management, Minister for Police and Emergency Services and Minister assisting the Chief Minister on Advanced Technology and Space Industries) (11.13): I present the following papers:

Motor Accident Injuries Bill 2018—Exposure Draft.

Guide to the Motor Accident Injuries Bill 2018 Exposure Draft.

Pursuant to standing order 214, I move:

- (1) That the Exposure Draft of the Motor Accident Injuries Bill 2018 and the accompanying explanatory guide be referred to the Standing Committee on Justice and Community Safety Committee (the Committee) to inquire into and report on:
 - (a) the draft bill's alignment with the following objectives for the ACT's Compulsory Third Party (CTP) insurance scheme:
 - (i) early access to medical treatment, economic support and rehabilitation services;
 - (ii) equitable cover for all people injured in a motor vehicle accident;
 - (iii) a value for money and efficient system;
 - (iv) promoting broader knowledge of the scheme and safer driver practices;

- (v) implementing a support system to better navigate the claims process; and
 - (vi) a system that strengthens integrity and reduces fraudulent behaviour;
 - (b) the draft bill's alignment with the model chosen by the CTP citizens' jury and the detailed design documents underpinning this model;
 - (c) the draft bill's consistency with other relevant insurance schemes operating in the Territory; and
 - (d) the most suitable avenues for external review of matters arising between parties under the proposed new Motor Accident Injuries scheme;
- (2) the Committee is to report by 26 October 2018; and
- (3) if the Assembly is not sitting when the Committee has completed its inquiry, the Committee may send its report to the Speaker or, in the absence of the Speaker, to the Deputy Speaker or any other Member, who is authorised to give directions for its printing, publishing and circulation.

The ACT government is reforming Canberra's compulsory third-party insurance arrangements because our current system does not cover everyone injured in a motor vehicle accident and it can take two years or more to get a full payout. But Canberrans still pay some of the highest premiums in the country. For example, if you are the driver and get injured in a single-car accident you cannot claim under Canberra's current CTP scheme. That means that if you hit a kangaroo or lose control on an icy patch of road you cannot make a claim to cover your medical bills, care needs and lost income.

Under the new scheme everyone who is injured in a motor vehicle accident will be entitled to up to five years medical treatment, care and income replacement benefits as long as they are not breaking the law at the time of the accident. People who are very seriously injured will still be able to make a claim through the legal system if they need treatment and care long term. This improved, no-fault approach means more than 600 Canberrans a year will be covered for motor vehicle injury insurance under the new scheme than is the case today. At the same time, it preserves the rights of people who are more seriously injured to pursue a legal settlement through the courts.

The design of the new scheme was recommended by the citizens jury on CTP. The jury was made up of 50 Canberrans who met several times over six weeks to hear evidence from experts and people with experience of making claims through the scheme about how our current CTP scheme works. The jury recommended that Canberra's CTP scheme be reformed to prioritise early access to treatment and care for everyone who gets injured and reduce the need to go to court just so that people can get the help they need. Canberrans can read the jury's full report and reasons for recommending the reform by visiting the [your say page on CTP](#).

The CTP citizens jury was the first large-scale trial of the deliberative democracy approach in the ACT and it was impressive to see the commitment, dedication and community spirit the jury members applied to considering information and questions

about how our CTP scheme should work to give Canberrans the best protection on our roads.

I want to again extend the government's thanks to all the jury members for their time and energies, as well as to the members of the stakeholder reference group who supported their work, including the ACT Law Society, the ACT Bar Association, insurer representatives, healthcare advocates and ACT government directorates.

The citizens jury closely considered our CTP scheme and recommended reform. The next stage is for the government to give effect to their recommendations through legislation in this Assembly. That is the step we move forward with today in releasing an exposure draft of the Motor Accident Injuries Bill 2018.

This is not the final bill. On a topic as complex and technical as motor accident insurance, we want to make sure the policy and implementation details are just right. This is why the government is today referring the bill to an inquiry for a further round of consultation and examination by stakeholders and the community.

The committee is being asked to report back to the Assembly by the end of October, and we have set this date because the work we are asking them to do is focused on the bill itself. Will it deliver on the reforms recommended by the citizens jury? Does it work in practice and in tandem with the ACT's existing suite of legislation? On that note, though, I do note that there has been an amendment circulated today and we will be supporting Ms Le Couteur's time line in that amendment.

The government understands that there are some stakeholders who would like to see the CTP scheme remain as it is, complete with adversarial, long and expensive legal battles, but we ask these stakeholders to accept the community's view, as reflected through the work of the citizens jury, that our CTP scheme needs improving and can be improved so that everyone is better protected on our roads. We invite these and all other stakeholders and interested parties to get involved with the JACS committee inquiry and participate constructively in the process from here.

Once the government has received the committee's report, we will make any necessary amendments and aim to have the final bill introduced to the Assembly before the end of 2018. We have already been working through this CTP reform process for over a year, but we know that by taking the time to get it right and providing multiple opportunities for the community and stakeholder involvement we can deliver reforms that work for Canberra's 290,000 motorists who are required to take out compulsory accident insurance when they register their vehicles each year.

We know Canberra drivers want the best protection for themselves, their families and everyone who may end up involved in an accident on our roads, including fast access to treatment, care and lost wages without the need for a long and stressful court battle. That is what the reforms outlined in the Motor Accident Injuries Bill will deliver.

MS LE COUTEUR (Murrumbidgee) (11.19): So that I do not forget to do so, I move the amendment circulated in my name:

Omit paragraph (2), substitute:

“(2) the Committee reports by 1 November 2018;”.

What my amendment does is give another week for the JACS committee's deliberations.

Opposition members interjecting—

MS LE COUTEUR: I can already hear the comments from the opposition, and I do share concerns about the timing for this, but I would like to speak to this from the point of view of someone who in the Seventh Assembly, as the chair of PAC, did an inquiry into CTP insurance over, I would say, a number of months. I found that was a very difficult process because basically it was very hard to work out what on earth was going on, CTP not being one of my strong suits.

I went along as an observer to the collaboration hub for CTP earlier this year. I would have to say that I was incredibly impressed. The information base that was provided to the participants in the deliberative democracy exercise was much easier to understand and much more comprehensive than the information base that the public accounts committee had in the Seventh Assembly. I really reflected on how much more information they had and how they were in a better position to make a judgement than we were.

In supporting a fairly short time frame for this inquiry I am bearing in mind that I think that basically all the information the JACS committee wants is already at hand. The stakeholders who are involved all know this is happening. I am sure that the Greens are not the only party that has been extensively lobbied by stakeholders on this subject.

The stakeholders are all ready to provide whatever additional comments they feel are necessary. There will not have to be the normal time line of an inquiry, waiting a month or two for public submissions. There is all the information base that went to the deliberative democracy process, the citizens jury, and the stakeholders are ready and waiting to give someone interested their comments.

I would also say that the reason for the abbreviated time line is that while, no doubt, the exposure draft and the bill are not absolutely perfect, I think it is highly, highly, highly likely that the bill that will result from this process is superior to the current situation.

Mr Gentleman went through the advantages of the proposed changes, so I will not bore the Assembly by going through them again. Suffice it to say, it looks to me like we actually do want to make this change and, given that we would like to do it in a reasonably timely fashion, I think the time proposed for the inquiry, while not ideal, is in fact workable, given the huge information base already available to the JACS committee. I commend my amendment to the Assembly.

MRS DUNNE (Ginninderra) (11.23): The Canberra Liberals will be opposing Mr Gentleman's time frame and also Ms Le Couteur's time frame. However, I can count and I probably will not move the amendment circulated in my name. The Canberra Liberals do believe that the October-November time frame is not sufficient time for the justice and community safety committee to do justice, so to speak, to this inquiry and we believe that there should be more time to do that.

I also have some concerns about the constraints of this inquiry and the extent to which the justice and community safety committee may be constrained by its terms of reference. There is a bit of an out in 1(c), but the clear message from the government is: "We do not want to talk about CTP; we want to talk about the government's new scheme of CTP and not CTP across the board." I think that that is something that the people of the ACT should be quite concerned about. The Canberra Liberals will be opposing Ms Le Couteur's amendment. If that fails, I will move mine.

MR RATTENBURY (Kurrajong—Minister for Climate Change and Sustainability, Minister for Corrections and Justice Health, Minister for Justice, Consumer Affairs and Road Safety and Minister for Mental Health) (11.24): I will make a brief reflection on this. I think one of the practices that we do not see in this Assembly very much is committees actually looking at pieces of legislation in the way the federal parliament does and other parliaments tend to do. It has always struck me that we do not do as much of that in this place as we might. And I would love to see more of that.

However, I think if we are going to do that we also need to look at our practices. At the moment every inquiry in this place does require a four or five-month commitment. We cannot do that every time we want to look at a piece of legislation. I think there is actually an interesting discussion for us to have in this place about having committees look at legislation but how we can do it in a timely manner.

It is not realistic to take an exposure draft of legislation and send it for a four or five-month inquiry if we want to actually get on with things in this place. I simply add that observation into this discussion in the sense that I think committees should be able to turn a piece of legislation over in four to six weeks. I am not sure what the time frame is, but I think that is a practice that we need to develop here if we want to look at legislation more.

Question put:

That the amendment be agreed to.

The Assembly voted—

Ayes 13

Noes 10

Ms Berry
Ms J Burch
Ms Cheyne
Ms Cody
Ms Fitzharris
Mr Gentleman
Ms Le Couteur

Ms Orr
Mr Pettersson
Mr Ramsay
Mr Rattenbury
Mr Steel
Ms Stephen-Smith

Miss C Burch
Mr Coe
Mrs Dunne
Mr Hanson
Mrs Kikkert
Ms Lawder
Ms Lee

Mr Milligan
Mr Parton
Mr Wall

Amendment agreed to.

MRS DUNNE (Ginninderra) (11.30): I want to comment briefly on the comments made by Mr Rattenbury. I think that there is furious agreement that there should be more reference of legislation to a committee for inquiry and report. I sound a bit like a cracked record. This is the practice in New Zealand and Queensland. I think in New Zealand the standard minimum time for referral is five or six weeks and in Queensland the standard minimum time is eight weeks.

I agree with Mr Rattenbury that we do need to be more agile in this space, but at the same time we have to balance that with giving members of the community an opportunity to submit to these inquiries. The Canberra Liberals' concern with this is that six weeks, the last of which is a sitting week, does not give the community the opportunity that it needs to participate in such an inquiry.

Original question, as amended, resolved in the affirmative.

Statute Law Amendment Bill 2018

Mr Ramsay, pursuant to notice, presented the bill, its explanatory statement and a Human Rights Act compatibility statement.

Title read by Clerk.

MR RAMSAY (Ginninderra—Attorney-General, Minister for the Arts and Cultural Events, Minister for Building Quality Improvement, Minister for Business and Regulatory Services and Minister for Seniors and Veterans) (11.32): I move:

That this bill be agreed to in principle.

The Statute Law Amendment Bill 2018 makes statute law revision amendments to the ACT legislation under guidelines for the technical amendments program approved by the government. The program provides for amendments that are minor or technical and non-controversial. They are generally insufficiently important to justify the presentation of separate legislation in each case and are inappropriate to make as editorial amendments in the process of republishing legislation under the Legislation Act 2001.

Statute law amendment bills serve the important purpose of improving the overall quality of the ACT statute book so that our laws are kept up to date and are easier to find, read and understand. A well-maintained statute book greatly enhances access to ACT legislation and is a very practical measure to give effect to the principle that members of the community have a right to know the laws that affect them.

The bill contains a number of minor amendments with detailed explanatory notes, so it is certainly not useful for me to go through them all. Schedule 3, for example, contains a list of spelling and syntax corrections and, while they are important, I will certainly not be detailing each one. However, I will take the opportunity to briefly

mention a few matters that illustrate how the improvements to the statute book in this bill make a real difference for the community.

Schedule 1 of this bill contains reforms to the governance of nurse practitioners in the ACT. Legislation governing nurse practitioners was first introduced into this Assembly in 2006. Since then there have been two major changes affecting this governance: firstly, the introduction of the national registration and accreditation scheme for all health professionals, in 2010, implementing robust regulatory arrangements for all registered health practitioners, including nurse practitioners; and, secondly, acceptance by the ACT government of all six recommendations from a review of nurse practitioners conducted by ACT Health in 2017 entitled, “Nurse Practitioners in the Australian Capital Territory in 2017—A Review.”

One of the six recommendations in the nurse practitioners review included the repeal of the regulations specifically relating to the governance of nurse practitioners, noting community support to normalise governance arrangements in the ACT in accordance with other regulated health professionals that are the responsibility of employers.

This bill contains a range of changes, following on from the government’s work on national registration and accreditation for nurses. Amendments will replace the term “authorised nurse practitioner” with “nurse practitioners” in the following legislation: the Public Health Act 1997, the Road Transport (Alcohol and Drugs) Act 1977 and the Mental Health Act 2015, section 201.

The bill also includes a repeal of the Health Regulation 2004 which is now redundant with the national regulation of nurses. These changes are all part of the government’s action to introduce the new, nationally consistent scheme for registering and accrediting health professionals.

The bill also provides some improvements to the Ombudsman Act 1989. It includes amendments to allow the Ombudsman to enter into arrangements with the Head of Service to use the services of a public servant or territory facilities and to engage consultants and contractors. This bill will also allow the Ombudsman to delegate functions to a member of the Ombudsman’s staff, including to the deputy ombudsman and consultants and contractors.

Delegation powers across the public service will be improved by amendments to the Public Sector Management Act 1994, section 152. That section gives certain statutory office holders management powers of the Head of Service in relation to public servants on the office holder’s staff. This bill will allow a public sector employer to delegate functions more broadly, better reflecting the connections between statutory office holders and different parts of the public service.

The final set of amendments I will highlight are an example of the SLAB as a useful vehicle for correcting oversights in the drafting process. This bill amends the Workers Compensation Act 1951 to reinstate an entitlement to compensation in cases where a person is injured near retirement. That entitlement was inadvertently removed by a previous amendment.

All these amendments together show that as a government we will keep working to deliver improvements and to keep our laws up to date. SLAB bills are important building blocks in the development of a modern and accessible ACT statute book. I commend the bill to the Assembly.

Debate (on motion by **Mr Hanson**) adjourned to the next sitting.

Crimes Legislation Amendment Bill 2018

Mr Ramsay, pursuant to notice, presented the bill, its explanatory statement and a Human Rights Act compatibility statement.

Title read by Clerk.

MR RAMSAY (Ginninderra—Attorney-General, Minister for the Arts and Cultural Events, Minister for Building Quality Improvement, Minister for Business and Regulatory Services and Minister for Seniors and Veterans) (11.38): I move:

That this bill be agreed to in principle.

I am pleased to present the Crimes Legislation Amendment Bill 2018 to the Assembly. This bill addresses a number of criminal justice legislation issues, the majority of which have been requested by stakeholders to improve the operation and the efficiency of the justice system.

In summary, the bill will clarify that warrants under the Crimes (Child Sex Offenders) Act 2005 are issued by a magistrate rather than the Magistrates Court; extend the ability to issue warrants to an associate judge of the Supreme Court; extend existing mechanisms for transferring backup and related charges with an indictable matter committed to the Supreme Court; and increase the monetary value of a penalty unit for offences.

Firstly to the amendments to the Crimes (Child Sex Offenders) Act of 2005. Under the current provisions of the act, a police officer above the rank of sergeant is able to apply to the Magistrates Court for a warrant authorising entry to and search of premises occupied by a registered child sex offender.

The distinguishing feature of the warrant application process under the Crimes (Child Sex Offenders) Act 2005 compared with other warrant provisions in the territory legislation is that the power to issue a warrant is vested in the Magistrates Court rather than in a person in their designated capacity as a *persona designata*. While the function to issue warrants is ordinarily entrusted to judicial officers as designated persons, in the performance of their functions the judicial officer must act personally, detached from the court.

There is a concern that the warrant scheme as constructed may trigger a range of ordinary procedural requirements under the Court Procedures Rules 2006, and that would obviously undermine the purpose of creating a mechanism for police officers to

apply for warrants in time-critical circumstances, with the overriding objective of protecting the community and the safety of children. It has the potential to cause delays in the issuing of a warrant and may lead to the destruction of the inherent secrecy of the information relied on in seeking the warrant.

For these reasons the bill amends the Crimes (Child Sex Offenders) Act 2005 to clarify that a magistrate has the power to issue a warrant. This will ensure consistency with other warrant provisions in the territory and avoids unintended consequences of inappropriately vesting the power in the court. Consequential amendments are also made to a number of other provisions reflecting this change.

Secondly, the bill amends a number of acts to extend the powers of an associate judge of the Supreme Court to issue warrants equivalent to those granted to judges. A number of warrant schemes created under territory legislation empower issuing officers, judges, magistrates and registrars to issue warrants, which authorise a variety of acts, including entry to premises and the search of persons.

The bill makes amendments to the Crimes (Surveillance Devices) Act 2010, the Drugs of Dependence Act 1989, the Crimes Act 1900 and the Confiscation of Criminal Assets Act 2003, enabling an associate judge to issue a range of warrants under those acts. In addition, the amendments will also extend an associate judge's powers to approve emergency authorisations under the Crimes (Surveillance Devices) Act 2010 and to other consequential acts related to the issuing of warrants under the Confiscation of Criminal Assets Act 2003.

This approach is consistent with recent amendments made to the Supreme Court Act which expanded the jurisdiction of the associate judge. Increasing the pool of judicial officers authorised to perform persona designata functions will improve the efficiency of the Supreme Court and timeliness for law enforcement agencies.

Thirdly, the bill amends the Magistrates Court Act 1930 and the Supreme Court Act 1933 to extend existing mechanisms for transferring backup and related charges with an indictable matter committed to the Supreme Court. Section 88B of the Magistrates Court Act 1930 provides the court with a power to commit an accused person for trial on application by the person and with the prosecution's consent. It is, in effect, a waiver of the full committal proceeding.

It has been identified that there is no mechanism to also transfer backup and related charges in committals under this provision. This appears to be an anomaly in the drafting of section 88B. The inability to transfer backup and related charges creates an unnecessary consequence of requiring the Magistrates Court to retain backup and related charges in that court until the committed matter is finalised. This reduces efficiencies and increases costs for a defendant.

The bill amends the Magistrates Court Act 1930 and the Supreme Court Act 1933 to align the process of committal in section 88B with the process of other committals. It addresses the issue of transferred charges at first instance and also the situation where further related or backup charges may be instituted after a waiver of committal proceedings.

Finally, the bill increases the value of penalty units that provide the basis for determining statutory fines. As the Attorney-General, I am required to review the amount of a penalty unit at least once every four years under the review mechanism in the Legislation Act. The most recent increase was in August 2014.

This bill will increase the value of a penalty unit to \$160 for an individual and \$810 for a corporation. This equates to an increase of \$10 for an individual, or an approximate 6.7 per cent increase; and an increase of \$60 for a corporation, which is approximately an eight per cent increase. These amounts have been determined as appropriate through the application of the consumer price index.

The increase to the penalty unit value will not be retrospective. It will only apply to offences committed after the amendments come into force. The amendments to the value of the penalty unit will not affect current proceedings for territory offences. The increase affects the maximum monetary fine a court can impose on an offender or a corporation. It does not create a mandatory monetary fine that the court will impose.

The court will consider the personal circumstances of a person when imposing a sentence, including the ability to pay a fine. The increase ensures the relative weight of penalties is maintained in line with the cost of living and continues to have a deterrent effect. I commend the bill to the Assembly.

Debate (on motion by **Mr Hanson**) adjourned to the next sitting.

Sentencing Legislation Amendment Bill 2018

Mr Rattenbury, pursuant to notice, presented the bill, its explanatory statement and a Human Rights Act compatibility statement.

Title read by Clerk.

MR RATTENBURY (Kurrajong—Minister for Climate Change and Sustainability, Minister for Corrections and Justice Health, Minister for Justice, Consumer Affairs and Road Safety and Minister for Mental Health) (11.46): I move:

That this bill be agreed to in principle.

I am pleased to present the Sentencing Legislation Amendment Bill 2018 to the Assembly. Sentencing in criminal matters is an important area of law that is constantly evolving, and this bill makes improvements to the administration of the intensive correction order scheme and community service work orders.

The bill is primarily concerned with improving the administration of the intensive correction order scheme that commenced in 2016. That scheme enables some offenders to serve a custodial sentence in the community, under strict supervision. The bill addresses several issues raised by stakeholders that need immediate clarification, in advance of a broader review of the scheme next year. The intensive correction order scheme is contained in the Crimes (Sentencing) Act 2005 and the

Crimes (Sentence Administration) Act 2005, and this bill proposes amendments to both acts.

The core of the scheme is the intensive correction order sentence. It is a sentence of last resort for offenders who would otherwise serve their sentence in full-time detention at the Alexander Maconochie Centre. The ultimate goal of the intensive correction order is to support offenders to live crime-free, productive lives in the community, by supervising their behaviour in the community rather than in an institutional prison context. The integrity of this intensive community supervision relies on a robust enforcement framework of swift, certain and fair sanctions for non-compliance.

The bill proposes amendments to clarify the operation of this enforcement and compliance framework. In this respect the bill will make five sets of changes, which resolve issues that have been raised recently by stakeholders.

First, the bill will amend the consequences that flow from some arrest warrants that are issued in the context of the intensive correction order scheme. The amendment will ensure that where the warrants are issued for similar reasons the same consequences flow, regardless of whether the warrant is issued by the Sentence Administration Board or a judge or magistrate.

In particular, the amendment will mean that offenders who fail to appear before the Sentence Administration Board to answer an allegation that they have breached their intensive correction order or who are avoiding service of a notice to appear cannot obtain a benefit of their sentence continuing to run while they are at large. This will align with the existing consequences that follow when a judge or magistrate issues a warrant on information that an offender has breached or will breach their intensive correction order. By aligning these consequences, the amendment will reduce the risk of similar cases resulting in different outcomes depending on whether the warrant is issued by a judge or magistrate or the Sentence Administration Board.

Secondly, the bill will ensure that the consequences of such a warrant being issued do not have an unfair impact on offenders who are detained under the Mental Health Act 2015 or who are otherwise in custody.

Thirdly, the bill will resolve some ambiguities about what orders the Supreme Court should make if an intensive correction order is cancelled because the offender has committed a further offence punishable by imprisonment. In those circumstances the court must cancel the intensive correction order unless it is not in the interests of justice to do so. The Supreme Court identified in the decision of the Queen and XH (2017) that there are some ambiguities in the options available to the court that cancels the intensive correction order to deal with the remaining term of imprisonment.

The bill clarifies that if an intensive correction order is cancelled because of further offending, the offender will serve either a whole or a part of the remaining term in full-time detention. This will be achieved by giving the court that cancels the intensive correction order the power to order that the offender serve the full remaining

term or, in some cases, that a non-parole period be set so that the offender may serve part of the remaining term in the community on parole. The circumstances in which a non-parole period may be set have been designed to take into account both the existing parole regime and the existing regime for the Sentence Administration Board cancelling an intensive correction order. Parole is an important sentencing mechanism to allow offenders to integrate into the community under the supervision and support of ACT Corrective Services.

The bill will also make a fourth set of amendments to strengthen the notification arrangements if the court cancels an intensive correction order on further offending. These amendments will ensure the offender and the prison authorities have all the information they need about the remaining term of imprisonment to be served in full-time detention, and any non-parole period set by the cancelling court.

Finally, the bill will clarify that a court may request ACT Corrective Services to prepare an assessment of an offender's suitability for an intensive correction order at a relatively early stage after the offender has pleaded or been found guilty. In making this clarification the bill also supports clarity in the functions of the ACT Corrective Services officers performing these assessments, aligned with their existing functions in preparing pre-sentence reports. These clarifications to the intensive correction order scheme reflect the government's commitment to continuously monitor and improve sentencing administration, to ensure that sentencing law and practice are operating as intended.

The bill also improves the administration of community service work orders, which are an important option available to ACT sentencing courts. Under the sentencing act, both good behaviour orders and intensive correction orders can contain a condition that the offender perform a certain amount of community service work. Most Australian jurisdictions make specific provision for an offender to be able to accumulate community service work hours through participation in therapeutic or educational programs. The bill aims to bring the ACT broadly into line with other Australian jurisdictions in this respect.

The purpose of this amendment is to increase completion rates for orders including community service work, and to support people with high needs who are subject to the orders. Only the time spent at an educational or therapeutic activity that an offender has been directed to attend by Corrective Services will count towards the offender's community service work obligation. The total proportion of therapeutic or educational activities that may be counted towards completing a community service work obligation will be capped at 25 per cent.

Finally, the bill will make two minor technical amendments. It will remove a redundant signpost definition from the Crimes Act 1900 that was overlooked when amendments were made to end the periodic detention regime in the ACT.

It will also update the definition of "automatic disqualification provision" in section 61A of the Road Transport (General) Act 1999. That definition, as its name suggests, lists offences that are "automatic disqualification provisions" for the purposes of the act. The bill will amend the definition to include a reference to the existing offence in

the Road Transport (Driver Licensing) Act 1999 of driving or applying for a driver licence during a period of licence suspension. That offence should be included in the section 61A definition but was overlooked when amendments were made to the driver licensing act in 2013. The bill corrects that oversight.

I commend the bill to the Assembly.

Debate (on motion by **Mr Hanson**) adjourned to the next sitting.

Committees—standing Establishment—amendment to resolution

MS CHEYNE (Ginninderra) (11.54): I move:

- (1) That the resolution of the Assembly of 13 December 2016, as amended 27 October 2017, which established the general purpose standing committees be amended by omitting paragraph (4) and substituting:
 - “(4) Each general purpose committee shall consist of the following number of members, composed as follows:
 - (a) the Standing Committee on Education, Employment and Youth Affairs:
 - (i) one member to be nominated by the Government;
 - (ii) two members to be nominated by the Opposition; and
 - (iii) the Chair shall be the Government member;
 - (b) the Standing Committee on Health, Ageing and Community Services:
 - (i) one member to be nominated by the Government;
 - (ii) one member to be nominated by the Opposition;
 - (iii) one member to be nominated by the Crossbench; and
 - (iv) the Chair shall be the Government member;
 - (c) the Standing Committee on Environment and Transport and City Services:
 - (i) one member to be nominated by the Government;
 - (ii) two members to be nominated by the Opposition; and
 - (iii) the Chair shall be the Government member;
 - (d) the Standing Committee on Justice and Community Safety:
 - (i) one member to be nominated by the Opposition;
 - (ii) two members to be nominated by the Government; and
 - (iii) the Chair shall be the Opposition member;
 - (e) the Standing Committee on Public Accounts:
 - (i) two members to be nominated by the Opposition;
 - (ii) two members to be nominated by the Government; and
 - (iii) the Chair shall be an Opposition member;

- (f) the Standing Committee on Economic Development and Tourism:
 - (i) one member to be nominated by the Opposition;
 - (ii) two members to be nominated by the Government; and
 - (iii) the Chair shall be the Opposition member; and
- (g) the Standing Committee on Planning and Urban Renewal:
 - (i) one member to be nominated by the Government;
 - (ii) one member to be nominated by the Opposition;
 - (iii) one member to be nominated by the Crossbench; and
 - (iv) the Chair shall be the Crossbench member.”; and
- (2) that the nominations and appointments to these committees, pursuant to resolutions of the Assembly of 13 December 2016, 15 February 2018, 21 March 2018 and 23 August 2018 be revoked and that new nominations for membership of these committees be notified in writing to the Speaker within two hours following conclusion of the debate on the matter.

Very briefly, I want to thank Mr Wall, Mr Rattenbury and the Speaker for their work in coming to an arrangement on this. We recognise in this place that the committee structure will always be imperfect, but particularly so when the number of backbenchers is reduced a little bit.

There has been discussion for some time about the appropriate size of committees. While it is not a perfect solution, it is probably the most elegant solution that we could arrive at. I do note that, in arriving at this solution, we will be keeping select committees on estimates, much to my consternation; but I will get over it.

It is also important to note that, except for public accounts, which I expect will need to meet soon after members are appointed, the motion indicates who will be the chair, which I believe will negate the need for committees to meet and elect chairs, but they will need to elect deputy chairs at a later date.

I again want to put on the record my thanks. We have had many long, occasionally fraught, discussions about this. I appreciate the collegiate way that my fellow whips have approached dealing with what has been a surprisingly difficult issue.

MR WALL (Brindabella) (11.56): Ms Cheyne has highlighted that there has been quite a lot of debate and background discussion around the structure of these committees. The opposition will not be opposing the changes today. Whilst there is some concern on our side as to the format moving forward, it is probably also appropriate at this point to flag that the four-member hung committees are a by-product of a contest on the floor of the Assembly at the beginning of the last term. The tradition of the Assembly has been to have odd numbers on committees, albeit generally with a much larger and more representative crossbench involved in the committee structure.

We will let these changes go through today, and we will be keeping a close eye on how they operate and function. The situation is that an agreement has been brokered

whereby everyone has lost a little bit of skin. The opposition was not necessarily excited by these changes; nor was the government excited by the prospect of maintaining estimates next year. I think the art of true compromise is when everyone has conceded a little bit and everyone has achieved a little bit of what they want. We will look forward to that agreement being honoured when the estimates committee is established next year, to getting these new committees up and running in their new structure and to getting on with the business that we were sent here to deal with.

Question resolved in the affirmative.

Icon water contracts with ActewAGL Order to table

MR GENTLEMAN (Brindabella—Minister for the Environment and Heritage, Minister for Planning and Land Management, Minister for Police and Emergency Services and Minister assisting the Chief Minister on Advanced Technology and Space Industries) (11.58): I move:

That this Assembly:

(1) notes that:

- (a) Icon Water Limited (Icon) is a registered company under the Corporations Act 2001 (Commonwealth) that as a Territory owned corporation is also subject to the Territory Owned Corporations Act 1990; and
- (b) the Chief Minister has previously stated in this Assembly that Icon's contracts with ActewAGL, being the Corporate Services Agreement and Customer Services and Community Support Agreement (Agreements), are not documents that are created by the Executive, owned by the Executive or held by the Executive;

(2) recognises that:

- (a) standing order 213A does not respond to circumstances where the Assembly seeks information or documents from persons or entities that do not comprise the Executive Government;
- (b) for the Assembly to order Icon to produce the Agreements requires a specific resolution directed to Icon; and
- (c) the resolution should include provision for the process for any objection by Icon for production of all or part of the Agreements and the reference of any such objection to an independent arbiter for determination; and

(3) notwithstanding standing order 213A, calls on the Assembly to:

- (a) order Icon to table the Agreements that it has with ActewAGL being the Corporate Services Agreement and Customer Services and Community Support Agreement (Agreements);
- (b) require Icon comply with this order (where no claim of privilege or public interest immunity is made) by delivering the documents to the Clerk of the Assembly within 14 days of this order and the documents are deemed to have been presented to the Assembly;

- (c) require that if Icon claims that the Agreements or any part of them are privileged or subject to public interest immunity, Icon must, within 14 days of this order, deliver to the Clerk of the Assembly a statement setting out the reasons for the claim of privilege or public interest immunity. A copy of the statement will be provided to each member of the Assembly and any member may within seven days dispute the claim for privilege or public interest immunity. Any notice disputing the claim may be accompanied by a statement setting out why it is disputed;
- (d) require that if the claim for privilege or public interest immunity is not disputed then it is accepted;
- (e) require that if the claim for privilege or public interest immunity is disputed then the Clerk will inform Icon and Icon must within seven days deliver the Agreements to the Clerk in a sealed envelope and the Clerk is authorised to release the Agreements and the statements to an independent legal arbiter for evaluation of the claim for privilege or public interest immunity and report within 14 days as to the validity of the claim;
- (f) require that the Speaker appoint an independent legal arbiter who must be a retired Supreme Court, Federal Court or High Court Judge;
- (g) require that the independent legal arbiter provide a report that is to be lodged with the Clerk and:
 - (i) made available only to Members of the Assembly and Icon; and
 - (ii) not published or copied without an order of the Assembly;
- (h) require that if the independent legal arbiter upholds the claim of privilege or public interest immunity, the Clerk shall return the Agreements to Icon; and
- (i) require that if the independent legal arbiter does not uphold the claim of privilege or public interest immunity, the Clerk will table the Agreements. In the event that the Assembly is not sitting, the Clerk is authorised to provide the Agreements to any Member upon request, however, the Agreements do not attract absolute privilege until tabled by the Clerk at the next sitting of the Assembly.

This motion arises from requests by members to obtain certain documents that belong to Icon Water that pertain to their commercial dealings with other private corporate entities. I understand that copies of these documents, albeit redacted, have been provided. However, some members remain unsatisfied with this level of disclosure.

This led to Mr Coe moving a motion under standing order 213A asking the executive, through the relevant shareholder ministers, to produce documents. In response to the Assembly's motion, the executive made inquiries and sought advice, as is entirely appropriate. Based on this evidence, the Head of Service wrote to the Clerk of the Assembly.

The advice I have is that the executive cannot compel the production of the documents in question. The advice was also that it would be appropriate for the Assembly to follow the course set out in this motion. The motion is not dissimilar to

what occurs in the Senate, where from time to time the Senate has ordered the production of documents from statutory agencies of the commonwealth.

In requesting these documents it is also appropriate that the Assembly allow for a claim of privilege and public interest immunity, should either be warranted, and for this to be tested by an independent arbiter. Given the commercial nature of the documents being sought, Icon Water are best placed to judge whether they need to make any such claims. The motion is a sensible way forward and is consistent with the Assembly's important role concerning accountability. I commend the motion to the Assembly.

MR WALL (Brindabella) (11.59): The opposition will be supporting the motion of the Manager of Government Business today. Whilst last sitting week we did, under standing order 213A seek to have those documents presented in the Assembly, we note the reasons why that has not been possible under the existing standing order and believe that this is a prudent and responsible way forward in ensuring that there is transparency in how these agreements of taxpayers' funds ultimately are being managed.

MR RATTENBURY (Kurrajong) (12.00): The Greens will also be supporting this. I welcome the approach taken by Mr Gentleman. Although the standing order 213A process was not appropriate, he has proactively taken an approach of essentially mimicking that and putting a very reasonable and sensible alternative in place. We are pleased to support the motion today.

Question resolved in the affirmative.

Australian Capital Territory (Self-Government) Act 1988— section 65 Reference to committee

MR WALL (Brindabella) (12.01): I move:

That this Assembly:

- (1) notes the ambiguity in the interpretation of the application of Section 65 of the *Australian Capital Territory (Self-Government) Act 1988*; and
- (2) calls on the Assembly to refer this matter to the Standing Committee on Admin and Procedure for consideration and inquiry into the application of Section 65 of the *Australian Capital Territory (Self-Government) Act 1988*, specifically:
 - (a) the ability for non-executive members to amend bills, move motions and introduce private members bills that have a monetary impact on the ACT;
 - (b) the Assembly's application of standing order 201a and adherence to the principle of "the initiative of the crown" and how it relates to the *Australian Capital Territory (Self-Government) Act 1988*;

- (c) who is responsible or has jurisdiction to rule on what bills or amendments are compatible with the *Australian Capital Territory (Self-Government) Act 1988*; and
- (d) any other relevant matter.

This motion is born of the discussion in the Assembly on Tuesday relating to Mr Parton's amendment to the gaming taxation bill that was debated. It seems that there is still a level of uncertainty or differing of interpretation of section 65 of the self-government act that establishes the Assembly here in the ACT and also the application of some imposed resolutions of the Assembly, particularly that of the initiative of the Crown when it comes to the appropriation of money bills.

Further questions have also been raised this week following the presentation of Mr Parton's private member's bill yesterday for land tax exemption on community housing. This is probably a prudent time to re-evaluate and refamiliarise ourselves with the operation and practice of the self-government act, how it applies to us as members and how it relates to the freedoms that members have not only to amend bills that the executive seek to bring here but also to bring private members' bills forward.

A further question which I have included in my referral is: who ultimately is the arbiter and what is and is not consistent with the self-government act? There was some question over the role of the Speaker in that function on Tuesday's debate. I look forward to admin and procedure delving into this inquiry and hopefully clarifying some of these provisions.

There is no contest that, in this place, a line does exist between the powers of the executive and the powers of the non-executive members when it comes to appropriations. What is needed is some clarity around where that line exists exactly and what powers or what rights various members have in different spaces. I commend this motion to the Assembly and look forward to the support of other members.

Question resolved in the affirmative.

Education, Employment and Youth Affairs—Standing Committee

Statement by chair

MR PETTERSSON (Yerrabi) (12.03): Pursuant to standing order 246A, I wish to make a statement on behalf of the Standing Committee on Education, Employment and Youth Affairs, updating the Assembly on the committee's inquiry into standardised testing in ACT schools.

The inquiry's terms of reference are on the committee's website. They include consideration of the purpose and use of standardised tests such as NAPLAN, PISA, TIMSS and PIPS, along with A to E reporting. The committee is also considering the impacts on students, teachers and teaching practices, as well as the ACT's performance in standardised testing. The committee will also consider the

ACT Auditor-General's report entitled *Performance information in ACT public schools* as part of its inquiry.

The committee invited written submissions in May 2018 from key interest and stakeholder groups and received nine submissions. The committee has already held two public hearings, hearing evidence from the ACT Principals Association, the ACT Council of Parents and Citizens Associations, Professor Andrew Macintosh of the ANU and a retired ACT teacher.

The committee will be holding further hearings during September and October 2018 to hear from the ACT Audit Office, the Minister for Education and Early Childhood Development, Canberra Montessori, the Australian Education Union and the Association of Independent Schools.

Executive business—precedence

Ordered that executive business be called on.

Nobel peace ride

MS BERRY (Ginninderra—Deputy Chief Minister, Minister for Education and Early Childhood Development, Minister for Housing and Suburban Development, Minister for the Prevention of Domestic and Family Violence, Minister for Sport and Recreation and Minister for Women) (12.05): I move:

That this Assembly:

- (1) welcomes the arrival in Canberra of representatives of the International Campaign to Abolish Nuclear Weapons (ICAN) on the Nobel Peace Ride;
- (2) congratulates ICAN for its advocacy and leadership in the passage of the United Nations (UN) Treaty on the Prohibition of Nuclear Weapons and on being awarded the 2017 Nobel Peace Prize;
- (3) notes that the UN Treaty on the Prohibition of Nuclear Weapons:
 - (a) is the first ever treaty to explicitly prohibit all aspects of the development, production, possession, transfer, use or threat of use of nuclear weapons, or assistance or encouragement to engage in any of these prohibited activities;
 - (b) was passed by a majority of countries at the UN on 7 July 2017 and will come into effect when 50 countries have signed and ratified it;
 - (c) has been signed by 60 countries and ratified by 15 including New Zealand; and
 - (d) has not been signed or ratified by the Australian Government; and
- (4) calls on Members of the Legislative Assembly to:
 - (a) join with other city and state governments around the world in passing a resolution in support of the UN Treaty on the Prohibition of Nuclear Weapons;

- (b) sign the ICAN Parliamentary Pledge in support of the UN Treaty on the Prohibition of Nuclear Weapons; and
- (c) urge the Australian Government to sign and ratify the UN Treaty on the Prohibition of Nuclear Weapons.

My motion welcomes to Canberra representatives of the International Campaign to Abolish Nuclear Weapons, or ICAN. Members who drove across Commonwealth Avenue Bridge this morning will have noticed ICAN's flags flying as they renew representations to the Australian parliament on this critical global issue. The flying of those flags marks the end of ICAN's Nobel peace ride, a ride that started in Melbourne on 2 September and arrived in the nation's capital today some 656 kilometres and 18 days later.

The peace ride has no doubt been an epic journey for ICAN, but its purpose is to draw support for a far longer journey, one begun but not yet finished. I think all of us in this place can recognise and admire a determined and organised movement like ICAN. I am pleased to stand here and speak for ACT Labor members in offering our support for their work. Indeed, our recent branch conference passed a resolution in support of this campaign. I have been advised by the secretary of Unions ACT, Alex White, that Unions ACT are also in support of this campaign.

We offer our support to this movement. I would like to draw attention to the influence that ICAN has already had in pursuing denuclearisation in our world. As the motion notes, many years of determined work and advocacy helped enable passage of the United Nation's Treaty on the Prohibition of Nuclear Weapons last year.

Australia puts great trust in the rules-based global order overseen by the UN and other democratic institutions. It is through no small amount of luck that since the Second World War nuclear weapons have not been used in conflict. Labor holds the strong belief that maintaining the central role of institutions is key to this continuing.

We know, however, that gaining the agreement of the world at the UN is no mean feat and the significance of ICAN's achievement has been acknowledged with the highest honours. In 2017, ICAN was awarded the Nobel Peace Prize for their work to draw attention to the catastrophic humanitarian consequence of any use of nuclear weapons and their groundbreaking efforts to achieve a treaty-based prohibition of such weapons.

In the seven decades since their first use, nuclear weapons have been vastly more advanced. The bombs dropped on Hiroshima and Nagasaki are estimated to have killed more than 200,000 people. It is deeply worrying that today's nuclear weapons are 100 times more powerful.

If a nuclear attack happened today or in the future, the damage would extend far beyond immediate and massive loss of life. There would be dramatic environmental and climate changes that would last for decades. Because of this indiscriminate destructive power, their very existence presents an ongoing risk to human life and our planet.

The global community has made significant progress to reduce the number of nuclear weapons, down from an estimated high of almost 65,000 weapons in the mid-1980s to around 10,000 today. However, for the first time in more than 30 years, there are no nuclear disarmament negotiations underway or planned.

Instead, we are witnessing investment by nuclear-armed states to modernise their nuclear arsenals. This is deeply concerning. As I have said, we must show our support for international efforts to halt and reverse this worrying trend. This may seem like an issue far removed from the responsibilities of the ACT government, but all governments and elected representatives have a responsibility to stand together in calling for the prohibition of nuclear weapons.

Madam Speaker, I know that many in ACT Labor and the union movement, including me, have attended their share of protests in the past and we are proud to stand again together in this call. By making the pledge, members of the Legislative Assembly can express their deep concern about the catastrophic humanitarian consequences that would result from the use of nuclear weapons and stand together in calling for national governments around the world to ban their use.

Thanks to ICAN's leadership and advocacy, the UN treaty was signed by 60 countries and passed on 7 July 2017. Many of our neighbours in the Asia-Pacific, including New Zealand, Indonesia, the Philippines and Vietnam, have either signed or ratified the treaty. It is unfortunate that the Australian government has done neither.

We appreciate the many nuances of the international diplomacy rightly handled by the national government on our behalf. But the Australian community is entitled to tell their government that they expect denuclearisation to be a principle that is pursued. I deeply hope that the Australian government can find a way to join with the nations I have mentioned already by signing, and eventually ratifying, this treaty.

My motion today calls on members of the Legislative Assembly to join with colleagues from parliaments and communities around the world in sending exactly this message and signing the ICAN parliamentary pledge in support of the UN Treaty on the Prohibition of Nuclear Weapons. Again, I welcome the arrival of the ICAN Nobel peace ride to Canberra and I commend the motion to the Assembly.

MR RATTENBURY (Kurrajong) (12.11): The Greens are very pleased to support the motion moved by the Deputy Chief Minister. On behalf of the ACT Greens, I would like to take this opportunity to congratulate ICAN, the International Campaign to Abolish Nuclear Weapons, on their recent receipt of the Nobel Peace Prize. It is the first time that an organisation founded in Australia has won the Nobel Peace Prize.

As members would be aware, the Nobel Peace Prize is the pre-eminent accolade for people and organisations working toward the peaceful resolution of some of humanity's most difficult and dangerous problems. The Nobel Committee awarded the prize to ICAN for its work:

... to draw attention to the catastrophic humanitarian consequences of any use of nuclear weapons and for its ground-breaking efforts to achieve a treaty-based prohibition of such weapons.

The committee made this acknowledgement in their statement when awarding the prize:

We live in a world where the risk of nuclear weapons being used is greater than it has been for a long time. Some states are modernizing their nuclear arsenals, and there is a real danger that more countries will try to procure nuclear weapons, as exemplified by North Korea. Nuclear weapons pose a constant threat to humanity and all life on earth. Through binding international agreements, the international community has previously adopted prohibitions against land mines, cluster munitions and biological and chemical weapons. Nuclear weapons are even more destructive, but have not yet been made the object of a similar international legal prohibition.

It is for their ongoing efforts to address this legal gap that ICAN was awarded the Nobel Peace Prize. ICAN first opened its offices in Melbourne in 2006. It has since grown into a coalition consisting of several hundred non-government organisations, from local peace groups to global federations from over 100 countries representing millions of people.

The Nobel Prize committee has acknowledged that the coalition has been a driving force in prevailing upon the world's nations to pledge to cooperate with all relevant stakeholders in efforts to stigmatise, prohibit and eliminate nuclear weapons. To date, 127 states have made such a commitment, known as the humanitarian pledge.

Although ICAN began in Australia, the Australian government's recent track record on nuclear non-proliferation is less impressive. Australia did not participate in the negotiation of the UN Treaty on the Prohibition of Nuclear Weapons. It voted against the UN General Assembly resolution in 2016 that established the mandate for nations to negotiate the treaty. Earlier that year, Australia had attempted to derail a special UN working group on nuclear disarmament in Geneva, which adopted a report recommending the negotiation of the treaty.

While it is certainly disappointing, it is perhaps no surprise that former Prime Minister Malcolm Turnbull made no effort to congratulate ICAN on their award. Australia's recent attitude towards disarmament is particularly disappointing considering that Australia played a very proactive role in this space in the early days of the United Nations.

Today marks one year since the treaty opened for signature. Sixty countries have signed on and 10 have ratified. The treaty is well on the way to entering into force, which we hope will be within the next year or two. To mark one year since the treaty opened for signature, as the Deputy Chief Minister noted, a group of cyclists has cycled from Melbourne, where ICAN originated, to Canberra, where action is needed to ensure that Australia signs the new treaty on the prohibition of nuclear weapons.

The group is carrying a copy of the treaty and also the Nobel Peace Prize medal. It has stopped along the way to raise awareness of the nuclear weapons issue, the treaty and Australia's role. They left Melbourne on 2 September and are arriving at Parliament House in Canberra today. I would like to extend a warm welcome and congratulations to the riders.

It is because of the federal government's inaction on this issue that this motion in the Assembly is so important. As the motion calls for, we are joining other city and state governments around the world in passing a resolution in support of the UN Treaty on the Prohibition of Nuclear Weapons. Just as we have done on the issue of climate change, when national leadership is lacking, the role of state and territory parliaments becomes particularly important.

The motion further calls for all members to sign the ICAN parliamentary pledge. The pledge commits its signatories to:

... work for the signature and ratification of this landmark treaty by our respective countries, as we consider the abolition of nuclear weapons to be a global public good of the highest order and an essential step to promote the security and well-being of all peoples.

This pledge has been signed by hundreds of parliamentarians around the world. In the past two weeks another 30 state and territory parliamentarians in Australia from across the political spectrum have also pledged their support. Both I and Ms Le Couteur have signed the pledge. I note from ICAN's website that other members in this place have also signed it. I welcome that. At a federal level, I am pleased to confirm that all of my Greens colleagues have signed on.

Too often governments ignore the concerns of civil society, preferring instead to operate within a closed loop of military-industrial advisers and policy hawks. ICAN has been a leading actor in the strengthening of civil society's voice in the pursuit of a transparent, multilateral and diplomatic transition to a safer world.

At such a point in history, when the threat of nuclear war seems closer now than it has been for more than five decades, the work of ICAN has never been more important. However, on this issue I believe that the tide is turning and that it is inevitable that Australia join the ban.

I would like to finish by directly congratulating the hardworking members of ICAN Australia, including president Richard Tanter, Canberra's own Sue Wareham, Jessica Lawson, Marcus Yip, Margaret Beavis, Daisy Gardener, Daryl Le Cornu, Ruth Mitchell, Tilam Ruff, Dave Sweeny, Tim Wright, Gem Romuld and Chrys Gardener.

To all the members and volunteers of ICAN Australia and throughout the international coalition, I congratulate you on this well-deserved recognition. I thank you for your ongoing and tireless efforts to make the world a safer place for all of us. The ACT Greens salute ICAN's enduring commitment and tireless work to deliver our world from the dangers of nuclear weapons.

Having worked myself in the space of trying to deliver international treaties and agreements, I know that the progress of international treaties is often slow and frustrating. We congratulate ICAN on the broad success that the organisation has had

in attracting signatories to both the Treaty on the Prohibition of Nuclear Weapons and the humanitarian pledge.

The Australian Greens' founding principles of peace and nonviolence, social justice and grassroots democracy are all present in the work of ICAN. I would like to thank the Deputy Chief Minister for moving this motion and I commend it to the Assembly.

MS STEPHEN-SMITH (Kurrajong—Minister for Aboriginal and Torres Strait Islander Affairs, Minister for Disability, Minister for Children, Youth and Families, Minister for Employment and Workplace Safety, Minister for Government Services and Procurement, Minister for Urban Renewal) (12.19): It gives me great pleasure to speak on the motion moved by the Deputy Chief Minister regarding the work of the International Campaign to Abolish Nuclear Weapons, or ICAN, and I thank her for enabling a discussion on these matters in this place. As someone who has signed the ICAN pledge alongside many fellow Labor Party members, this is an excellent opportunity to pay tribute to the work of ICAN and congratulate this outstanding organisation on its much-deserved Nobel Peace Prize.

The International Campaign to Abolish Nuclear Weapons was founded in Melbourne in 2006, as others have noted, and since then its model of advocacy and partnership has grown to encompass more than 450 organisations in 103 countries. Its Australian partner organisations range from established social justice and welfare groups to unions, environmental advocates and faith-based groups.

The ACT community is represented by organisations such as the Canberra region antinuclear campaign and the Conservation Council of the south-east region and Canberra. As members in this place we are well aware of Canberrans' commitment to activism, to progressive values and social change, so it is not surprising that so many Canberrans support ICAN's global mission. And that global mission is clear: ICAN recognises the catastrophic harm of nuclear weapons.

In the scale of the devastation they cause and in the long-term effects of fallout, they are like no other weapon. While we no longer live in the world of mutually assured destruction, the possibility of existing nuclear arsenals and the associated radioactive material falling into the hands of terrorist organisations remains a significant threat. As others have said, sadly some countries have renewed their efforts towards growing their nuclear weapons capabilities.

ICAN's response to this threat is simple: nuclear weapons should be prohibited; nations should cease developing, testing, manufacturing and stockpiling nuclear weapons; national governments should not assist, encourage or induce anyone to engage in these activities; and countries with existing stockpiles of nuclear weapons should agree to their disposal in accordance with a legal protocol that is binding and has a clear timeframe.

ICAN's activism has resulted in the Treaty on the Prohibition of Nuclear Weapons which, as the motion states, was passed by a majority of UN members on 7 July 2017 after an extensive process of negotiation. The treaty lays out ICAN's aims in

international law and has been signed by 60 countries and ratified by 15, including New Zealand.

It is based on the principles of international law that underpin the biological weapons convention of 1972, the Chemical Weapons Convention of 1993, the anti-personnel mine ban treaty of 1997, and the Convention on Cluster Mines of 2008. It closes a loophole, as prior to the treaty's adoption nuclear weapons were the only weapons of mass destruction not subject to a categorical ban, despite their catastrophic humanitarian consequences. The new treaty thus fills a major gap in international law.

The Australian government did not endorse the treaty, did not support the original motion to commence negotiations which led to the development of the treaty, and has not ratified the treaty since its creation. This is a failing of the Liberal-National coalition at the federal level.

Many of my territory Labor colleagues have also signed the ICAN pledge, including the Chief Minister, the Deputy Chief Minister and the Attorney-General. Many federal Labor members have signed it as well, including then-ACT Senator Katy Gallagher, the shadow attorney-general Mark Dreyfus MP, Linda Burney MP, Mark Butler MP and other members of Labor's shadow ministry.

In signing the pledge, parliamentarians warmly welcome the adoption of the UN treaty on the prohibition of nuclear weapons on 7 July 2017 as a significant step towards the realisation of a nuclear weapon-free world. The pledge states that we share a deep concern about the catastrophic humanitarian consequences that would result from any use of nuclear weapons and we recognise the consequent need to eliminate these inhumane and abhorrent weapons.

As parliamentarians, signatories pledge to work for the signature and ratification of the landmark treaty by our respective countries and we consider the abolition of nuclear weapons to be a public good of the highest order and an essential step to promote the security and wellbeing of all peoples.

As the Deputy Chief Minister has said, it may seem to some that the Legislative Assembly is going beyond its remit by tackling issues of nuclear disarmament and the horrors of future war. These are weighty issues certainly. But our position as legislators speaks to our values as elected representatives and members of the broader community.

The way in which ICAN has developed a model of collaborative activism, gaining support from across the non-government sector, working with elected representatives and raising awareness in the community has been a resounding success. Not many other Australian-based community campaigns can say that they have swayed the United Nations into supporting changes in international law.

I congratulate ICAN again on its well-deserved Nobel Peace Prize and I look forward to one day seeing the Australian government sign up to the treaty on the prohibition of nuclear weapons. We all want to see a better and more peaceful world for our families and our communities.

ICAN is a great reminder of the power of activism, and I also congratulate those who have ridden from Melbourne to Canberra to raise awareness and continue the discussion with the Australian parliament. I thank the Deputy Chief Minister again for her motion and for the timely reminder of what the community working together can achieve.

MS LE COUTEUR (Murrumbidgee) (12.25): Last night I was very privileged: I attended the peace banquet that welcomed the riders from Melbourne to Canberra with the Nobel Peace Prize. So I have actually seen and touched the Nobel Peace Prize, which was not what I expected to do and it was quite an amazing event.

I also read out to the 50 people at the banquet the calls on part of the motion and to say I was confident that the Assembly would pass it tomorrow. Everybody was really pleased to find that we live in a progressive jurisdiction which believes in international action; believes in activism; believes in peace; and believes that a better world is possible.

I thank the many people of ICAN, including in particular Canberra's Sue Wareham, for the work they have done over the years in progressing the goal of peace and non-proliferation of nuclear weapons. Everyone in the world should be in favour of it, and so I commend this motion to the Assembly.

MS CHEYNE (Ginninderra) (12.27): I also support the motion and thank the Deputy Chief Minister for bringing it on. I add my welcome to the arrival in Canberra of the representatives of ICAN on their Nobel peace ride. I add my voice to what has already been said: the Nobel Peace Prize essentially speaks for itself. It is the culmination of ICAN's persistent and relentless work in advocating for a ban on nuclear disarmament, and it really is a tribute to what the determination of individuals acting together can achieve.

As Minister Rattenbury and others reflected, in the face of ever-more potent nuclear technology and a pretty skittish world, to put it mildly, it is a strong acknowledgement that there is a choice and that all nations can choose and should choose to avoid the mistakes of our past.

I am proud to also note the Australian Labor Party's recognition of the potential for nuclear weapons to cause catastrophic humanitarian consequences and the urgent need to ensure nuclear disarmament and our steadfast support of the movement since and the many Labor members who have gone on to sign the pledge, including some of us in this place a number of months ago.

I underline what the previous speakers said: that the federal government's inaction on this, including in congratulating ICAN, is pretty appalling. Hopefully they wake up to themselves over the coming few days, particularly now that ICAN has arrived in Canberra with the prize.

I urge all my colleagues to sign the pledge; it just makes sense. I add my voice by finishing with the most important point I can make, that is, thanking the members of

ICAN, including Canberra and, indeed, Belconnen's own Sue Wareham, for their relentless pursuit of our mutual dream of ridding the world of the worst weapons of mass destruction.

Question resolved in the affirmative.

Committees—standing Membership

MADAM SPEAKER: Members, I have been notified in writing of the following nominations for membership of the general purpose standing committees of the Ninth Assembly:

Economic Development and Tourism—Standing Committee

Mr Hanson
Ms Orr
Mr Pettersson

Education, Employment and Youth Affairs—Standing Committee

Ms Lee
Mrs Kikkert
Mr Pettersson

Environment and Transport and City Services—Standing Committee

Ms C. Burch
Mr Milligan
Ms Orr

Health, Ageing and Community Services—Standing Committee

Ms Cody
Mrs Dunne
Ms Le Couteur

Justice and Community Safety—Standing Committee

Ms Cody
Ms Lee
Mr Pettersson

Planning and Urban Renewal—Standing Committee

Ms Le Couteur
Ms Orr
Mr Parton

Public Accounts—Standing Committee

Ms Cheyne
Ms Cody
Mrs Dunne
Ms Lawder

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

That the Members so nominated be appointed as members of the general purpose standing committees of the Ninth Assembly.

Sitting suspended from 12.30 to 2.30 pm.

Ministerial arrangements

MR GENTLEMAN: Madam Speaker, due to the Chief Minister's absence for today, the Deputy Chief Minister will be taking all questions in relation to the Chief Minister's portfolios.

Questions without notice

Trade unions—CFMMEU

MR COE: I have a question for the minister for workplace safety and industrial relations. Minister, on 18 August, delegates to the ACT Labor Party conference, including you, voted unanimously to support a motion calling the charges against a CFMMEU official baseless. Minister, have you or any other government minister made representations to the federal government or ACCC to end the investigation of the CFMMEU for price fixing and cartel behaviour?

MS STEPHEN-SMITH: I certainly have not, and I am not aware that anyone else has either. My understanding is that they have not.

MR COE: Minister, has any official from the CFMMEU made representations to you about trying to end the ACCC investigation?

MS STEPHEN-SMITH: No.

MR WALL: Minister, has any approach been made by members of the CFMMEU to any minister to try to approach the commonwealth or the ACCC about this investigation?

MS STEPHEN-SMITH: Not to my knowledge, Madam Speaker.

Visitors

MADAM SPEAKER: Members, before I call the next question without notice, I welcome to the ACT Assembly a delegation from Sarawak state public accounts committee. Welcome to Canberra and the Australian Capital Territory Legislative Assembly. I hope you enjoy your afternoon.

Questions without notice

Housing—affordability

MS LE COUTEUR: My question is to the minister for housing and relates to the City Renewal Authority and Suburban Land Agency housing target determinations.

The City Renewal Authority and Suburban Land Agency housing target determination No 1 issued in February this year provided a target of 353 affordable dwellings, 143 public housing dwellings and 34 community housing dwellings. Can the minister advise on the progress of the development, sale and construction of these dwellings?

MS BERRY: I can. I will take part of that question on notice and provide that information back to the Assembly. But what I can talk about, which will be of interest to Ms Le Couteur, is work that the ACT government is doing with CHC housing around the land rent scheme. Last week I attended my first home purchase, by a family in Moncrieff who were able to accept the keys and then go into a new home under the land rent scheme which is now available to organisations like CHC so that the person who is purchasing the home can just purchase the cost of the home and not the additional cost of the land, which allows them the opportunity to get into an affordable home of their own and then perhaps save money to purchase the land later on. It is those kinds of initiatives that the ACT government is working on, a whole mix to deal with the complex issue of housing affordability and making sure that there are a number of options available for individuals in our community.

MS LE COUTEUR: How are the numbers of affordable dwellings, public housing dwellings and community housing dwellings in the City Renewal Authority and Suburban Land Agency housing target determination No 2 issued this month determined?

MS BERRY: I understand that Ms Le Couteur asked that or a similar question during estimates committee hearings recently and I understand that a response to the recommendations that were made from the committee has been provided. If there is any more information that I can provide to Ms Le Couteur on that matter I will bring it to the Assembly.

Animals—pet ownership

MS LAWDER: My question is to the Minister for City Services: on Monday you released a report entitled *Final Report: Independent Review into the Management of Dogs in the ACT*, which was received by the government in April 2018. Whilst we applaud the release of the report and note recommendation 10 in particular, which says that DAS should actively promote responsible pet ownership, why did the government withhold the release of this report for nearly six months?

MR STEEL: I thank the member for her question. In relation to the timing of the release of the independent review into dog management this week, the ACT government's animal welfare strategy launched last year set an expectation that the ACT government would be an Australian leader in animal welfare management practice. The ACT government then commissioned the independent report into how the government manages dogs as a result of a number of factors, including meeting the objectives of the animal welfare strategy, the process of amending the Domestic Animals Act and, of course, the work of our late colleague Mr Doszpot in championing this cause.

The review covers the recent history of this issue in more detail—

Ms Lawder: Point of order, Madam Speaker.

MADAM SPEAKER: Minister, resume your seat. Stop the clock, please.

Ms Lawder: I have read the report. I understand what is in it. My question was: why did the government not release the report for nearly six months; not what is in the report.

MADAM SPEAKER: Minister, you have a minute, so perhaps come to that point of the question.

MR STEEL: Thank you, Madam Speaker. I was coming to the point. As outlined in the government response to the review, released alongside the report, the government has already implemented or is in the process of implementing the vast majority of recommendations in the review. We have been focussed on that over the past few months.

MS LAWDER: Minister, why did the government wait for nearly six months before releasing the report?

MR STEEL: I thank the member for her supplementary. The ACT government takes this issue very seriously. To ensure that there would be absolute certainty as to the action the government is taking and to avoid any unnecessary confusion in the community about current legal and administrative frameworks for dog management, the government response has been released alongside the review. Clearly, the government response is a substantial document and it has taken time to prepare and deliver.

MS LEE: Minister, why did the government withhold the report for six months?

MR STEEL: I refer the member to my previous answer.

Economy—skilled migration

MRS KIKKERT: My question is to the Minister for Trade, Industry and Investment. Minister, at least one migration lawyer warned this government in November that its promotion of the skilled nominated migration scheme was attracting hundreds more potential applicants than the scheme could satisfy. A briefing to the Chief Minister in April clearly stated that the scheme was already oversubscribed. Yet in mid-June migration agents were told that there would be no changes to the application and assessment processes for this visa. Thirteen days later the scheme was abruptly closed to most would-be applicants. Minister, when did you first learn that the ACT was attracting more international students than the territory's 119 visa allotment could possibly handle?

MADAM SPEAKER: Minister Berry.

MS BERRY: I beg your pardon, Madam Speaker, I was obviously not paying—

Mr Coe: We are as shocked at your elevation as you are.

MS BERRY: Thank you, that is really charming! You are showing great leadership there, Mr Coe.

MADAM SPEAKER: To the question, Ms Berry.

MS BERRY: A great example to people in the ACT of what a great future leader you aspire to be.

Opposition members interjecting—

MS BERRY: And thank you, everyone else, for your interjections as well. That is always helpful. I will take the detail of that question on notice and bring some more information back to the chamber.

MRS KIKKERT: Minister, why did your government continue to promote its skilled nominated visa scheme to international students even after you knew that it was oversubscribed?

MS BERRY: I will take that question on notice too.

MS LEE: Minister, did that discussion come up in cabinet?

MS BERRY: That is a matter for cabinet.

ACT Health—records

MRS DUNNE: My question is to the Minister for Health and Wellbeing. Minister, since 1 August have any records in any area of ACT Health been lost, destroyed or otherwise disposed of, or concealed? If so, what records, and why?

MS FITZHARRIS: Not to my knowledge.

MRS DUNNE: Minister, can you guarantee that all records in all areas of ACT Health will be preserved and available to the review panel for the duration of its inquiry into workplace culture in ACT Health? If not, why?

MS FITZHARRIS: I am sorry, I did not hear the first part of the question properly.

MRS DUNNE: I am happy to repeat the question.

MADAM SPEAKER: Please.

MRS DUNNE: Minister, will you guarantee that all records in all areas of ACT Health will be preserved and available to the review panel for the duration of its inquiry into workplace culture in ACT Health? If not, why?

MS FITZHARRIS: Yes, certainly. We will make available all records to the independent panel.

MISS C BURCH: Minister, will you guarantee that no records in any area of ACT Health will be lost, destroyed or otherwise disposed of, or concealed until the review panel completes its inquiry into workplace culture in ACT Health? If no, why?

MS FITZHARRIS: Certainly, as I indicated in my previous answer, we will make available to the independent panel any and all information that they require.

Government—sporting infrastructure

MS CODY: My question is to the Minister for Sport and Recreation. Minister, can you update the Assembly on recent milestones in relation to the ACT government's ongoing investment in Canberra's sporting infrastructure?

MS BERRY: Yes, it has been a significant couple of months in the provision of top-class new sports infrastructure in Canberra, particularly in Ms Cody's electorate of Murrumbidgee. First, there is the completion of the new Phillip Oval. Completion of this project came about thanks to a great partnership between the ACT government and the sports of AFL and cricket, which provided an additional \$1.925 million to the project.

The upgrade includes community facilities, administration offices, sportsground lighting, and indoor and outdoor cricket training facilities that will support development and elite athlete programs. The upgrade has now ensured that AFL NSW/ACT and Cricket ACT have new local administrative headquarters that will provide improved business, coaching and training opportunities.

Work commenced in December 2016 on the cricket facility, which was completed in November 2017. The construction contract for the AFL pavilion was completed in July 2018. The government has also just commenced construction on the \$36.6 million Stromlo leisure centre. This will be an amazing new addition to the Weston Creek community. It is important to point out that the additional facilities that will also be included in this project, with input from the local community, include a gym, health club, leisure pool, inclusive of a toddlers pool, splash park and increased seating capacity.

The program pool will be suitable for some aquatics-based hydrotherapy and gentle exercise. The water temperature will operate at over 31 degrees, which will be delightful in a Canberra winter. The pool will have a beach entry zero depth via the adjoining leisure pool, which enables a wheelchair to be pushed all the way into the pool.

MS CODY: Minister, what new initiatives are rolling out to benefit local clubs using facilities across Canberra?

MS BERRY: It is worth recognising the ongoing investment rolling out week on week into great public sporting infrastructure across Canberra. As I have often said in this place, the ACT community as a whole contributes about 85 per cent of the cost of sports ground maintenance. It is a major contribution. This includes an additional \$2.8 million as part of the 2018 ACT budget to pay for additional watering requirements brought about by the harsh, dry conditions that we are experiencing.

I also want to focus on the government's new sportsground booking system which is soon to be rolled out. This will benefit regular and casual ground hirers across Canberra, with a better interface for their bookings. It will make searching for suitable facilities much better for those who are not used to doing so. We want to encourage more community events in our community spaces. There will be a map-based facility selection and the ability to be integrated with a preferred method of payment.

Importantly, the new system will also offer government staff better data on the way that we manage and hire these great public facilities. We are always seeking to get the best possible result out of a limited sportsground budget. This new system will make sure that the thousands of Canberrans who use these grounds every week are getting the best possible experience and that the broader community is getting the best value for its contribution.

MS CHEYNE: Minister, how do these investments support high participation in sport and active recreation?

MS BERRY: I am sure that everyone here agrees that the investment into sporting infrastructure is a sound investment for good health, inclusion and more social benefits. More than 339,000 Canberrans actively participate in sport and recreation at least once a week, 197,000 of whom participate through an organisation or sporting venue.

The availability and accessibility of sport and active recreation infrastructure is critical when it comes to keeping and growing activity levels within the ACT community. Canberra's population is growing. It is therefore not surprising that the demand for new and upgraded sporting facilities is growing due to access needs and the impacts of current usage levels on existing facilities. Delivering sporting infrastructure into new developments such as Stromlo assists accessibility for all, regardless of age, gender and ability.

Partnered investment by government with sporting organisations ensures a commitment from the sports towards providing for the needs of its members and broader community, and Phillip Oval is a great example of what can be delivered when government and sport work together, ensuring that the high participation levels of AFL and cricket in the ACT continue to be nurtured.

Last night I was able to join in the launch of the ACT Olympic and Paralympic appeal for Tokyo 2020. Four amazing Canberra athletes gave us another reminder of what investing in quality sport and infrastructure on the ground at the grassroots level brings to our community. I encourage members to get behind our athletes as they strive to be part of the Tokyo Olympic team.

Government—clubs policy

MR PARTON: My question is to the minister for regulatory services. Minister, recently there was a review of the compliance of ACT clubs making payments of winnings to excluded persons. What was the result of this review?

MR RAMSAY: I will take that question on notice and get back to the Assembly.

MR PARTON: Minister, after 3,733 checks, with only three found to be non-compliant, will you congratulate clubs on the work that they do to ensure that they remain compliant and on negating gambling harm?

MR RAMSAY: I have been working well with clubs. I have regularly been congratulating clubs on the work they have done, in the knowledge that as this government continues to roll out its harm minimisation approach, it will do so in a collaborative way. I note that I have a harm minimisation roundtable before the end of this month. Clubs will be present, and I am looking forward to continuing to work with them on harm minimisation and on addressing issues around problem gambling and gambling harm. As we know, this impacts a significant number of people across Canberra, not only those who are directly affected but the people who are indirectly affected as well. We continue to work on that, and we continue to minimise the harm that comes from gambling. I assure the Assembly that the clubs will be playing their part in that collaborative work.

MR COE: Minister, is 99.9 per cent a reasonable compliance outcome or will you keep focusing on the 0.1 per cent?

MR RAMSAY: We will always focus to make sure that harm minimisation is increased. We will always continue to work across the community to ensure that the number of people whose lives are negatively impacted by gambling is reduced. That is certainly a commitment that we have. I note that the opposition seems to talk so positively about gambling at times. We note that it does have a place in this society, but we will ensure—

Mr Parton: Point of order.

MADAM SPEAKER: Minister, resume your seat.

Mr Parton: On relevance, the question was: is 99.9 per cent compliance acceptable to the government?

MADAM SPEAKER: Minister, you have a minute left. I know you were talking around compliance broadly, but perhaps you could go to that particular part of the question.

MR RAMSAY: Noting that the question of whether something is acceptable is inviting me to express an opinion—

Mr Coe: No. It's a policy. What's your policy?

MR RAMSAY: The policy is that we will reduce the impact of harm from gambling here in the ACT.

Mr Coe: You do know that you have 488 poker machines yourself.

MR RAMSAY: I have no poker machines, thank you, Mr Coe. We will continue to work positively to reduce the impact of gambling harm across the ACT.

Sport—diving

MR MILLIGAN: My question is for the Minister for Sport and Recreation. Minister, you may have read in the *Canberra Times* today that the Canberra Diving Academy remain disappointed that there is still no new dive pool in the ACT. However, the government has said that there is land set aside for “a part B to be developed into a deep pool in the future”. When will you deliver on this promise and build a dive pool at the Stromlo site?

MS BERRY: There is room for expansion at the Stromlo site, which has been publicly explained to the community and in this place. That will be a decision for government following the development of this fantastic pool at the Stromlo site.

MR MILLIGAN: Minister, if the government will not commit to building a dive pool at the Stromlo site, what assurance can you give the diving community that a new facility will be constructed in Canberra?

MS BERRY: That will be a decision for future governments, as I have just said.

MS LEE: Minister, what are the government's plans for the Canberra Olympic Pool, given the recent safety incidents, combined with the ongoing issues of massive leaks and structural issues?

MS BERRY: The Olympic Pool will continue to operate for as long as it remains viable and safe for it to do so.

Waste—green bins

MS CHEYNE: My question is to the Minister for City Services: could you please update us on the rollout of green bins across Canberra?

MR STEEL: I thank the member for her question. I am very pleased to inform the Assembly that the rollout has “bin” highly successful so far. Residents in Tuggeranong, Weston Creek and, most recently, Belconnen are now able to register for a green bin. Ms Cheyne attended the first collection of a green bin in Belconnen on 3 September, just in time for spring. In Belconnen over 12,500 households, or around one-third, have signed up.

The pilot service delivered to Weston Creek and Tuggeranong has also proved very popular with nearly 22,600 households, or 47 per cent, receiving the service, with over 3,350 tonnes of organic garden waste collected. Every bin that rolls out to the kerb is a show of support for the government's green bin program.

The green bin service is incredibly popular with Canberrans, saving residents time and money and it reduces the amount of waste sent to landfill or going through our waterways. To date the contamination rate of just 0.01 per cent is well below the territory's target of one per cent, which is an outstanding commitment by Canberra residents to ensure that they put the correct waste in their green bin.

The government is working closely with the green bin contractors, JJ Richards and Sulo Australia, to prepare for the rollout of green bins to the inner north, the inner south, Molonglo and Woden mid-next year and then remaining suburbs. That will ensure the full delivery of our election commitment.

MS CHEYNE: Minister, how did the first week of pickups in Belconnen go?

MR STEEL: I thank the member for her supplementary. Green bins are proving very popular in Belconnen. Around one-third of households, over 12,500, have already registered, including nearly 4,500 concession card holders.

The first round of pickups from Belconnen is now complete and was very successful, with over 3,000 bins and around 40 tonnes of green waste collected in the first week of service. Contamination rates were found to be extremely low there as well, with only six bins out of nearly 200 inspected found to have some minor contamination from items like paper. For the record, my green bin in Kambah has also been inspected and has got the seal of approval.

Registrations continue to rise and it is expected that the take-up rate in Belconnen will reach around 50 per cent in the first 12 months, similar to the rates that we have seen in the pilot areas of Tuggeranong and Weston Creek. Green bins are also proving to be incredibly popular in every region where they are rolled out and the ACT government will continue to provide growing services for Canberra as our city grows.

MR WALL: Minister, why does your government continue to exclude existing green waste collection operators from being part of the government's green waste collection service?

MR STEEL: I thank the member for his question and note the incredible popularity of this program for Canberra households. We have been working with some of the current trash pack providers during the transition to this new program. We acknowledge that it is having some effect on those trash pack operators in the ACT. That is why we have been providing support, including a needs assessment of trash pack businesses and their employees, tailored professional business coaching, referral to counselling services, identification of retraining and upskilling opportunities through apprenticeship schemes and other training pathways offered

through CIT, and other redevelopment opportunities. For example, the territory's kerbside collection contractor, Suez, has extended an invitation to interested and suitably qualified operators to apply to join its workforce.

Mr Wall: Good way to boost the economy: take a small business and give them a job as an employee.

MADAM SPEAKER: Have you quite finished, Mr Wall?

Mr Wall: I've got more to say but I don't think it's the time.

MADAM SPEAKER: You will find yourself out the door though.

Environment—plastic straws

MS LEE: My question is to the minister for the environment. Minister, what effort has Actsmart made to ensure that viable and appropriate alternatives to plastic straws are part of the straws suck campaign so that people with disabilities are not disadvantaged?

MR GENTLEMAN: I thank Ms Lee for her question. Of course, the environment is a very important topic for all of the ACT. When we look at the discussion of yesterday, we see the difference between this side of the chamber and that side of the chamber with regard to supporting the environment. Actsmart does a fantastic job in talking to Canberrans about the best way to support environmental issues and provide a long and strong environmental—

Ms Lee: Point of order, Madam Speaker.

MADAM SPEAKER: Minister, resume your seat. Stop the clock.

Ms Lee: I have been listening and the minister has not even started to touch on the question. Can you please direct that he be relevant.

MADAM SPEAKER: He is 30 seconds into a two-minute answer.

Mr Rattenbury: Madam Speaker, I might assist here. I am actually the minister responsible for Actsmart. I might add some—

MADAM SPEAKER: Mr Gentleman, are you happy for Mr Rattenbury to take this question?

MR GENTLEMAN: I am very happy.

MADAM SPEAKER: Do you need the question again, Mr Rattenbury?

MR RATTENBURY: No, it is fine, Madam Speaker. It is quite fine. Actsmart did take this very fact into account. Certainly part of our discussion with outlets that are participating in the scheme has been about the provision of alternatives. The key focus

here is to get rid of plastic straws. It does not mean that people should not have access to straws. For example, the organisation that was our first partner, which was the BentSpoke pub in Braddon, has ordered several hundred stainless steel straws, which do the job perfectly well. There are alternatives, such as bamboo. We are cognisant that there may be people who, in some circumstances, may need a straw because of perhaps a physical disability or for some other reason.

MS LEE: Minister, what consultation was held with disability groups before the campaign was launched?

MR RATTENBURY: I would need to take the exact detail on notice, if that is what Ms Lee wants. What I can say is that there were conversations with disability organisations by the staff at Actsmart. They were very cognisant of this issue, and they did seek some advice.

MISS C BURCH: Minister, why is there no information available on the straws suck website on alternatives to plastic straws?

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

Business—red tape reduction

MS ORR: My question is to the Minister for Business and Regulatory Services. Can the minister outline how the government is helping to cut red tape and promote vibrant and active small businesses in the city?

MR RAMSAY: I thank Ms Orr for the question. The government is constantly working to ensure that this city is one where it is very easy to do business and to help facilitate the diverse and vibrant city we want Canberra to be. The recently passed red tape reduction bill is helping to cut red tape and to simplify requirements for our various incorporated associations across the territory.

There is a wide variety of these associations across Canberra serving the community in many ways, including through sport, advocacy and social inclusion. We want to reduce the level of red tape for these businesses to ensure that they can spend as much time as they can doing what they do best. Through this red tape reduction and a number of other initiatives, we are also helping to promote a vibrant and active small business scene in Canberra. We are allowing new forms of ID to be used.

This government simplifies the system for business in many ways. We are providing free use of outdoor spaces for cafes, restaurants and bars and allowing them to trial new business models for free. Access Canberra has a case management team to help new liquor and food businesses set up, providing a single point of contact for these businesses to ask questions and to receive help to navigate the processes.

It has an events team to help people and businesses organising events to work through the government processes with ease and to assist to get their new and innovative ideas off the ground. This government is building a city where we promote and help new

and diverse innovative businesses through a regulatory system that helps promote vibrant, active and safe small businesses for the entire sector.

MS ORR: Can the minister outline how cutting red tape for incorporated associations will help simplify requirements for those groups who are helping Canberrans all across the city?

MR RAMSAY: I thank Ms Orr for the supplementary question. The red tape reduction bill that we passed just this week has overhauled the incorporated associations act to modernise and to simplify the requirements for associated incorporations right across the territory. There are all manner of these associations across Canberra, from the Ainslie Football Club and the Legacy Club of Canberra to the ACT and Region Machine Knitters Guild and Canberra Underwater Rugby. These associations come in all sizes and for all manner of purposes. That is why we are ensuring that we will have governing regulations that are modern and relevant to their purpose.

Of most importance, we are ensuring that, in particular, the smallest of these associations are not bogged down in red tape. We have simplified the audit requirements for them. We have removed the need for common seals. We have updated contact detail requirements so that individual residential addresses do not need to be published, and we have removed some restrictions on trading. These are just a few of the many changes that we are making to simplify the incorporated associations act.

The government is working to make sure that our community groups, our school P&Cs, our multicultural groups, our seniors groups and all our various incorporated associations across the territory work in a modern and simple regulatory framework so that they can spend their time serving the community and not doing paperwork.

MR PETTERSSON: Can the minister provide more detail to the Assembly about how the government is cutting red tape and supporting active and vibrant small businesses?

MR RAMSAY: I thank Mr Pettersson for the supplementary question. The government is working to promote a vibrant and active small business sector in the city. It is why we set up a specific team in Access Canberra to help facilitate the opening of liquor and food businesses, giving them a case manager to coordinate and guide them through the regulatory processes. This team continues to do good work in explaining the system to new business owners and helping them to get their business up and running.

It is also why we have provided one month's free outdoor dining to cafes, bars and restaurants. This allows businesses to trial outdoor dining to see if it will work in their location and with their particular business model. Every cafe, bar and restaurant with a permit is given this free month every year.

As the weather warms up Access Canberra is reaching out to relevant businesses to remind them of these services. They will be working with businesses across the city to

help them to take advantage of this and to work with them to promote a vibrant restaurant, cafe and bar scene.

This is particularly important as light rail construction in Gungahlin wraps up and the town centre revitalises as the vibrant heart of the city's north. Access Canberra officers are out talking to businesses to see what we can do to help promote outdoor dining in the Gungahlin town centre and to help draw people to the area once the light rail is open to the public.

Transport—ticketing

MISS C BURCH: My question is to the Minister for Transport. Minister, Transport Canberra has announced that ticket vending machines will be installed in selected bus stations. Why is this being done now when the ACT government is in the process of acquiring a new ticketing system, rather than when the new system is in place?

MS FITZHARRIS: That is a good question. The reason we are doing it now is to align both with the commencement of light rail services and to have ticket vending machines that will meet the needs of our current MyWay card users, as well as the needs of the future ticketing system. It is a pre-investment in our future fully integrated, new ticketing system.

MISS C BURCH: Minister, will the ticket vending machines be compatible with the new ticketing system that the government is in the process of acquiring?

MS FITZHARRIS: As I have just said, yes, they will be.

MS LAWDER: Minister, what will be the average cost of one ticket vending machine and the total cost of the ticket vending machine rollout?

MS FITZHARRIS: That was previously funded a couple of budgets ago, in terms of the procurement of that system. But I will take the specific question on notice.

Mental health—bullying

MR WALL: My question is to the Minister for Mental Health. Minister, how common is bullying in mental health?

MR RATTENBURY: I am not clear from Mr Wall's question whether he means amongst the staff or amongst patients.

MADAM SPEAKER: Mr Wall?

MR WALL: Particularly around staff but also between staff and patients.

MR RATTENBURY: The issue of both physical and mental safety is a significant one for our staff. Working in mental health is a very difficult environment, and our

staff do face some level of challenge in that space in the interaction with patients in particular.

Mrs Dunne sought an answer to a question on notice, which was provided to her recently, around the number of assaults. The level of physical assaults is something that I am deeply concerned about. It is why with the nurse safety strategy we are currently working on I have engaged with the Chief Nurse to indicate my expectation that they particularly consider the role of mental health nurses and the special circumstances that they face, because they do face particular challenges compared to regular nurses.

In terms of the mental health space more broadly, the reason why I was seeking clarity from Mr Wall is that I think that for people who have a mental health condition, in various forms, stigma and bullying continue to be significant issues. We are working hard in Australia to break this down but I think we have some distance to go.

MR WALL: Minister, how many cases of bullying have been reported in ACT mental health services?

MR RATTENBURY: I will take that on notice and get some specific advice. Perhaps I can give him the last financial year, but if Mr Wall has another expectation he might specify that.

MRS DUNNE: Minister, what actions have you taken to assure yourself that bullying is not a regular occurrence in ACT mental health facilities?

MR RATTENBURY: I have taken a number of steps. They range from conversations with the director-general about culture and how things are going in the organisation, to conversations with the line staff and the managers who come to my weekly departmental briefings, and visits to field sites where I interact directly with staff. As I discussed earlier, my expectation of the nurse safety strategy is that it is one particular place where I think there is scope. In the debates that happen in this place and in the media, I have made very clear my view of zero tolerance and have indicated an open door to people who have concerns.

ACT Ambulance Service—cardiac treatment

MR PETTERSSON: My question is to the Minister for Police and Emergency Services. Minister, how are ACTAS staff improving the survival rate of cardiac arrest victims, and has this been recognised in any way?

MR GENTLEMAN: I thank Mr Pettersson for his question and his interest in ACT emergency services, ACTAS and our long-serving volunteers.

I am pleased to advise members that the ACT Ambulance Service call takers have achieved world-leading performance by correctly recognising cardiac arrest over the phone 99 per cent of the time, dramatically improving the chance of survival in the ACT. This outstanding achievement was recognised at the ACT public service awards for excellence.

On average, one ACT resident per day calls for an ambulance with a suspected cardiac arrest. Recognition is the first step to saving a life, and emergency triple zero call takers play an important role in the early recognition of cardiac arrest. This is followed by early hands-on CPR, and CPR coaching is provided by all call takers whilst the ambulance is on the way.

Survival from out of hospital cardiac arrest is typically quite low, historically around 10 per cent. An audit of cardiac arrest survival in the ACT was conducted in 2014 and found a survival discharge rate of 18 per cent. An audit was then conducted in 2017 and found that survival to discharge had increased to 31 per cent. This is an outstanding result and ranks amongst the best in the world.

Despite demand on ACTAS being at the highest levels ever, the professionalism of the women and men of ACTAS ensures that we continue to have one of the best ambulance services in the country. I would like to congratulate the hardworking staff at ACTAS and also thank all the personnel and volunteers across the ESA and other front-line services who help keep all of us safe and care for us.

MR PETTERSSON: Minister, what recognition has been given to long-serving volunteers?

MR GENTLEMAN: I was pleased earlier this year to officially recognise the professional services volunteered to the ACT Emergency Services Agency by awarding twelve mapping and planning support volunteers the inaugural ESA long service medal to recognise the skills and service that they have provided to emergency management over the past decade.

MAPS volunteers have provided a total of nearly 750 days of assistance to emergency service agencies across eastern Australia since 2006. MAPS volunteers supported emergency operations during the Black Saturday bushfires in 2009, Cyclone Yasi in 2011 and the Carwoola bushfires in 2017.

Canberra is home to the largest concentration per capita of graphic information system professionals in Australia, and the MAPS program provides a valuable link between emergency managers and volunteer GIS professionals. These volunteers play a vital role in keeping emergency responders and the community safe.

MS CODY: Minister, what update do you have on the award of the ACT emergency service medal?

MR GENTLEMAN: I thank Ms Cody for her interest, too, in our ESA volunteers. On 27 August 2018 at the Australian Border Force swearing-in ceremony I had the pleasure of awarding an ACT emergency medal to Mr Kingsley Woodford-Smith. The ACT emergency medal was instituted in 2004 to recognise the dedication to duty and bravery of emergency services personnel who contributed to the protection of life, property and the environment following the ACT bushfires in January 2003. The actions of Mr Woodford-Smith in January 2003 represented the values that we highly praise within emergency services: courage and selfless service to the ACT community.

Along with my giving of thanks to Mr Woodford-Smith for his contributions to the safety of the ACT and surrounding regions, I would also like to thank the emergency service personnel whose efforts continue to make the ACT one of the safest communities in the world to live in.

Ms Berry: I ask that all further questions be placed on the notice paper.

Supplementary answer to question without notice Schools—asbestos

MS BERRY: I was asked a question by Mr Wall regarding Harrison School and when staff were informed about potential asbestos. The Harrison School principal informed his executive staff by email on the morning of 30 August and emailed all staff before the end of the day. A further email was sent to all staff on Thursday evening updating them with information available at the time. The principal made himself available the next morning to answer in person any questions from staff.

Answer to question on notice Question No 1632

MS LEE: Yesterday in matters arising out of question time I did suggest that the then Minister for Transport and City Services had failed to provide an explanation in relation to question 1632. What I should have said is that she did provide an explanation; it just was not to my satisfaction, given that the excuse was the volume of questions on notice and the time needed to process the information. Nevertheless, I have now received that answer from the Minister for City Services.

Supplementary answers to questions without notice Environment—straws

MR RATTENBURY: During question time I was asked about elements of the straws suck campaign. I can now confirm for Ms Lee, who asked me about what engagement there had been on issues related to disability, that EPSDD has been discussing these matters with the office for disability in the ACT government.

I was also asked why there was no information on the ACTsmart website about alternatives. I have now checked the ACTsmart website, and there is on that website information that includes:

Unsure of where to start?

This is for people who might be interested in getting involved in being a participating business. It says:

Unsure of where to start? Here are some ideas.

One of the dot points is:

Provide customers with reusable or biodegradable straws.

I now table that document for the benefit of members. I present the following paper:

Straws Suck—ACTsmart campaign.

Mental health—bullying

MR WALL: In Mr Rattenbury's answer to my question relating to bullying in mental health he sought some extra guidance as to a time frame for the accounts of reported cases of bullying. In the interests of having relevant data, can we perhaps limit it to this parliamentary term.

Environment—plastic straws

MS LEE: Just on that follow-up Minister Rattenbury provided on straws, the question specifically and clearly was the consultation with disability groups, not another government department.

Auditor-General's report No 8 of 2018—government response Paper and statement by minister

MS BERRY (Ginninderra—Deputy Chief Minister, Minister for Education and Early Childhood Development, Minister for Housing and Suburban Development, Minister for the Prevention of Domestic and Family Violence, Minister for Sport and Recreation and Minister for Women) (3.15): For the information of members, I present the following paper:

Auditor-General Act, pursuant to subsection 21(1)—Auditor-General's Report No 8/2018—Assembly of rural land west of Canberra—Government response.

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

Leave granted.

MS BERRY: On 29 June this year the Auditor-General's report on the assembly of rural land west of Canberra was tabled in the Legislative Assembly. In accordance with the Auditor-General Act 1996, I am required to present a written response to the report to the Legislative Assembly within four months.

The Auditor-General's report has identified issues with the activities of the former Land Development Agency. This government has previously acknowledged issues with record-keeping practices and decision-making by the former Land Development Agency. The audit focused only on the activities of the former entity and did not consider the significant improvements made since that time.

There has been significant effort made to establish robust governance arrangements within the Environment, Planning and Sustainable Development Directorate and the Suburban Land Agency and the City Renewal Authority. Strong governance, robust processes and accountability to the government and the community are priorities for these agencies.

The recommendations in the Auditor-General's report provide an opportunity for us to review current arrangements and consider options to further strengthen processes and governance arrangements. I have tabled the report and I am pleased to provide that information to the Assembly.

Community Services Directorate—freedom of information request

Paper and statement by minister

MS BERRY (Ginninderra—Deputy Chief Minister, Minister for Education and Early Childhood Development, Minister for Housing and Suburban Development, Minister for the Prevention of Domestic and Family Violence, Minister for Sport and Recreation and Minister for Women) (3.17): For the information of members, I present the following paper:

Freedom of Information Act, pursuant to section 39—Copy of notice provided to the Ombudsman—Community Services Directorate—Freedom of Information request—Decision not made in time, dated August 2018.

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

Leave granted.

MS BERRY: Today I am tabling a notice provided to the Ombudsman by the Community Services Directorate as required under the Freedom of Information Act 2016 section 39(1)(c). The notice is required when an FOI decision is not made within the statutory time allowed and is taken to be a refusal to give access to the information.

An FOI access application was received by the Community Services Directorate from a Housing ACT tenant on 28 March 2018 for personal information. The statutory time frame to decide the FOI access application was 30 April 2018. There was a misinterpretation by the directorate with an email from the applicant in relation to an extension of time. Based on a perceived extension, the directorate was working to a due date of 3 July 2018.

The directorate continued to work on the FOI application and was able to finalise the application and provided a response on 15 June 2018.

Community Services Directorate—freedom of information request

Paper and statement by minister

MS BERRY (Ginninderra—Deputy Chief Minister, Minister for Education and Early Childhood Development, Minister for Housing and Suburban Development, Minister for the Prevention of Domestic and Family Violence, Minister for Sport and Recreation and Minister for Women) (3.18): For the information of members I present the following paper:

Freedom of Information Act, pursuant to section 39—Copy of notice provided to the Ombudsman—Community Services Directorate—Freedom of Information request—Decision not made in time, dated September 2018.

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

Leave granted.

MS BERRY: Today I am tabling a notice provided to the Ombudsman by the Community Services Directorate as required under the Freedom of Information Act 2016, section 39(1)(c). The notice is required when an FOI decision is not made within the statutory time allowed and is taken to be a refusal to give access to the information.

An FOI access application was received by the Community Services Directorate on 19 July 2018 for personal information relating to a housing tenant and was due to the applicant on 16 August 2018. Consultation with a third party was required and undertaken, therefore extending the statutory due date by 15 working days, to 6 September 2018.

Due to the large number of access applications in the system, with in excess of 35 access applications received ahead of the applicant's, the directorate did not decide the application by the statutory due date. The directorate asked the applicant for additional time to process this application which was not granted.

The directorate did not apply to the Ombudsman for an extension of time pursuant to section 41(1) of the FOI Act as the application did not meet the requirements under section 41(2) of the FOI Act, which states:

The ombudsman may, on application under subsection (1), extend the time to decide an access application if the ombudsman believes it is not reasonably possible for the respondent to deal with the application within the period for deciding the application under section 40 because the application involves dealing with—

- (a) a large volume of information; or
- (b) complex and potentially conflicting public interest factors.

The directorate will continue to deal with the application and give notice of a decision on the application.

Construction activities in Gungahlin—business impact assessment

Paper and statement by minister

MS FITZHARRIS (Yerrabi—Minister for Health and Wellbeing, Minister for Higher Education, Minister for Medical and Health Research, Minister for Transport and Minister for Vocational Education and Skills) (3.20): For the information of members I present the following paper:

Business Impact Assessment of ACT Government-led construction activities in Gungahlin, dated September 2018, pursuant to the resolution of the Assembly of 6 June 2018 concerning the impact on local businesses of light rail construction.

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

Leave granted.

MS FITZHARRIS: I am pleased today to table the response to the Assembly resolution of 6 June this year—impact of construction activities in Gungahlin. The government is progressing several important infrastructure projects in the Gungahlin town centre, with many nearing completion.

Gungahlin is a great example of light rail's capacity to stimulate investment in urban renewal, residential and commercial development. In the Gungahlin town centre, for instance, there have been significant private sector investment and various mixed use developments. In neighbouring suburbs we have seen the private sector respond to our growing population with commercial precinct developments.

Major activities underway in Gungahlin town centre include Canberra's light rail project on Flemington Road and Hibberson Street, the new Gungahlin bus station in Gungahlin Place, the Hibberson Street shared zone, The Valley Avenue extensions, road upgrades at Ernest Cavanagh Street and Manning Clark Crescent and the recently opened Camilleri Way.

The benefits of these improvements are wide ranging and include economic growth, improved amenity, employment generation and greater investment in the Gungahlin district. To optimise these benefits the government has pursued comprehensive land use, place making and integrated transport strategies to ensure that Gungahlin is a vibrant and connected town centre.

The construction of public works, however, often comes with a level of disruption and inconvenience for the local community. Although it is rarely possible to completely eliminate all construction-related impacts, the government has sought to minimise impacts by strategically staging works, traffic management, business support and consultation.

On 6 June the Assembly passed a resolution for the ACT government to undertake an assessment of the impact of all ACT government-led construction activities on local business in the Gungahlin town centre. The Canberra Business Chamber was commissioned to collate feedback from local businesses about their experiences. This includes 210 Gungahlin businesses, 100 one-on-one feedback sessions and 31 survey responses.

A mix of business feedback, ABS data and case study reviews has assessed the impacts on businesses over the recent construction period, as well as the opportunity to develop a picture of what the community and businesses can expect in the more immediate term as some major projects come to a close.

The most common impact indicated by businesses related to footfall—customers through doors—parking, revenues, visibility, access and noise. Some businesses noted an increase in maintenance and operational costs. Some businesses felt customers were avoiding the area due to vehicular access and amenity impacts from construction. There were suggestions that the impacts had been compounded by new developments opening, for example, in Casey and Franklin, which would likely share some customer base with the town centre.

Despite some businesses experiencing reduced foot traffic and revenues over the past 18 months, businesses are indeed optimistic about the future and are looking forward to an increase in social and economic activity, with a general expectation that revenues and foot traffic will improve when works are complete.

There is always opportunity to learn and improve, and the government welcomes the opportunity to deepen understanding of how the government might better work and communicate with local businesses so that they are better positioned to prepare for change and able to navigate transition. I welcome the learnings from this report and note some interesting lessons, including working with landlords to hold rent prices during construction, better signage and better focus on business owners whose first language is not English. I also look forward to further work on the comprehensive lessons learnt assessment following completion of light rail stage 1.

Under the light rail business link program, for example, the government has sought to work collaboratively in partnership with the business community to identify and support new opportunities through dedicated business forums, including a marketing masterclass suite. Businesses are also contributing to a working group to help plan a Gungahlin town centre street party in October to coincide with the reopening of Hibberson Street to pedestrian traffic.

I note ABS data suggests Gungahlin's total number of businesses is growing, with the number of business entries higher than the number of business exits. Gungahlin has outperformed Canberra as a whole, with a 78 per cent increase in the number of businesses between 2009 and 2017 compared to 12.6 per cent in the ACT.

Overall, literature and research indicate the future experience for businesses in Gungahlin will be positive. Increased mobility along the light rail corridor will help to improve social and economic connections within the northern region of Canberra, while the cumulative public investment is anticipated to catalyse further uplift across Canberra, including Gungahlin.

Better land use and transport network integration resulting from the simultaneous construction projects will provide a range of direct and indirect benefits for Gungahlin businesses, such as increases in foot traffic from local population growth, changing travel patterns and consumer trends. Improved service frequency and integrated transport infrastructure will enhance customer and employee access, making the local business precincts more desirable locations to visit and work in.

Through this joint approach we will continue to engage with businesses to optimise the outcomes for all Canberrans and make Gungahlin, as well as the rest of the ACT, a great place to work, live and do business.

Planning and Development Act 2007—variation No 356 to the Territory Plan

Paper and statement by minister

MR GENTLEMAN (Brindabella—Minister for the Environment and Heritage, Minister for Planning and Land Management, Minister for Police and Emergency Services and Minister assisting the Chief Minister on Advanced Technology and Space Industries) (3.26): For the information of members I present the following paper:

Planning and Development Act, pursuant to subsection 79(1)—Approval of Variation No 356 to the Territory Plan—Amendments to the West Belconnen Concept Plan for Ginninderry Stage 1 Development, dated 18 September 2018, including associated documents.

In accordance with the provisions of the act, this variation is presented with the background papers and copies of the summaries and reports. I ask leave to make a short statement in relation to the paper.

Leave granted.

MR GENTLEMAN: The variation proposes to vary the west Belconnen concept plan by making the provision of gas utility services to blocks in stage 1 of the Ginninderry estate, west Belconnen, an option rather than a mandatory requirement.

DV 356 was released for public comment between 4 May 2018 and 22 June this year. One written submission was received which supported the variation and suggested removing the default provision which mandates gas. A report on consultation was prepared in response to the issue raised in the submission. Given the support received in the submission, no changes were made to DV 356.

Under section 73 of the Planning and Development Act 2007, I referred the draft variation to the Standing Committee on Planning and Urban Renewal. The committee advised that they did not intend to conduct an inquiry and I subsequently approved the variation.

ACT Policing Controlled Operations annual report 2016-2017—corrigendum

Paper and statement by minister

MR GENTLEMAN (Brindabella—Minister for the Environment and Heritage, Minister for Planning and Land Management, Minister for Police and Emergency Services and Minister assisting the Chief Minister on Advanced Technology and Space Industries) (3.27): I present the following paper:

Crimes (Controlled Operations) Act, pursuant to subsection 28(9)—Annual Report 2016-17—ACT Policing Controlled Operations—Corrigendum

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

Leave granted.

MR GENTLEMAN: The corrigendum arises from an administrative error that incorrectly recorded the total number of amended controlled operations authorities listed on page 9 of the report. The corrigendum amends that figure from nil to one to accurately reflect the number of amended controlled operations authorities.

Papers

Mr Ramsay presented the following papers:

Auditor-General Act, pursuant to subsection 21(1)—Auditor-General's Report No 6/2018—Physical Security—Government response.

Freedom of Information Act, pursuant to section 39—Copy of notice provided to the Ombudsman—Justice and Community Safety Directorate—Freedom of Information request—Decision not made in time, dated 1 September 2018.

Unfantastic plastic—review of the ACT plastic shopping bag ban

Papers and statement by minister

MR RATTENBURY (Kurrajong—Minister for Climate Change and Sustainability, Minister for Justice, Consumer Affairs and Road Safety, Minister for Corrections and Minister for Mental Health) (3.29): For the information of members, I present the following papers:

Commissioner for Sustainability and the Environment Act, pursuant to section 22—Commissioner for Sustainability and the Environment—Unfantastic Plastic—Review of the ACT Plastic Shopping Bag Ban, dated August 2018

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

Leave granted.

MR RATTENBURY: I am pleased to table the first independent review of the ACT Plastic Shopping Bags Ban Act 2010 undertaken by the Commissioner for Sustainability and the Environment. On 21 December last year I issued a direction to the commissioner to review the effectiveness of the legislation and provide recommendations to improve overall environmental outcomes. This direction was issued pursuant to sections 12(1)(b) and 21(1)(a) of the Commissioner for Sustainability and the Environment Act 1993.

Members would be aware that the ACT government has had legislation governing the use of plastic bags in the ACT since 2010: the Plastic Shopping Bags Ban Act 2010. This legislation came about as a result of an item in the 2008 Labor-Greens parliamentary agreement. The plastic bag ban legislation came into effect on 1 November 2011.

The government had undertaken two previous internal reviews of the impacts of the legislation—in 2012 and 2014—including examining the reduction of levels of plastic waste to landfill, and the reduction of plastic litter in our environment. These previous internal reviews had found that the legislation has been very effective in reducing plastic bag consumption and associated litter.

However, since the introduction of the 2010 legislation plastic bag manufacturers were quick to ensure that they were able to offer bags to retailers just over the 35-micron minimum limit to retailers. As a consequence I was concerned that many retailers and customers may not have changed their behaviour around the use of plastic bags and were instead simply using thicker plastic bags for single uses.

I had considered a number of options, such as whether it would be better to again increase the minimum thickness of plastic shopping bags to encourage numerous reuses of the bags or whether it would instead be better to require the use of biodegradable or compostable bags. Another concern I continue to have is the use of plastic bags that degrade into microplastic pieces thus creating further environmental pollution and biodiversity impacts.

However, in relation to the overall policy of what type of plastic shopping bags are best made available by retailers, there was no clear advice available to enable me as the responsible minister to best analyse how this legislation could be improved for environmental outcomes. Determining how to make the act more effective was my brief for the commissioner for this 2018 independent review.

This review has highlighted the complexity of plastic bag regulation and the environmental performance of plastic bags and reflects on the current context of plastic bag regulation nationally and globally. Although plastic bags are a small proportion of our waste and litter streams, we cannot ignore the importance of setting behavioural change and, of course, the impacts this has on people in coastal towns in particular.

I am sure that members are aware of the huge impacts that plastics are having on our planet. Plastic pollution is at an unprecedented high. Scientists predict that there will be more plastic than fish in the sea by 2050. There are islands of plastic in the ocean, and the great Pacific garbage patch is the largest accumulation of ocean plastic in the world of the five offshore plastic accumulation zones.

This massive floating island of plastic growing rapidly between California and Hawaii now covers 1.6 million square kilometres—that is around three times the size of France. The giant accumulation of plastic contains more than 1.8 trillion pieces of plastic, a plastic count equivalent to 250 pieces of debris for every human in the world.

There is much confusion in the community locally and nationally about the merits of biodegradable and compostable plastic bags which I and many others share. Other states are now proposing to also ban biodegradable bags as they, as evidenced in this report today, unfortunately have poor environmental results.

What is clear from this report is that every alternative to plastic bags has its own implications in respect of carbon emissions, energy and water use, as well as litter and waste creation. Arguably, plastics are emerging as the hazardous waste of this century. It is generally accepted that we cannot continue to use and dispose of plastics in our current manner without serious consequences.

I will now outline the review's findings. This review has highlighted the relative absence of information at a local and national level on bag consumption and trends. With this in mind, the commissioner and her team went to commendable lengths to gather data from both ACT residents and retailers. Approaches included a telephone survey of over 1,000 residents about their views and behaviours in relation to the act; a face-to-face survey of householders as they conducted their shopping; and a face-to-face survey with retailers about their plastic bag consumption.

The review estimates that the ban has successfully reduced our plastic bag use by 1,132 tonnes of plastic from 2011 to 2018 and 55 million plastic bags in 2017-18 alone. However, projections show that without further intervention, by 2021 plastic bag consumption will return to levels seen prior to the ban's introduction in 2011.

The ACT community was surveyed for this review and indicated a strong support for the ban: 68 per cent of respondents said they support the ban, up from 50 per cent in 2012; 57 per cent said they have reduced their plastic bag use as a consequence of the ban; 68 per cent said they take reusable bags always or most of the time when they go shopping; and 69 per cent believe that the ban has had a positive impact on the environment. There is a high level of support in the community to try to do better, with 64 per cent supporting further policy change.

Key challenges that consistently arose when interpreting the results are that the environmental problem of plastic bags in the ACT is not the same as for those coastal towns and cities that have obvious marine litter issues. We do not have a huge litter problem, and plastic bags are a small proportion of our litter stream. However, regardless of the fate of our plastic bags, the persistence of plastics in the environment for hundreds of years is not acceptable.

The second key challenge is the lack of data on plastic bag consumption. Trends limit the ability to inform analysis effectively. This challenge is not unique to the ACT; retailers are reluctant to provide data on plastic bag consumption claiming commercial-in-confidence concerns. Whilst the survey has filled some of this gap, data on bag consumption trends over time is needed to facilitate effective assessment and intervention. This needs to be addressed locally and potentially nationally.

The community was surveyed on their views of these reform options and it showed some interesting results, including that people are generally not willing to pay for

plastic bag regulation: 46 per cent said they are not willing to pay anything and 62 per cent of respondents supported a reform to require all plastic bags to be biodegradable and compostable.

The review looked at six options for policy reform and assessed its implications on householders, retailers and the government. These options included: keeping the ban as it is and doing nothing; increasing the minimum allowance thickness of plastic shopping bags; requiring all plastic bags to be biodegradable and compostable; banning all plastic shopping bags; using price to reduce consumption of plastic shopping bags; and introducing a mandatory disclosure regime for the sale and distribution of plastic bags by retailers.

It was assumed for this review that the primary objective of the plastic bag ban is to reduce plastic bag consumption and/or the associated detrimental environmental impacts. These findings reflect an endemic confusion about the merits of the various types of biodegradable bags under normal disposal conditions. If not disposed in commercial composting facilities or conditions, the fate and impacts of these bags is not dissimilar to other plastic bags.

Given their single-use nature and the public's misguided view of their benefits, without intervention these bags may actually exacerbate the plastic problem. Other jurisdictions have recognised this dilemma and are taking action: Western Australia, Queensland and Victoria are proposing to ban biodegradable and compostable bags similarly to banning other plastic bags.

Against this context the commissioner has made four recommendations: first, introduce a mandatory plastic bag disclosure regime; second, introduce minimum plastic bag pricing; third, improve government's governance on plastic bag regulation; and, finally, research synergies for compostable plastic and the proposed household organic collection scheme. These recommendations will be considered further by government, and a response will be provided within six months.

In conclusion, the ACT government's ban and the community's action on plastic to date has been successful in reducing plastic bag consumption. Without our interventions we would have used an extra 55 million plastic bags in 2017-18 alone, the equivalent of the weight of 200 elephants. The ACT community is supportive of our current ban on plastic bags and wants us to do more. However, plastic bag regulation is no straightforward matter, and the commissioner's four recommendations will help us navigate our next points of action.

I commend the paper, *Unfantastic Plastic—Review of the ACT Plastic Shopping Bag Ban* to the Assembly and look forward to further action on this important issue.

Paper

Ms Stephen-Smith presented the following paper:

Freedom of Information Act, pursuant to section 39—Copy of notice provided to the Ombudsman—Chief Minister, Treasury and Economic Development Directorate—Freedom of Information request—Decision not made in time, dated 7 September 2018.

Supplementary answer to question without notice

Land—Molonglo stage 3

MR GENTLEMAN, by leave: I provide a response to a question Mr Hanson asked on 2 August 2018 concerning the Molonglo stage 3 environmental impact statement. I am advised that the documents Mr Hanson sought are now available online, specifically at an address that I will give in a minute. Given the extensive number of pages, I thought it best to provide the webpage where they can be accessed rather than provide printed copies.

I will email this to Hansard and also to Mr Hanson. The address is http://www.planning.act.gov.au/topics/design_build/da_assessment/environmental_assessment/exemption_from_requiring_an_eis_s211/molonglo-valley-stage-3-urban-development/_recache.

Territory rights

Discussion of matter of public importance

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

The importance of ACT and NT residents having the same legislative rights as enjoyed in other jurisdictions

MS CHEYNE (Ginninderra) (3.41): It is my pleasure to speak on this incredibly important issue today: the importance of having the same legislative rights in this territory and in the Northern Territory as enjoyed in other jurisdictions. I get only one chance to speak on this today. So I want to stress something before a member of the opposition pulls out their usual line complaining about how we are yet again talking about decisions made by another government. I ask them to recall the simple fact that decisions of other governments do impact us. They can and do impact on our parliament and on our people. We in this place have a responsibility to our people to stand up when other governments make decisions that negatively impact us.

It is absurd that the ACT and the Northern Territory do not have the same legislative rights as other jurisdictions. It is absurd that the ACT and the Northern Territory do not have the right to make their own laws with respect to what is essentially a health issue, one that is clearly so very important to our citizens, one where they want their views to be genuinely represented in their own parliament. It is absurd that our residents have been treated as second class citizens purely based on postcodes.

I do not need to remind the Assembly of what happened in the Senate on 15 August this year when we witnessed the shock defeat of a bill to restore territories' rights to make laws on voluntary assisted dying. It was a bill that was defeated by just two

votes, a bill that was quashed in part thanks to one of Canberra's very own representatives, ACT Senator Zed Seselja, a former member of this place. He voted against it. As I said at the time, it was devastating; it was despicable; and it was reprehensible. Yet again, the federal government let down Canberrans.

It was also disappointing to see the Canberra Liberals refuse to advocate publicly for territory rights in the lead-up to this significant Senate debate, to stand up for the residents they are supposed to represent. It was disappointing to hear so many senators—I concede that there were Labor senators in that group—who, in debating the bill, conflated their personal views on voluntary assisted dying with restoring territory rights. They showed that they do not trust us—fellow citizens, fellow parliamentarians—to make the appropriate, the right decisions for ourselves.

This issue is about more than voluntary assisted dying. It is about our right to legislate just like every other state in this country. If any of us lived just 15 minutes down the road in New South Wales, or even closer for some of our colleagues who only have to drive for five or 10 minutes to cross the border, our views would be represented by our local parliamentarians in their state parliament. They could make laws for us. How absurd is that?

But the fight does not end with the Senate vote. It is just the beginning. Just one day after the defeat of the federal bill, we stood up and we fought back. As you know, Madam Assistant Speaker, the ACT Legislative Assembly passed a remonstrance motion, a motion that condemned the actions of the federal Senate in refusing to restore the rights of the territories to legislate on voluntary assisted dying.

As members in this place know, it was the first remonstrance to pass in the ACT parliament's 29-year history. It was a motion that brought members from across this chamber together in support of the ACT's right to determine our own laws with respect to voluntary assisted dying regardless, for most members, of our personal views on this issue.

Those members can appreciate that restoring territory rights would not automatically mean that there would be voluntary assisted dying in Canberra. What it would mean is that Canberrans would have the same rights as other Australians, that this place would be able to properly represent Canberrans on all issues, not just on what the federal parliament deemed us mature enough to consider.

I appreciate the support of many members from all three parties in this place in responding to the motion of remonstrance. The ACT deserves better; the ACT parliament deserves better; and the ACT residents deserve better. We were not alone in taking this action. The Northern Territory has also passed a motion of remonstrance to the Senate.

Last week, delegates from both parliaments, led by our speakers, stood together with some of our federal counterparts in delivering our remonstrances to the President of the Senate. Certainly, President of the Senate, Senator Scott Ryan's, own views on territory rights were surprising to me. They were patronising. They were arcane, demonstrating again how out of touch the federal government is on this issue.

He then went to seek advice from the Clerk about whether or not he even had to table the remonstrance from our parliaments. But I understand that he has now done that and that the remonstrances were also tabled in the House of Representatives, where we were ably represented by Andrew Lee MP, who spoke about that when Speaker Tony Smith tabled them.

With the federal government in such disarray, we know that realistically our best chance of getting the same rights as other jurisdictions will not happen until after the next election. But that does not mean that the fight stops. It does not mean that we give up. It does not mean that we wait however many months or, realistically, perhaps weeks that it is going to be. We need to keep talking about this.

We must continue to heap pressure on this country's federal representatives, our federal representatives, to do what is right. In this matter of public importance, I call on my fellow members and the Canberra community to keep up that fight, whether or not you support voluntary assisted dying. This is because we deserve to consider whether to legislate on all issues ourselves.

We should be speaking to our friends and families in other states. We should be making the position clear in the lead-up to the next election. We should be asking our friends and families in other states to consider how their current members voted and asking whether they want the people who represent them to be not affording citizens' rights to their friends and family in the ACT and the Northern Territory. Do they not want to give us the same rights? I would not think so. We would not want to be denying people rights if they were living in another jurisdiction. I hope people take that issue incredibly seriously in the lead-up to the next election.

Madam Assistant Speaker, it is absolutely imperative that we have the same legislative rights that the other states enjoy. We are all people. We are all humans. We are not second class and we should not be treated as second class. Enough is enough.

MS LE COUTEUR (Murrumbidgee) (3.48): The Greens and I believe that the people of the ACT are just the same as the other people in Australia. We should actually have the same rights. I understand that the commonwealth government may well reasonably feel that there is part of Canberra's planning—the parliamentary triangle and areas like that—where it has a specific right and needs to be able to make legislation to control it. But in terms of our own life and death issues, I cannot see how the commonwealth government can feel that it has a superior right to that of the people of the ACT.

I have been reflecting on the debate we had here yesterday afternoon about abortion. The Leader of the Opposition stood up and said, very generously, that as far as the Liberal Party was concerned, conscience issues, issues of life and death, were left to individuals' own consciences. I guess all I am saying is that the federal Liberal government could have the same views as the ACT Liberal opposition appears to have. But unfortunately they have demonstrated fairly recently in the federal government that that is not the view that the other elected parliamentarians have of the people in the ACT.

There has recently been an effort to repeal the Andrews bill, which was passed last century. Unfortunately, this was not supported by other members of the Senate. All the Greens, of course, voted for the repeal of the Andrews bill. I understand that some in the Labor Party and some in the Liberal Party did. But it should not be an issue like this.

The people of the ACT are equal to the people of the rest of Australia. Of course, this is the view of the majority of the ACT Legislative Assembly. We recently voted to formally express our grievances to the Senate through a remonstrance, which I understand is something that is very infrequently done. It is a process of setting out a grievance to a higher authority. It respectfully requested that senators reflect on their vote denying citizens of the Australian Capital Territory their democratic rights.

There were 36 federal senators who opposed the rights of territorians to make their own decisions. As Ms Cheyne pointed out, the margin between passing this motion and keeping the Andrews bill was only two votes. That is very sad. What is also very sad is that someone who was previously a member of this Assembly, Senator Zed Seselja, did not vote for the rights of the people of the ACT. He did not vote to express his confidence in the ability of the ACT Legislative Assembly to make reasonable decisions on the basis of what is best for the people of the ACT.

I am very surprised. He was in the Assembly. He should know that we are entirely capable of representing the views of the majority of the ACT. They may or may not align with his personal views, but this is democracy. I would also say that if he felt that it was not possible for him to vote for territorians, his own constituents, to have their own say in their laws, he at least could have simply said to his fellow senators that he felt unable to vote. He could have abstained from this. I am really unsure why he did this. I am equally unsure why Senator Seselja did not vote for equality in marriage, despite the fact that his constituents overwhelmingly did.

I provide another example of where being in the Australian Capital Territory does not serve the people of the ACT. Over the weekend we heard that two young people died at the Defqon.1 Festival in Sydney. Members may remember that recently Australia's first pill testing trial occurred here in the ACT. It clearly demonstrated that it is a viable service that can help save lives.

At the Groovin the Moo festival last year two potentially fatal substances were discovered in pills. Medical professionals were able to inform the young people before consuming these pills and we understand that these pills were not consumed on this basis. All of us here were young once and some of us here still are young. But we all know that young people will experiment and that it does not necessarily make a huge amount of difference what they are told. However, what we do know is that young people will listen to things that make sense to them. Pill testing is evidence-led policy for the real world. It is done extensively overseas; we have now tried it in the ACT.

The Spilt Milk Festival is coming up soon. It would be safer if pill testing were offered. We believe that if pill testing services were offered at Spilt Milk, as they were

at Groovin the Moo, there is a real possibility of reducing harm to our young people. Unfortunately, we are in the situation that the commonwealth government has decided, as far as I can tell for ideological reasons, that it does not support pill testing. Thus the young people of Canberra and the surrounding parts of New South Wales in particular who will come to this festival have been denied the opportunity of going to a festival where pill testing is offered.

For all of these reasons, and the reasons that Ms Cheyne has eloquently talked about, I think that the ACT and the Northern Territory should have the same rights as other Australians. We are equal to our fellow Australians.

MR RAMSAY (Ginninderra—Attorney-General, Minister for the Arts and Cultural Events, Minister for Building Quality Improvement, Minister for Business and Regulatory Services and Minister for Seniors and Veterans) (3.56): There can be no doubt that Canberrans are engaged and active in building their city. Our constituents demand that as members of this Assembly we are responsive to their needs and that we stand up for their progressive values.

As members of government, we as ministers have a responsibility to deliver policies and to administer the territory in a way that lives up to the values of the people of Canberra. We are proud to represent Canberrans, and it is through their collective work that we have built the healthiest, the best educated and the longest living community in Australia. Respecting the contribution of Canberrans to this place means that we need to stand up for their right to keep making decisions about Canberra.

This place was established as a territory to provide a place for the seat of the commonwealth parliament. It was not established to provide a forum for backbenchers in faraway electorates to score political points by stripping the rights from Canberrans or by making deeply divisive value judgements.

This past August there was an opportunity for everyone in this chamber and in our federal parliament to join the call for respecting Canberra's voters. The bill to repeal the Andrews amendment would have restored our rights to make a decision about voluntary assisted dying. Our member for Fenner, Dr Andrew Leigh, has spoken strongly in parliament for the rights of Canberrans to decide.

Of course not everyone in this chamber or who represents Canberra voters agrees that Canberrans should have the same rights to express their values as other Australians. As has been noted, the Canberra Liberal senator, Zed Seselja, did not just vote against equal rights for Canberrans; he went further. He took to the op-ed columns to argue his personal viewpoint about euthanasia. He argued that because this matter was a matter of conscience he should be entitled therefore to vote according to his values. He did this, at the same time denying his own constituents the right to vote according to their values.

But there are, as has also been noted, more examples than just voluntary assisted dying. Last year the Canberra Liberals sought to take advantage of federal powers in the territory by going directly to two federal Liberal ministers in the hope of shutting

down a pill testing trial. I do note that there are some encouraging signs that those opposite are starting to recognise the importance of respecting self-determination.

Pill testing is a harm minimisation policy that Canberrans support, that the evidence supports and that this government is leading the nation to deliver. Even though he still opposes pill testing, it is indeed encouraging that Mr Hanson has recently communicated to the media that he did not write again to his federal counterparts. I certainly hope that this means that he and his colleagues on the opposite benches are coming around to the recognition that Canberrans deserve the right to self-determination, even where the elected representatives may differ on the particular issues at hand.

There will continue to be areas where Canberra is more progressive and more forward looking than the federal parliament. Today's matter of public importance, which recognises the importance of self-determination, is as relevant as ever.

As Attorney-General, I will continue to join with my colleagues on this side of the chamber to vocally and actively support the rights of Canberrans to build a society that lives up to their vision and their values. This government recognises that Canberra aspires to be the most progressive, connected and egalitarian place that it can possibly be. Let me say unequivocally that I will keep on vocally supporting our right to self-determination and our right to express our progressive values in laws.

As a community, we make decisions about a range of important rights and protections in our community. We enact laws to protect and to prevent discrimination. We make decisions about criminal sentences and about the right to a fair trial. We are elected as members to make these decisions on behalf of the people of Canberra and, as a self-governing territory, members of this community have the right to participate in this process democratically. They vote and they seek to have us as members here and represent their views. The fact that a topic is controversial and interesting to national politicians should never be cause to abrogate the rights and responsibilities inherent in self-government.

I hope and trust that all members of this Assembly will recognise that, as representatives of Canberrans, we should be strident and we should be unified in protecting the rights of people in this city to be represented on the issues that they care about, including on those issues where we differ across the chamber on the substance of the matters. I thank Ms Cheyne for bringing this important matter before the assembly today.

MR COE (Yerrabi—Leader of the Opposition) (4.01): The opposition has of course canvassed our views on this extensively, most recently in last month's remonstrance motion. There, of course, we treated this issue, and the issue of euthanasia in particular, as a conscience issue, just like we treated the issue of abortion in the same way. To that end, we do not have anything further to add to this debate, other than what we have said in recent weeks.

MS STEPHEN-SMITH (Kurrajong—Minister for Aboriginal and Torres Strait Islander Affairs, Minister for Disability, Minister for Children, Youth and Families,

Minister for Employment and Workplace Safety, Minister for Government Services and Procurement, Minister for Urban Renewal) (4.01): Madam Assistant Speaker, as you would be well aware, next year will mark the 30-year anniversary of self-government in the ACT. It has now been almost three decades since the federal government granted Canberrans a democratic voice in the administration and lawmaking of our own territory.

However, Canberrans have never had the full democratic rights that Australians who live in the states enjoy. The democratic voice of each Canberran can be, and often is, shouted down by the federal parliament. Over the course of the past 29 years Canberrans have used their democratic voice to express themselves as among the most progressive, the most forward-thinking and the boldest of jurisdictions in the country.

In this place we represent an engaged and passionate community. It is time for our community, through its democratically-elected lawmakers, to be granted the same legislative rights as are enjoyed in other jurisdictions. It is time that the voice of territory residents was heard.

In 2013 Canberrans used their voice to become the first jurisdiction in Australia to legislate for marriage equality. The Abbott government shouted us down. Canberrans have used their voice to repeatedly support upgrading our public transport system to include stage 2 of light rail, which will extend the network to Woden. But the Liberals on the hill have been trying to frustrate the government's agenda, an agenda that was overwhelmingly supported by Canberrans at the 2016 election. Because it is politically expedient to do so, the federal government is trying to shout Canberrans down yet again.

More recently, as Ms Le Couteur mentioned, Canberrans supported an Australian-first pill testing trial at the Groovin the Moo music festival. But when we tried to build on this success at the upcoming Spilt Milk festival, the federal government again shouted Canberrans down.

In the case of voluntary assisted dying, the Liberal government, including Senator Seselja, will not even let us raise our voice to ask the question. Senators had the opportunity recently to return to residents of the ACT and the Northern Territory their right to determine their own legislation on assisted dying.

The ACT government is strongly of the view that, regardless of one's views on voluntary assisted dying, Canberrans should be afforded equality under the law to legislate on this issue if the community desires. Together with our Northern Territory colleagues, we impressed upon our senators the importance of passing this legislation. In a show of the territories' convictions, we ran a joint campaign designed to directly communicate with our federal politicians to vote in support of the Restoring Territory Rights Bill. It was with deep regret and disappointment that we saw the Senate reject this bill.

There is no doubt that our gross under-representation in the Senate has played some part in this result. The territories' allotment of two representatives each in the Senate,

compared to some other jurisdictions who have 12 senators for a population not much larger than our own, if larger at all, demonstrates the denial of equal democratic rights to territorians. But possibly that is a matter for another day.

I understand that politics is not always simple. I understand that doing what is best for the community sometimes means taking a nuanced position or working quietly behind the scenes. But I do not believe that that this is what Senator Seselja is doing when he works to block Canberrans from exercising their own legislative rights. As the senator said in a *Canberra Times* article on 14 August:

If you were talking about a general look at the rights of a territory and how it should be able to legislate, of course, different issues would be on the table ...

Senator Seselja has made his position on this matter clear. He does not believe in voluntary assisted dying, and because he does not believe in it Senator Seselja has voted to stop Canberrans having their right to democratically consider it. It seems that Senator Seselja only wants the territory to govern itself when it is governing in a way he personally agrees with. It seems that the reason that Senator Seselja wants to suppress territory rights is not that he does not believe in territory rights but that he does not believe in Canberrans.

The senator's apparent contempt for the voices of Canberrans for the democratic rights of this territory to govern itself truly does beggar belief. It is unconscionable that Senator Seselja would use his privileged position as a representative of this territory to suppress his constituents' democratic voice.

Senator Leyonhjelm's recent bill to restore territories' rights to make their own decisions about voluntary assisted dying was defeated by a margin of only two votes. Senator Seselja's vote was crucial to blocking Canberrans' democratic rights.

Imagine what the result might have been if, instead of voting against the rights of the ACT, Senator Seselja had been a champion for those rights within the Liberal Party. Senator Seselja had a real chance to stand up for Canberrans, and he did not take it. It seems that there are no real champions for Canberrans in the federal Liberal Party.

As I stated earlier, regardless of parliamentarians' views on voluntary assisted dying, Canberrans should be afforded equality under the law to legislate in line with community views. Senator Seselja's predecessor, Senator Humphreys, understood this. When speaking about the ACT's civil partnership legislation, an issue which he crossed the floor on in spite of his personal view on the issue, Senator Humphreys argued that the commonwealth should not be able to overturn territory legislation, commenting:

I also acknowledge that Jon Stanhope went to the 2004 election with an explicit promise to legislate, to recognise in law relationships between people of the same sex and to remove legal discrimination against gay and lesbian territorians.

And here the democratic process—which of course was conferred on the ACT 17 years ago by parliament—provides a clear formula for what happens next: the ACT government is entitled to pass laws, in an area of its legislative competence, to effect an explicit promise made to the ACT community.

This is clearly a view that Senator Humphries was never able to impress on Senator Seselja.

However, the Senate's failure has strengthened our resolve. Just last month we stood here in this place and passed our first-ever motion of remonstrance, acknowledging the paramount importance of territory rights to the citizens of the ACT. We stated our grievances, the least of which was that the federal parliament should never determine the rights of Australian citizens based on their postcodes.

We called out senators for conflating their personal views on voluntary assisted dying with restoring territory rights and acknowledged them for misrepresenting the intentions of territory parliaments. Perhaps most importantly, we acknowledged that the Senate refused to properly seek, let alone take into account, the views of 420,000 citizens of the ACT. Without restoring territory rights, the Australian parliament is in effect ignoring and withholding the democratic rights of Canberrans and Northern Territorians.

The Northern Territory government adopted a similar approach and just last week our speakers jointly presented these motions to the Senate President. Together, we will continue to push our federal politicians to address the discrimination between territory and state citizens in relation to legislative rights.

I still hold out hope that our federal parliament will eventually recognise that we are a mature enough democracy to make our own choices. But I will not hold my breath waiting for Senator Seselja to stand up for the rights of Canberrans. I will not hold my breath hoping that Senator Seselja will refrain from shouting down Canberrans when they look like they might speak up against his conservative values.

I would hope that all members of this chamber would stand up for the rights of Canberrans on all occasions, whether it is politically convenient for them to do so or not. It is unfair, unjust and illogical that territorians do not enjoy the same rights as citizens in other jurisdictions. Indeed, all Australians should have the same democratic rights, including the ability to determine our own laws regardless of where we live.

We have on many occasions in this place advocated for the restoration of such rights, particularly in recognition of how the Canberra community and this Assembly have matured since self-government began and how Canberrans deserve more than ever the same rights as enjoyed by citizens of other jurisdictions. After 29 years of self-government it is high time that we were free to make these important decisions just as our counterparts in the states can do.

I also thank Ms Cheyne for bringing this matter of public importance to the chamber and commend it.

Discussion concluded.

Civil Law (Wrongs) (Child Abuse Claims Against Unincorporated Bodies) Amendment Bill 2018

Debate resumed from 16 August 2018, on motion by **Mr Ramsay**:

That this bill be agreed to in principle.

MR HANSON (Murrumbidgee) (4.11): The Canberra Liberals will be supporting this bill. The bill is intended to implement recommendation 94 of the Royal Commission into Institutional Responses to Child Sexual Abuse in its *Redress and civil litigation* report.

There are several clauses but one purpose, that is, to ensure that victims are able to sue a readily identifiable entity, or what is called a “proper defendant”, to meet claims from a personal injury that arises from institutional child abuse. It is a purpose that we support and a bill that we believe will provide a recourse that some have been denied.

The bill addresses the situation that arose in the case of Trustees of the Roman Catholic Church for the Archdiocese of Sydney and *Ellis & Anor* which led to the creation of the so-called “Ellis defence”. It is worth noting that while that is a common name for the sort of defence that this bill seeks to remove, it was not a defence John Ellis raised; it was a defence used against him.

In the *Ellis* case it was held that while all the property was held by the trustees in each diocese, who were each incorporated under 1936 New South Wales legislation, those trustees were not responsible for the conduct of individuals. Therefore there was no legal entity available to be sued apart from the particular offending individuals themselves. In John Ellis’s case, that person was dead. This defence has been affirmed, or at least not overturned, in other cases involving bodies such as schools. This loophole was discussed at length at the royal commission, which recommended its closure. That is now being addressed across the country, and this bill does that.

As we always do, we have consulted on this bill with stakeholders, and I thank those who provided feedback. As well as legal professionals, I note the public comments and published position of the Archbishop of the Catholic Archdiocese of Canberra and Goulburn, who said that they “always proffered”—that is, they put up—“a proper defendant when responding to any claims”. Sydney Archbishop Anthony Fisher recently said in a statement:

We support having a clear entity as a proper defendant, for claims.

Many legal commentators have also called for redress to this defence.

The scrutiny report made several comments, and I thank the Attorney-General for providing his response. I agree with those responses. I also note the committee’s comment that the bill could be applied to broad applications of associations. We accept the government response on this point, in particular, and we are prepared to err on the side of caution with these responses to the royal commission.

There are many organisations within which predators can hide. I would not want to limit this bill. We would hate to have to revisit this topic should another victim find themselves without a proper defendant to pursue.

As we have had a cooperative approach to this bill and have received positive feedback from stakeholders, we will be supporting this bill. In doing so, I will leave the last words to John Ellis himself, who said:

All survivors of institutional abuse have ever asked for is justice, and access to justice is absolutely essential for those people, and certainly the Ellis defence has been one of the major barriers that survivors of abuse have faced.

As we confine the Ellis defence to the annals of legal history, I hope we can look forward now, in this state and throughout the country, to a society where child protection, and where the accountability of those institutions who take that sacred trust of looking after children can be given the provenance it deserves.

The Canberra Liberals support this bill.

MS LE COUTEUR (Murrumbidgee) (4.15): I stand today in support of this bill, and I note that it is consistent with the Royal Commission into Institutional Responses to Child Sexual Abuse, specifically recommendation 94, in regard to redress and civil litigation.

This bill supports survivors to be able to sue a readily identifiable church or other entity that has financial capacity to meet claims of institutional child abuse. These institutions have a legal liability to prevent such abuse, particularly in light of the royal commission.

The royal commission, as we all know, revealed long-term, systematic child sexual abuse, and cover-up of that abuse, by a range of institutions which exist officially to provide protection, safety and wellbeing. These include churches and faith-based organisations, residential care organisations, educational organisations, and more. The impacts of such abuse are far reaching, and often sustained in the long term.

They can be devastating and manifest in numerous ways, not the least of which is an inability to trust, and an undermining of self-belief in their personal worth. Many survivors have a difficult life path, struggling to deal with the effects of the abuse which can manifest in mental health, drug and alcohol issues, and engagement with the criminal justice system.

The royal commission has encouraged people to talk about child sexual abuse in a way that never previously existed. Many have disclosed their abuse for the first time. For some, it was as long as 50 years after the fact. The stigma of talking about such things has been reduced. Because of this we can logically assume that there will be more people coming forward to seek redress. Having the opportunity to apply for redress to an institution is a vital and imperative part of a survivor's journey, and one which should—and hopefully will, not just may—assist them in their journey to recovery

This bill ensures that an organisation cannot duck taking responsibility for the harm that has been done by their institutions. Whether or not the individuals responsible are still alive, it is important for a survivor to have comfort in knowing that the responsible entity should be readily identifiable, and to have comfort in knowing that they can apply for redress. This is a significant step in providing an avenue for survivors to not only seek out an apology and psychological assistance, but also to apply for compensation.

I commend the Attorney-General for his resolve in ensuring that the ACT is supporting the national redress scheme by ensuring that identified potential or real legal loopholes are closed, and that the path for survivors is laid clear. I also take this opportunity to commend the attorney's resolve on this issue in general. I support this bill.

MR RAMSAY (Ginninderra—Attorney-General, Minister for the Arts and Cultural Events, Minister for Building Quality Improvement, Minister for Business and Regulatory Services and Minister for Seniors and Veterans) (4.18), in reply: I thank Mr Hanson and Ms Le Couteur for their contributions to this debate, and for the fact that we are continuing the tripartisan approach to addressing such important matters.

The ACT government continues to acknowledge the nature and impact of the abuse suffered by victims of child sexual abuse. Many survivors of child sexual abuse suffer from long-lasting and severe injuries that can affect them for the rest of their lives. This bill is a reflection of the ACT government's commitment to access to justice for survivors who were sexually abused as children.

This Civil Law (Wrongs) (Child Abuse Claims Against Unincorporated Bodies) Amendment Bill 2018 does, as Mr Hanson has noted, respond to the Royal Commission into Institutional Responses to Child Sexual Abuse recommendation 94 in the royal commission's *Redress and civil litigation* report.

The bill is aimed at ensuring that plaintiffs are not unreasonably deprived of the opportunity for full consideration of the merits of their claim. As Mr Hanson has noted, the situation is that this bill looks to remedy the case that is known as the Ellis case or the Ellis defence.

Broadly, in that case the Catholic Church could not be sued as it is an unincorporated body. The plaintiff was not able to establish that the Sydney archdiocese's trust fund had legal responsibility for the actions of the perpetrator of the abuse. It was also claimed that the trust fund was for limited purposes that did not include meeting damages awards or assets. That meant Mr Ellis was deprived of the proper opportunity to sue the archdiocese of Sydney in relation to sexual abuse by a priest.

I have had the opportunity to meet with Mr Ellis in a previous occupation of mine, and I commend his work, and the words that have been quoted today in this chamber by Mr Hanson. This bill will ensure that corporations will no longer be able to rely on a legal loophole to avoid being sued by survivors of child sexual abuse. Western Australia and Victoria have already moved to close this loophole.

The bill before this Assembly is broadly based on the Victorian Legal Identity of Defendants (Organisational Child Abuse) Bill 2018. In debate on that bill, Ms Kilkenny MP, a member of the Victorian Legislative Assembly, noted that the current common law position in Australia, based on the Ellis case, is unique to Australia. In the United States it is common practice that corporations such as churches are legally structured as a “corporation sole” and can therefore be sued. In England case law has overcome all of the issues that are raised in the Ellis case. Consultation undertaken for the purpose of the Victorian bill found that the strictly legalistic approach held by the church failed to address the issue of genuine accountability.

Today’s bill will help create a more equitable path to justice for survivors of institutional child sexual abuse. It provides greater certainty for these claimants by reducing the possibility that the claimant may succeed in establishing liability but not receive any financial benefit because the defendant is unincorporated.

These reforms will closely reflect the ACT community’s expectation about the support and access to justice that should be available to survivors of institutional child abuse. It will assist in ensuring that organisations are held to account for their failure to protect children under their care from abuse. These reforms give an unincorporated body the opportunity to nominate a proper defendant, or, if they fail to do so, provide for the court to be able to appoint a related trust as the proper defendant.

This achieves the balance suggested by the royal commission in recognising that corporations need to engage in their business in a multitude of ways, and should not be hindered from doing this, while making sure that a plaintiff is able to find a suitable defendant, regardless of the willingness of the corporation to nominate a proper defendant.

The ACT government has accepted all of the civil litigation recommendations from the royal commission’s report, and it is committed to addressing the current shortcomings in the legal system through these reforms to better protect children and to improve outcomes for survivors.

I would like to thank the members of the ACT Bar Association who engaged with the government to help craft this bill in the specific ACT context. By its nature, this is a highly technical subject, and the legal expertise of our local bar was invaluable in arriving at a well-drafted and effective result.

My directorate has also reached out across the social services sector and to churches to promote awareness of this change and to encourage them to review the legislation against their own particular circumstances. This government has clearly stated in its response to the royal commission that it would be bringing forward this change, and today we are implementing that commitment. I thank the social services sector and the churches for their engagement, and I note with warmth that some churches are already responding to the royal commission by establishing legal bodies that meet the criteria of this legislation around the country.

This bill is part of a suite of reforms to make civil litigation a more accessible means of providing justice for survivors of institutional child abuse. The government has already addressed in full the royal commission's recommendations about limitation periods. That was achieved by removing limitation periods for civil actions for child abuse in the Civil Law (Wrongs) Act 2002 and the Limitation Act 1985. Future reforms will include a focus on the royal commission's recommendations about the legal duties of institutions.

This bill recognises that changes in civil law need to occur so that significant procedural barriers no longer prevent plaintiffs of child sexual abuse from full consideration of the merits of their claim.

Alongside the reforms being made to the legislation to support civil actions by survivors, the ACT government is actively engaged in the implementation of the national redress scheme. The scheme recognises the harm that is caused by child sexual abuse, and offers avenues for survivors in order to alleviate the impact of past sexual abuse. The redress scheme is non-adversarial. It sits alongside a traditional lawsuit as a way that our community is recognising its failures and is taking responsibility.

The ACT government is moving swiftly to implement all of the royal commission recommendations as a priority, and this bill is one part of that important body of work. Through our civil laws, our criminal laws and in our services we will be doing everything that we can to help survivors rebuild their lives and to prevent abuse in the future. I commend the bill to the Assembly.

Question resolved in the affirmative.

Bill agreed to in principle.

Leave granted to dispense with the detail stage.

Bill agreed to.

Courts and Other Justice Legislation Amendment Bill 2018 (No 2)

Debate resumed from 2 August 2018, on motion by **Mr Ramsay**:

That this bill be agreed to in principle.

MR HANSON (Murrumbidgee) (4.27): It will be of no surprise to the Assembly that the Canberra Liberals will be supporting this bill. This bill is the government's response to the Magistrates Court (Retirement Age of Magistrates) Amendment Bill 2018, introduced by me to extend the compulsory retirement age of magistrates from the current 65 to 70 years in line with the Supreme Court and special magistrates. I stated when I tabled that bill that the time had come. With the passage of this bill today it actually has, which is a good thing.

In the tabling speech to my bill, I quoted many supporting comments, but among the most pertinent included that from the President of the New South Wales Bar Association, Mr Arthur Moses SC, who stated that there were compelling reasons to lift the judicial retirement age, including stemming the loss of experienced judges who would otherwise have had the capacity to continue to make significant contributions to the development of the law.

I quoted Mr Andrew Fraser who said:

The ACT's magistrates are the victims of mandatory sentencing.

They must quit when they hit 65.

In New South Wales and Tasmania, magistrates run to 72; in Victoria, the Northern Territory, Queensland and South Australia it's 70 ... What's holding us back here?

Thankfully we are no longer being held back.

Specifically the government has accepted the operative purpose of the bill we introduced, but the government bill extends the 70-year compulsory retirement age to the DPP, ACAT presidents and the Master of the Supreme Court.

The bill also includes some technical amendments not directly related to the Magistrates Court (Retirement Age of Magistrates) Amendment Bill 2018, making it more of an omnibus bill. For example, it updates the clauses around the appointment, conditions and procedures relating to principal registrars, the appointment of consultants and minor court procedures. None of these amendments appears controversial.

As ever, we have consulted with industry, and in this instance we have also sought the input of the Chief Magistrate. She has made statements publicly in support of the original bill, and certainly no-one has raised any issues with the extensions proposed by the government bill.

I recognise that the Attorney-General has not sought to grab the limelight or the credit for this bill but has acknowledged the input and initiation of me and the Canberra Liberals. He has added some legitimate extra clauses to the final product that I think improve the bill that I tabled.

While we are sharing the credit, I extend the credit to Ms Lee who came to me with the idea. There would be very few people in this town with her experience of the ACT legal system—both as a practitioner and now as a legislator—to understand its nuances. I do not think she has been a defendant yet; she cannot claim that credit, but that is not necessarily one she would aspire to.

I make particular note that the Canberra Liberals support not just this bill but the recognition throughout our society of the contributions that citizens can make as they get older. Although this bill relates only to specific legal positions, the attitude that we

should recognise the experience and wisdom that comes with age as an asset is a position we as Liberals deeply equally support and uphold. This bill can and should be a recognition that age on its own is no barrier to being able to contribute to our community. The Canberra Liberals support this bill and all seniors in our society.

MR RATTENBURY (Kurrajong) (4.31): The Courts and Other Justice Legislation Amendment Bill 2018 (No 2) makes a range of amendments to legislation relating to the operations of the ACT courts and tribunals. The bill will amend a number of pieces of legislation to create further improvements and efficiencies in ACT court and tribunal structures and processes and the operation of the ACT justice system.

The bill makes a range of amendments to the terms, conditions and governance of appointments to judicial and justice-related statutory offices to allow for more flexible working arrangements. Whilst relatively straightforward, I believe these changes are very important as society recognises the importance of having flexible work arrangements.

The first set of amendments in this bill will increase the retirement age of magistrates, the ACAT president and the Director of Public Prosecutions from 65 to 70. This will bring the retirement age into line with that of the ACT's Supreme Court judges, who are already eligible to sit until the age of 70. These amendments will also bring the ACT into line with most other Australian jurisdictions.

The change will mean that sitting magistrates, directors and tribunal presidents will not be required to leave the bench at age 65. This sends a strong message to the Canberra community that older persons are valued and respected in the workplace. All workplaces benefit from the experience and participation of older persons, and these changes will ensure that our justice system can continue to benefit from the presence of older persons in the workforce.

The issue of the retirement age of magistrates was first raised by Mr Hanson in his bill of May this year, and I thank him for bringing this issue to the Assembly, and the Attorney-General for implementing this change as part of this bill.

The second set of amendments will allow magistrates to work on a part-time basis. Whilst this has been allowed in similar courts interstate, in the ACT there have been no provisions for this. These amendments recognise that the courts should be viewed similar to other workplaces. It also recognises that magistrates will likely have commitments outside of the workplace, such as family or carer responsibilities. Importantly, this will also allow magistrates to transition towards retirement by reducing their work loads.

The part-time work arrangements will be negotiated between the magistrate and the Chief Magistrate but will be required to be approved by the Attorney-General. This will ensure that flexible work arrangements can be balanced against the requirements of the justice system.

Magistrates perform an incredibly important and challenging role in the justice system. In many ways magistrates are at the coalface of the justice system because they are

usually the first person an alleged offender sees when they engage with the justice system. Enabling magistrates to work part time will support them in the performance of their duties in this demanding role.

Hopefully the territory can benefit from their services for longer periods as the magistrates reduce their work load as they approach retirement. This will also allow more experienced magistrates to pass on their knowledge by remaining in the workforce.

The legal profession of course has a reputation for requiring long and demanding hours. These changes will set an example at the top of the justice system for allowing flexible working arrangements. It will show that even in a busy environment such as the Magistrates Court a workplace can be agile enough to allow for part-time work.

The court and justice system more broadly will greatly benefit as it is well known that satisfied employees, people who feel that they have the right balance in their workplace, are likely to remain in the workplace longer, be healthier and be more productive. I hope this can serve as an example for the legal community and for Canberra workplaces more broadly.

The third set of amendments is largely technical in nature and relates to improvements to court legislation. Amendments to the Court Procedures Act will clarify the government's arrangements for the statutory office of the principal registrar. The principal registrar is a key office that manages the administration of our courts and tribunals, and this bill will bring into line the governance provisions of the principal registrar with other statutory positions of the territory, including the Director of Public Prosecutions and the Solicitor-General.

Finally, the bill makes amendments to the statutory framework applying to the associate judge of the Supreme Court. Historically an associate judge was known as a master, whose role was confined to a limited set of civil matters. Unlike a judge's term, the master's term could be a seven-year appointment. Under existing legislation the government can appoint an associate judge either for seven years or until the age of 70. The bill removes the option of seven-year terms, and all future appointments to the role will be until the age of 70.

The ACT Greens are very pleased to support the bill. The important part of this is sending a signal that we value older workers and that there is both an ongoing role for them and the potential for a transition role, which are the sorts of practices we need to see in the workplace more generally.

MR RAMSAY (Ginninderra—Attorney-General, Minister for the Arts and Cultural Events, Minister for Building Quality Improvement, Minister for Business and Regulatory Services and Minister for Seniors and Veterans) (4.36), in reply: I am pleased to speak in support of the Courts and Other Justice Legislation Amendment Bill 2018 (No 2). This government is committed to the continuous and holistic improvement of the justice system, and this bill contains amendments that, while relatively straightforward and simple, are no less important. In particular, the bill

supports the inclusion of older Canberrans with their considerable experience and training in the justice workforce for longer.

Stepping briefly into my role as minister for seniors in the ACT, I wish to emphasise the great asset that we have in our society in our older Canberrans. The bill improves the legislative foundations for the administration of the court and adjusts the retirement ages for key justice office holders and provides more flexible working arrangements for the court.

I note with thanks Mr Hanson in the way that he has engaged on this cooperatively and for being willing to work with the government on an alternative to his originally introduced bill. This bill now has tripartisan support, and that is important. Clearly it is not appropriate to be politicising the operations of the court, and approaching legislation that impacts our judicial officers from the perspective of policy and not politics is critical. I thank all members in the chamber for taking that approach today.

The government has engaged with the courts over the course of this term and this bill is the result of that engagement, bringing together a broad series of improvements that have been identified in cooperation with the courts.

As has been noted, a key set of amendments arising from the bill increases the retirement age of magistrates, the ACAT president and the Director of Public Prosecutions from 65 to 70. The increased age of retirement means that sitting magistrates, directors and tribunal presidents will not be required to leave office at the age of 65. This change will bring the ACT into line with other jurisdictions as well as our own jurisdiction as our Supreme Court judges are eligible to sit until they are aged 70.

Increasing the age of retirement recognises the importance of these roles within our justice system. The change also recognises the values we place on older Canberrans in the workforce. All of our workforces benefit from their participation and their experience, and the justice system is no exception.

The next set of amendments will further enhance the inclusion and flexibility of the courts as a workplace. Unlike some other courts interstate, there has previously been no provision for magistrates to work part time in the ACT. This bill creates an option for our magistrates to work on a part-time basis. The part-time work arrangements will be negotiated between the magistrate and the Chief Magistrate but will be required to be approved by me as Attorney-General.

These amendments do not disturb the overarching responsibility of the Chief Magistrate for ensuring the orderly and prompt discharge of the business of the court; they simply provide the Chief Magistrate with more flexibility in the discharge of this function and also provide government with the ability to have oversight of the resourcing arrangements of the court.

The introduction of this provision will create increased flexibility in the working arrangements of magistrates and help support them to manage family or carer responsibilities or potentially transition towards retirement.

The bill makes amendments to the statutory framework applying to the associate judge of the Supreme Court. The role of the associate judge has evolved from the traditional role of master. Historically the role of master on a court was confined to a limited set of civil matters. This differing role meant that, unlike a judge, the master's term of appointment could be for a seven-year term.

As the name change implies, the associate judge performs many of the same functions as resident judges, and her jurisdiction has recently been extended to cover some criminal matters. The government currently has the option of appointing the associate judge for either a seven-year term or until the age of 70. The government chose to make its most recent appointment until retirement age.

The amendments in this bill recognise the evolution of the role by increasing its independence from the executive government through the removal of the legislative option to appoint an associate judge for a term of seven years. As with the current appointment, that will mean all future appointments to the role will be until the age of 70.

Finally, this bill improves court legislation by making amendments to the Court Procedures Act 2004 that clarify the governance arrangements for the statutory office of the principal registrar. The principal registrar is the key office that manages the administration of our courts and tribunal.

These provisions deal with the responsibilities of the office and its powers to manage staff and are modelled on similar provisions, such as the DPP and the Solicitor-General. This bill largely aligns the conditions under which the executive can make decisions about the principal registrar's appointment with legislation about the Solicitor-General and the DPP.

Importantly, the bill prescribes additional grounds upon which the principal registrar's appointment may be ended early, including where the occupant of the position engages in misbehaviour. While these provisions are expected to be used rarely, they play an important role in inviting public confidence in the operation of the justice system by ensuring that the oversight arrangements for this important statutory officeholder are robust and appropriate.

This bill demonstrates the government's commitment to recognising the importance of the contribution of older Canberrans in the workplace. It shows our ongoing commitment to improve not only our criminal and civil laws but also to strengthen and modernise the laws which provide the framework for our justice institutions. The improvements will support our justice system to keep on offering high quality services to this community. I commend the bill to the Assembly.

Question resolved in the affirmative.

Bill agreed to in principle.

Leave granted to dispense with the detail stage.

Bill agreed to.

Education, Employment and Youth Affairs—Standing Committee Membership

Motion by (**Mr Wall**, by leave) agreed to:

That Ms Lee be discharged from the Standing Committee on Education, Employment and Youth Affairs and Mr Wall be appointed in her place.

Adjournment

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

That the Assembly do now adjourn.

Yerrabi electorate

MS ORR (Yerrabi) (4.43): I rise today to update the Assembly on some of the great developments happening across Yerrabi. As one of the fastest growing regions in the country, its rapid population growth puts challenges on our education system, healthcare facilities and our city's infrastructure and more. However, it is thanks to this government's commitment to ensuring a matching growth in resources that Yerrabi continues to prosper.

Most recently this government has fulfilled its commitment to providing a new nurse-led walk-in centre in the Gungahlin town centre. The nurse-led walk-in centre will provide locals with free, one-off treatment for minor injuries and illnesses. The centre will treat common illnesses such as colds and flu, cuts and bruises, minor infections and wounds, sprains and strains, and skin conditions and rashes. It will be open seven days a week, almost 14 hours a day, including public holidays, and will be staffed by highly skilled nurse practitioners.

By bringing this service into the Gungahlin town centre more locals will have access to quality healthcare closer to their own homes. As the suburbs of Gungahlin continue to grow and multiply, accessible services like the walk-in centre will help maintain the standard of quality healthcare in the ACT.

Alongside the improvement to healthcare, this government has also been working to expand education throughout the region. Franklin Early Childhood School will soon begin its expansion to include year 3 for 2019 and continue to expand to cater for students all the way through to year 6 by 2021.

Our north Gungahlin's new school will soon open for term 1 in 2019. The government recently hosted a vote on the your say website in which the name Margaret Hendry school was chosen. Margaret Hendry was a landscape architect for the National Capital Development Commission. She was the first woman appointed and one of only five female landscape architects in Australia at the time.

The community was also given the opportunity to vote on the school colours and logo and after 471 votes red and black was chosen, along with the spots theme for the logo. The school will cater for over 700 students when it opens, with infrastructure to expand its size in the future.

The capacity of several schools in the region will also be increasing, with 500 more spaces for students opening up across Amaroo, Gold Creek and Neville Bonner schools. More schools with more spaces mean that kids right across the ACT and in Yerrabi are being provided with access to quality education.

Yerrabi's growth has also indicated a need for infrastructure to be updated, expanded and improved. In an effort to keep the area flowing there have been several major infrastructure investments, particularly to our roads. Earlier this month construction of Camilleri Way was completed and the road opened to traffic. Camilleri Way eases movement around Gungahlin town centre east and will keep the town centre moving as further developments commence.

With the increase in car traffic throughout the town centre, pedestrian safety has also been prioritised. We have recently been able to see the results of the upgrade of Hibberson Street to a one-way shared zone and these works have extended beyond the road to include the broadening of pedestrian verges, improved landscaping and an emphasis on pedestrian safety. Soon to be completed, I am sure these will be welcomed by the people using the town centre.

Amid the development of the Yerrabi area I have also been focusing on delivering quality green spaces for our local area. Our Giralang park is a prime example of the kinds of quality spaces that we can deliver when we collaborate with our local communities. The group effort has allowed us to create a space that caters to the needs of the Giralang community.

I also had the pleasure of attending the opening of Joey park in the emerging suburb of Throsby. Joey park provides a home for the kangaroo and joey sculpture that was originally designed to commemorate the 30th anniversary of Floriade. The space will hopefully foster a sense of community for the incoming residents of Throsby and provide a space for families to enjoy.

For the Belconnen suburbs of Yerrabi, this month also marked the start of the new green waste bin program and green bins were rolled out across Belconnen just in time for spring. Like the many Belconnen residents who recently received their green bins, I am excited to see how the program will go and I look forward to the delivery of green waste bin services to all of Yerrabi.

As Yerrabi continues to grow, it is important that we maintain quality in every element of life and I hope that we continue seeing the benefits of projects and investments like those mentioned above for a long time to come into the future.

Winnunga Nimmityjah 30th anniversary

MR RATTENBURY (Kurrajong—Minister for Climate Change and Sustainability, Minister for Corrections and Justice Health, Minister for Justice, Consumer Affairs

and Road Safety and Minister for Mental Health) (4.48): I stand today to acknowledge that the Winnunga Nimmityjah Aboriginal Health and Community Service held a gala dinner to celebrate a significant birthday last week. I was overseas at the time showcasing the ACT's efforts at climate change mitigation and renewable energy production; so I missed it. I was sorry to miss the celebrations but I have heard that a good night was had by all and that my Greens colleague Ms Le Couteur and Minister Stephen-Smith and Minister Fitzharris were in attendance.

I did think it would be appropriate to acknowledge how much this service contributes not only to the Aboriginal and Torres Strait Islander community of Canberra but to Canberrans more broadly as well. Thirty years is a long time for any community organisation to be around and it is a credit to the strong leadership provided by Julie Tongs OAM that the organisation has not only survived but grown stronger and larger over this period.

From humble beginnings in days around the opening of the new Parliament House and increasing numbers visiting the Aboriginal Tent Embassy—Winnunga was founded by Olive Brown who identified a need for health and medical services for local and visiting Aboriginals and Torres Strait Islanders—it expanded from a two-day a week clinic at the old Griffin centre through to a larger clinic at Wakefield Gardens in Ainslie to its current location in Narrabundah.

It now has over 60 staff and is a major health service resource for the Aboriginal and Torres Strait Islander communities of the ACT and surrounding region and delivers a wide range of holistic healthcare services. These services include but are not limited to: general practitioners, practice nurses, Aboriginal health workers, social and emotional health services, dental services and audiologists, an Aboriginal midwifery access program, chronic disease and patient incentive program and allied health services such as a podiatrist, a dietician, a psychiatrist and a physiotherapist.

The relationship with Winnunga has developed over time to become one of trust and confidence. Over three decades Winnunga has received assistance and funding from the ACT government, which is also a sign of confidence in their ability to deliver.

I welcome their presence in the AMC and am confident that their services will assist Aboriginal and Torres Strait Islander detainees to get their health and social and emotional wellbeing back on track. Their participation in justice reinvestment trials such as Yarrabi Bamirr is a sign that we as a government have been listening to the need to work with Aboriginals and Torres Strait Islanders in a holistic way.

I want to return for a moment to acknowledge the work of Julie Tongs and her relentless and tireless efforts in not only providing health and wellbeing services but in raising issues of concern to Indigenous people in Canberra and the region. She has been outspoken in the need for Aboriginal community-controlled initiatives such as housing and the administration of Boomanulla Oval.

While we may not always feel comfortable on the receiving end of such criticism, that voice is nonetheless critically important. It is good to be reminded that we must recognise that Aboriginals and Torres Strait Islanders in our city are entitled to the

same outcomes in health, life expectancy, education, employment and living standards as other Canberrans.

We must formalise and recognise that government policies and practices need to respect the right of Aboriginal and Torres Strait Islander peoples to self-determination, to the improvement of their social and economic conditions, to participate in decisions that affect them and to freely determine their development policies. As one step along this path, the Greens have also backed calls for the development of a treaty with Aboriginal and Torres Strait Islander people of the ACT. In the absence of a national one, we must proceed as a territory; we must encourage truth telling as a path to justice and healing in order to advance true reconciliation. I conclude simply by congratulating Winnunga on 30 years of service to the Canberra community and look forward to many continuing years of great service.

Canberra Repertory Society

MRS DUNNE (Ginninderra) (4.52): I would like to speak tonight about Canberra Repertory, which has been entertaining Canberra audiences for 86 years. For quite a lot of that time, it has been at its home, Theatre 3, sitting comfortably between the ANU School of Music and the School of Art and Design.

Canberra Rep has announced its season for next year, its 87th, and it promises to be a very impressive year indeed. Five of the six shows on offer Canberra Rep has never done before, and the program includes a Canberra premiere. In making this speech, I acknowledge today's online *Canberra Times* report by Ron Cerabona, with a little further help from elsewhere.

Kicking off 2019 is Henrik Ibsen's *A Doll's House*, directed by Aarne Neeme. Premiering in Copenhagen in 1879, this play caused quite some outrage. It was well ahead of its time, dealing with the awakening of Nora Helmer from her previously unexamined life of domestic and wifely comfort. Having been ruled her whole life by either her father or her husband, Torvald, Nora finally comes to question the foundation of everything she has believed in once her marriage is put under pressure.

Then will come a first-timer for Rep, the 1990 adaptation of Harper Lee's novel, *To Kill a Mockingbird*. Anne Somes will direct this play, narrated by the main character, a little girl named Jean Louise "Scout" Finch. Scout and her brother, Jem, and their friend Dill are intrigued by the local rumours about a man called Boo Radley, who lives in their neighbourhood but never leaves his house. Legend has it that he once stabbed his father in the leg with a pair of scissors, and this has made him appear a monster.

Jarrad West directs the next show, believed to be a Canberra debut. *The World Goes 'Round* is filled with humour, romance, drama and nonstop melody, in a thrilling celebration of life and the fighting spirit that keeps us all going. Expect to hear songs like *Mr. Cellophane*, *Maybe This Time*, *Cabaret* and *New York, New York*.

Later in the year, Chris Baldock will direct *The Art of Coarse Acting*, based on a book by Michael Green. Green says, "A coarse actor is one who can remember his lines,

but not the order in which they come ... His aim is to upstage the rest of the cast. He hopes to be dead by Act II so that he can spend the rest of his time in the bar. His problems? Everyone else connected with the production.” It should be quite good.

Then in September things get serious with the 1998 Australian play *The Woman in the Window*, by Alma De Groen. Liz Bradley will direct this drama, set in Leningrad in the early 1950s and in Australia centuries into the future. It is a play about Anna Akhmatova, one of Russia’s most important poets. She stayed through Stalin’s purges, suffering the murder and/or imprisonment of all her loved ones, and went through a period of virtual house arrest when she was required to stand at her window twice a day so that the police could see that she had not absconded. She was banned from writing poetry but her friends memorised her poems and became living records of the work that she was still creating.

To conclude the year, Stephen Pike will round things out with Christmas-style romantic comedy nonsense from Noel Coward, his play *Waiting in the Wings*. It is set in a retirement home for aged actresses and focuses on a feud between residents Lotta Bainbridge and May Davenport, who once loved the same man. There is a great deal of disharmony and interesting politics as they organise a fundraising charity event to build a solarium at the home.

I encourage all members to attend some of these plays and help Canberra Rep by promoting their very entertaining program through their constituencies. As they begin staring down a century of theatre in Canberra, I thank Canberra Rep for all they do to enrich the lives of all Canberrans through their ever-excellent programs. I congratulate them too for all that they do to develop the art of acting and theatre, coarse or otherwise, and everything else they do in putting on a show for the people of Canberra. I commend Canberra Repertory.

Sport—gala day

MS BERRY (Ginninderra—Deputy Chief Minister, Minister for Education and Early Childhood Development, Minister for Housing and Suburban Development, Minister for the Prevention of Domestic and Family Violence, Minister for Sport and Recreation and Minister for Women) (4.57): On Saturday I attended a fantastic day at the inaugural Community Sports Gala Day at Charnwood Oval, West Belconnen, in my electorate of Ginninderra.

I want to congratulate the CBR Sports Awards People’s Sporting Champion Cameron Crombie and the UC Ginninderra Athletics Committee for bringing us this great sports day out. They did it in six weeks, with the involvement of many of Canberra’s own sporting elite athletes, Olympians, Paralympians, local schools and of course all of the sporting volunteers. I want to acknowledge them today for all of their hard work.

There was Cameron Crombie, of course. Emceeding the day was Carly Wilson, the UC Canberra Capitals assistant coach. There were the UC Ginninderra Athletics Committee’s Steve Dodt, Deborah Evans, Fiona Jarvis, Paul and Sarah Fowler and Neil Thomas; and UC interns Lindsay Mitton, Megan Mayoh and Alex Gill. Major

sponsors were the Audi Centre Canberra, Capital Clinic Physiotherapy, Kidspace Occupational Therapy, The Smart Centre Massage, and LGR Productions—Lachlan Ross. Elite athletes who attended were Lauren Wells, Scott Reardon, Vanessa Low, Jayden Sawyer, Vivian Williams and para-cyclist Sue Powell; from Brumbies Rugby Kiahna Bell-Chambers and Bayley Kuenzle; from the Canberra Cavalry Liam Sherer; and from the Canberra Capitals Keely Froling, Lauren Scherf, Maddison Rocci, Kelsey Griffin, Mariana Tolo, Kristy Wallace, Hannah Young and Kelly Wilson. Others who were there supporting the day were Jess Bibby from Shotclock Espresso, Cancer Council, Heart Foundation, BCS, Every Chance to Play, Netball ACT, Molonglo Brigade RFS, ACT Fire and Rescue, The Runners Shop, Subway Charnwood, Woolworths Charnwood, and HART Sport. There were Ginninderra volunteers Corrinne Henderson, Luke Allard, Brian Daly, Jodie Collins, Mortisha Rauraa, Eden Thomas, Jodie Collins, Emma Fitzpatrick and Tim Porter. And of course, importantly, there were the competing school athletes from Miles Franklin Primary School, Evatt Primary School, Florey Primary, Giralang Primary, Kaleen Primary, Macgregor Primary, Radford College Junior School, St John the Apostle, Weetangera, and Yass Public School.

It is hard to know what kind of effect this day had on improving sports participation amongst our young people, but my daughter has been doing hill sprints ever since and I would say that that is a pretty good measure of success. The smiling faces of the participants who received the fabulous award of the ceremonial relay batons from the Commonwealth Games 2006 that Cameron Crombie had managed to find in someone's garage somewhere and were donated to the event—that was surely a good measure of children who will take that memory with them forever. Certainly the parents were impressed, noting that some of their children were born in 2006 during those Commonwealth Games.

It was very exciting day, a really fantastic effort bringing something like that together in such a short period of time. And the enthusiasm of all of those wonderful athletes that we have in the ACT who contributed their time freely and spent so much time with those children, inspiring them to see the future athletes and rising stars that they can aspire to be for themselves.

Elizabeth Elliott—tribute Neurofibromatosis

MS CHEYNE (Ginninderra) (5.00): I want to speak today about a very special person that I know, named Elizabeth Elliott, or Libby. Libby was just four years old when she was diagnosed with neurofibromatosis 2, or NF2. NF2 can be passed down through genes or, as in Libby's case, it can occur spontaneously.

NF is a condition which results in tumours. For some people the tumours grow externally and they can be prolific. But for some people the tumours, equally prolific, grow internally, tumours on the spine and tumours on the nerves, including places like the optic nerve and auditory nerves. Libby is a young girl who, at four, was diagnosed with tumours in these places. She had to have surgery immediately—when entering preschool—because one of the tumours was pushing her eye out of its socket. Libby has since had more tumours on her spinal cord and at the base of her brain.

NF affects one in 2,500 people. It is as common as cystic fibrosis, it is as common as muscular dystrophy, and it is as common as Huntington's. There are no geographic, racial or ethnic preferences. Males and females are affected equally. But very few people know about NF or understand it. As a result funding is genuinely a struggle—funding to support the families to overcome the challenges of living with and managing NF.

By now you have probably already gathered that Libby Elliott is pretty special. But she is a special person in a very special family. To help raise awareness herself, Libby, who is still in primary school, agreed this year to become the face of the NF campaign. In a video explaining what NF is, she said:

I don't really have that much friends at school, because I don't look like a normal kid so they don't actually think that I'm a normal kid.

On 9 September the Children's Tumour Foundation ran one of its two yearly fundraisers: the NF hero march, a five-kilometre walk around Lake Ginninderra, supported by the Lighthouse pub and run by Belconnen local Carey Russell. To raise money, Libby's dad, Cam Elliott, agreed to carry one kilogram for every \$100 he raised. Cam actually raised over \$11,000—now \$12,000—and had to enlist a friend to help him carry the other 40 kilograms. Yes, that is right, Madam Speaker, Cam carried 70 kilograms for five kilometres.

It was an honour to walk with Cam and the other marchers, many with NF themselves. On the day all of us were wearing capes like heroes, and we were joined by Cam's other daughter, Katy, who led the way on the scooter. I did not help Cam out much, but I did ensure he did not end up accidentally adding another two kilometres to the walk, which seemed likely for a few scary moments there.

Even more impressive is that Libby had just had surgery a few weeks ago for an egg-sized tumour on her spine, and she completed the same distance herself—not carrying 70 kilos, mind you—a short time after Cam finished, and she completed that with her mother, Jen.

Cam's contribution to the cause is nothing short of incredible and follows a long history of contributing to the cause. The foundation had a humble goal of raising funds of just \$90,000, but it fell short of that, with around \$60,000 raised. When we consider that other foundations—very worthy foundations—are in some cases raising such extraordinary amounts of money—millions and millions of dollars each year—and given the huge impact of NF on those with it and their families, I do think we should be exploring more, and I will be doing my part, to ensure it continues to get the attention it deserves.

The next fundraiser is the cupid's undie run in February, and Cam has many creative ways of raising funds for that one. I encourage people to look online at the everydayhero account/NF2 for Cam's fundraiser. I encourage all members in this place to give consideration to this foundation in the future and for people to think about it around tax time, to think about the support it provides families and how we

need to band together to conquer NF for people like Libby and for people like Cam, Jen and Katy.

National Child Protection Week Children and young people—foster care

MS STEPHEN SMITH (Kurrajong—Minister for Aboriginal and Torres Strait Islander Affairs, Minister for Disability, Minister for Children, Youth and Families, Minister for Employment and Workplace Safety, Minister for Government Services and Procurement, Minister for Urban Renewal) (5.05): I rise to speak briefly about two important weeks that were marked recently, both of which acknowledged significant partners in the protection of some of Canberra's most vulnerable children. National Child Protection Week was marked from Sunday 2 to Saturday 8 September this year. The week is an opportunity for government, business and community to come together to promote the safety and wellbeing of children, reminding us all that protecting children is everyone's business.

A key part of National Child Protection Week is NAPCAN's Play Your Part Awards. The NAPCAN's Play Your Part Awards recognise individuals, communities or organisations who have played a part in creating safer communities for children and young people. The AIDS Action Council of the ACT encampment program was recognised as the winner of the ACT Play Your Part Award. The encampment program is run by and for LGBTIQ young people from Canberra and the surrounding region. The program is designed to build resilience and protective factors in young people aged 12 to 18 who are at risk because of their emerging feelings around sex and gender questioning.

The Benevolent Society and ReachOut Australia were recognised with the national Play Your Part Award for the ReachOut parents coaching program. ReachOut parents coaching is a nationwide online parent coaching service that aims to help parents support their teenagers through everyday issues and tough times, offering coaching support and practical tools to parents concerned about the mental health and wellbeing of their teenager.

The diversity of the programs, organisations and individuals recognised through these awards illustrates the many different forms of prevention and really highlights the idea that we all have a part to play in protecting children and young people and ensuring that they grow up safe and well.

As part of National Child Protection Week I had the opportunity to meet with some of our dedicated and hardworking child and youth protection staff and acknowledge in a small way the significant part they play in protecting Canberra's most vulnerable children. I would again like to acknowledge the work that they do every day. I acknowledge their dedication, their professionalism and their commitment to making safe and happy childhoods a reality for the ACT's children and young people.

This work goes on day in and day out. It is work that makes a very real difference in the lives of children, young people and families but it is work that often goes

unnoticed until a tragedy takes place, and is too often stereotyped on our televisions, telling a very small part of the wider story.

I was pleased to see that the Child and Youth Protection Services team also held their own awards during the week, celebrating the contribution of their colleagues to collaboration, innovation, integrity and respect. In my experience of meeting and speaking with child and youth protection staff, it is their personal commitment to these values and to keeping children safe that keeps them coming back each day and undertaking some of the most challenging work of government.

The following week we celebrated Foster and Kinship Carer Week. This week provides an opportunity to celebrate the important role of carers in the lives of our young Canberrans and to show our appreciation for the incredible work they do. Foster carers and kinship carers are undeniably the backbone of our out of home care system. Carers open their hearts and their homes to the most vulnerable children and young people in our community. Deciding to become a foster or kinship carer requires considerable commitment, as it can bring significant change and some challenges to the life of a carer and their family, but also, as I hear from carers regularly, a lot of joy.

During Foster and Kinship Carer Week I had the privilege of hearing carers' stories and seeing firsthand the impact that carers have on the lives of children and young people. I also had another opportunity to hear directly from young people about their experiences of out of home care and the incredible impact that foster and kinship carers have. These two weeks are an important time of year. I thank the Assembly for the opportunity to mark them.

Wall to Wall fundraising ride

MR GENTLEMAN (Brindabella—Minister for the Environment and Heritage, Minister for Planning and Land Management, Minister for Police and Emergency Services and Minister assisting the Chief Minister on Advanced Technology and Space Industries) (5.10): I stand this evening to congratulate ACT Policing and the AFP for supporting comradeship in policing. Each of our officers does a fantastic job for our community in often difficult circumstances.

Last Sunday I had the pleasure of joining ACT Policing and AFP motorcyclists for the annual Wall to Wall Ride. The ride serves as a remembrance of officers across Australia who have lost their lives in the course of duty. We began with a solemn ceremony at the National Police Memorial in Barton and a very difficult address by Assistant Commissioner CPO, Justine Saunders. It was difficult because we had just learned that an officer from Victoria Police had lost his life while riding to Canberra for this occasion, and even more difficult as we learned that his son was with him at the time.

After the ACT ceremony, riders continued to the Goulburn police academy and then returned to Canberra for the city ride, finishing with the national ceremony at the national wall.

With the National Police Memorial as a focal point and highlighting the positive image of police in the promotion of motorcycle safety and awareness, the Wall to Wall has become a much anticipated annual charity event in commemoration of the service and sacrifice of our police and for each of the states to raise much needed funds in support of their police charity organisations.

Each of the Australian police forces has a dedicated place of remembrance and reflection where they pay homage to and remember their police officers who have died as a result of their service to the community. From each of these sites a very special journey begins, with the intention of arriving at the outskirts of our national capital to meet and join the other contingents of riders from across Australia. In a final gesture of police solidarity and remembrance, the ride travels through Canberra to the National Police Memorial for a short but poignant ceremony to commence the week in honour of our colleagues and mates, their names recorded on the touch stones of the memorial wall.

I want to thank also our ACT SES volunteers for helping out with perhaps a thousand attendees, and to say “Well done” to ACT Policing organisers and riders once again this year.

Question resolved in the affirmative.

The Assembly adjourned at 5.13 pm until Tuesday, 23 October 2018, at 10 am.

Answers to questions

Hospitals—staff safety (Question No 1567)

Mrs Dunne asked the Minister for Mental Health, upon notice, on 3 August 2018:

- (1) How many staff were assaulted in the course of their duties, for each operative area, between 1 January 2017 and 30 June 2018 by (a) members of the public and (b) other staff.
- (2) In how many of these assaults were drugs and alcohol a factor.
- (3) What drugs were most often a contributing factor.
- (4) Which health occupation was most likely to have members assaulted in the course of their duties.

Mr Rattenbury: The answer to the member's question is as follows:

- (1) (a) Staff Assaults by Division (Operative Area) by members of the public (including patients and relatives) from 1 January 2017 – 30 June 2018:

Business Support	1
Cancer Ambulatory and Community Health Support	3
Clinical Support Services	29
Critical Care	27
Health Infrastructure Services	1
Medicine	20
Mental Health, Justice Health, Alcohol and Drug Services	105
Canberra Hospital and Health Services	1
Population Health	1
Rehabilitation, Aged and Community Care	51
Surgery and Oral Health	18
Women, Youth and Children	6
Total	263

- (b) Other staff — Zero incidents (recorded on Riskman, the only source for the recording of staff incidents).
- (2) This data is not recorded.
- (3) This data is not recorded.
- (4) Nurses.

Hospitals—staff safety (Question No 1567—revised)

Mrs Dunne asked the Minister for Mental Health, upon notice, on 3 August 2018:

- (1) How many staff were assaulted in the course of their duties, for each operative area, between 1 January 2017 and 30 June 2018 by (a) members of the public and (b) other staff.
- (2) In how many of these assaults were drugs and alcohol a factor.
- (3) What drugs were most often a contributing factor.
- (4) Which health occupation was most likely to have members assaulted in the course of their duties.

Mr Rattenbury: The answer to the member's question is as follows:

Question on Notice (QON) 1567, which I responded to on 31 August 2018, has been revised.

ACT Health identified that the staff assault data provided in the response was incomplete and therefore a revised QON has now been submitted. The data provided was sourced from the Riskman Staff Incident System utilised by ACT Health to capture all Work Health and Safety (WHS) Incidents. ACT Health follows the Type of Occurrence Classification System (TOCS) as specified by Safe Work Australia to classify WHS incidents in Riskman.

The figures provided in the initial response to QON 1567 were identified using the TOCS classification code of 'being assaulted by a person or persons'. It was subsequently identified that some incidents coded in TOCS as 'mental stress' also involved a staff assault. These incidents were coded in this way as mental stress was considered a more serious outcome than the physical impact from the incident.

The revised version of QON 1567 provides updated figures which capture all staff assault incidents captured on Riskman.

The answer to QON 1566 to Minister for Health and Wellbeing reflects these updated figures.

- (1) (a) Staff Assaults by Division (Operative Area) by members of the public (including patients and relatives) from 1 January 2017 – 30 June 2018:

Business Support	1
Cancer Ambulatory and Community Health Support	3
Clinical Support Services	35
Critical Care	37
Health Infrastructure Services	1
Medicine	34
Mental Health, Justice Health, Alcohol and Drug Services	129
Canberra Hospital and Health Services	1
Population Health	1
Rehabilitation, Aged and Community Care	63
Pathology	1

Surgery and Oral Health	26
Women, Youth and Children	8
Total	340

* Data extracted from the Riskman Staff Incident System

(b) Other staff — Zero incidents (recorded on Riskman, the only source for the recording of staff incidents).

(2) This data is not recorded.

(3) This data is not recorded.

(4) Nurses.

Canberra Hospital—shooting (Question No 1569)

Mrs Dunne asked the Minister for Health and Wellbeing, upon notice, on 3 August 2018:

- (1) In relation to the shooting incident in The Canberra Hospital (TCH) on 18 July 2018, what was the extent of the damage caused to the emergency department.
- (2) Has the damage to the emergency department been repaired; if so, what (a) was the cost and (b) disruption to emergency department services did it cause; if not, (a) when will the damage be repaired, (b) how much will it cost to repair the damage and (c) what plans are in place to minimise any disruption to emergency department services.
- (3) What is the protocol for police to bring weapons into the emergency department of TCH.
- (4) Will an investigation be held into this incident; if so, when will this investigation be completed.
- (5) Will the outcome of this investigation be released publicly; if not, why not.

Ms Fitzharris: The answer to the member's question is as follows:

- (1) A local air-conditioning unit was damaged in the Emergency Department which required replacement along with minor damage to flooring and walls. Due to the water leakage from the impacted air-conditioning unit there was also damage to lighting, power cabling and outlets, flooring and ceiling tiles.
- (2) Yes. All repairs are complete excluding the floor vinyl repairs.
 - (a) The cost of repairs is approximately \$22,000.
 - (b) There was minimal disruption to services whilst the works were carried out. A number of beds in the section of the Emergency Department where the incident took place were closed for a period of time whilst the remediation work was completed.

- (3) ACT Health does not have a protocol that restricts police from bringing weapons into the Emergency Department.
 - (4) Yes. ACT Policing are conducting a review, and ACT Health are undertaking a review that commenced in early August 2018. A joint debrief / review session is also being planned.
 - (5) This will be considered. The recommendations from Canberra Hospital and Health Services internal review would be released. ACT Health is unable to comment on the police review.
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**Canberra Institute of Technology—heart health program
(Question No 1571)**

Mrs Dunne asked the Minister for Health and Wellbeing, upon notice, on 3 August 2018 (*redirected to the Minister for Vocational Education and Skills*):

- (1) When was the decision made to reduce the class sizes of the Canberra Institute of Technology Heart Health Program.
- (2) Why was that decision made to reduce these class sizes.
- (3) How many classes were run each week (a) before and (b) after the decision was made.
- (4) What were the class sizes (a) before and (b) after the decision was made.
- (5) What class program specialisations were offered (a) before and (b) after the decision was made;
- (6) What was the cost of running the program (a) before and (b) after the decision was made.
- (7) What financial contribution did participants make to the program (a) before and (b) after the decision was made.
- (8) What consultation was undertaken with class participants before making the decision and what feedback was received.
- (9) Were optional class arrangements considered; if not, why not; if so, (a) what were they and (b) why were they rejected.
- (10) What questions were asked in the participant survey.
- (11) Were all participants given an opportunity to complete the survey; if not, (a) how many were given the opportunity and (b) why were the remaining participants excluded.
- (12) By what means was the survey distributed to participants.
- (13) How much time was given to participants to complete the survey.

- (14) How many participants submitted a response to the survey.
- (15) Was a survey results report prepared.
- (16) Will the Minister attach a copy of the report to her answer to this question on notice; if not, why not.
- (17) To what extent did the outcome of the survey inform the decision to reduce class sizes.
- (18) What programs and events have been developed to ensure the continuation of social interaction between class participants outside of classes.
- (19) What events have been held to date under those programs.
- (20) What is done to facilitate social interaction between participants during class.
- (21) What third-party support is given to the program (a) financially and (b) in-kind.

Ms Fitzharris: The answer to the member's question is as follows:

- (1) In January 2017, CIT took over the running of the Heartmoves Program (after the Australian Heart Foundation ceased the program in December 2016), and conducted a risk assessment of the program. Based on the recommendations of CIT Work, Health and Safety Department (WHS), CIT Fit & Well class sizes were reduced to guarantee the safety of participants.
- (2) The decision to decrease the class sizes was made because of WHS requirements, following a risk assessment of the program. The smaller class sizes provide instructors with capacity for increased one-on-one supervision and expanded the area of physical space. Creating more physical space has allowed CIT to develop unique exercise programs to address the needs of clients who may have a higher risk of injury.

The reduction in class sizes has ensured the inclusion of high risk clients who have a variety of health conditions and associated health risks.

- (3)
 - a) Four (4) Heartmoves classes were offered per week.
 - b) Five (5) additional classes were offered resulting in a total of nine (9) Heart Health classes per week.
- (4)
 - a) Ranged between 40 and 50 participants.
 - b) Capped at 25 participants.
- (5)
 - a) CIT Fit & Well offered two specialisation classes in 2016, along with the four (4) Heartmoves classes:
 - One Osteocise class per week
 - One Yoga class per week
 - b) From January 2017 the four (4) Heartmoves classes per week were replaced with nine (9) Heart Health classes. CIT Fit & Well has since offered the following additional specialised classes:
 - Two extra Osteocise classes per week were added

- One extra Yoga class per week was added
- Two 'Functional Fitness' classes per week
- Two 'Lungs in Action' classes per week

Heart Health members have also accessed additional services provided by CIT, including allied health assessments, student massage and student personal training.

It should be noted that CIT has been responsive to requests from Heart Health members to supplement the exercise classes with a nutrition information session. CIT has delivered one session and two more are planned this year.

CIT Fit & Well are currently in consultation with the Australian Heart Foundation to organise bespoke sessions directly aimed at older Australians on the topics of nutrition and seniors health.

(6)

- a) \$11,312 per year
- b) \$16,083 per year

(7) There has been no change to member contribution following the changes to class size. The membership costs in 2016 (Heartmoves Program) and 2017 (Heart Health Program) are as follows:

- Annual Early Bird CIT Fit & Well membership fee - \$240 (inclusive of all classes)
- 10 Visit Pass - \$45
- Casual Pass - \$5

(8) Once the risk assessment was completed and the results indicated that a change in class size would reduce risk, the Head of Department for CIT Sport, Fitness & Wellbeing and the Manager of CIT Fit & Well visited every Heart Moves class.

On 14 August 2017, CIT conducted a meeting between Heart Health Program members, Sport & Fitness Head of Department (HOD), CIT Fit & Well Manager, Health, Community and Science (HCS) Director and the CIT WHS Advisor. The meeting highlighted the risk assessment findings on best practice for the Heart Health Program. It was agreed at the meeting that CIT would conduct a survey of all Heart Health Program members.

The survey was jointly created by Heart Health Program members and the CIT Fit & Well Manager and was held in the week starting 12 September 2017.

A second meeting was then held on 10 October 2017 between Heart Health Program members, Sport & Fitness HOD, CIT Fit & Well Manager and HCS Director. At this meeting the survey results were presented to Heart Health Program members. All parties appeared to be satisfied with the outcomes and no concerns were raised by Heart Health members at this time.

Further meetings will take place in late August 2018.

(9) CIT considered the following options:

- Continue with the larger class sizes. This was not a viable option based on the recommendations of CIT WHS - the health and safety of participants would be put at risk.

- Reduce the class sizes to 25 participants. This was considered to be the best option, based on the instructor's ability to supervise classes. Again, based on the recommendations of CIT WHS, smaller class sizes would ensure the safety of our participants.
- (10) See **Attachment 1** for a copy of the survey.
- (11) The survey was conducted over a one week period, starting on 12 September 2017:
- CIT employees attended each Heart Health class over the week and provided paper participant surveys.
 - CIT employees physically distributed and collected paper participant surveys over the week.
 - CIT distributed the survey via e-mail to known participants who did not attend classes that week.
- (12) The survey was delivered in two methods:
- Paper forms and provided at the time that classes were held; and
 - Electronically via email.
- (13) Over the course of the week, a paper copy of the survey was given to Heart Health members to complete during their classes. The survey was also e-mailed to Health Heart members who did not attend the program that week. A small number of members submitted surveys after the survey week which we accepted.
- (14) CIT had a response rate of 80%, with 97 responses received (a further five (5) responses were received after the initial report had been prepared) from Heart Health Program members (approximately 120 total).
- (15) Yes. See **Attachment 2**.
- (16) See **answer to (15) above**.
- (17) The decision to cap class numbers was based on WHS requirements. The survey results demonstrated that the majority of members (87.5%) did not object to the decrease in the number of class participants.
- (18) CIT acknowledge, and support, the importance of social interaction for elderly Canberrans. In addition to the Heart Health Program, support has been offered to members in the form of allied health assessments, student massage and student personal training. The survey showed that 37% of members have made use of these services. CIT arranged a Christmas lunch in 2017 for its Heart Health members as well as providing name badges and space for morning teas, at the request of participants.
- (19) A Christmas lunch was organised on 5 December 2017 for Heart Health members and a nutrition presentation was held for members on 29 June 2018. In addition to the classes mentioned in response to Question 5 b) CIT has offered allied health assessments, student massage and student personal training to Heart Health members.
- (20) CIT provided name badges to assist Heart Health members to get to know each other and trainers encourage social interactions during the delivery of the program. CIT's

facilities such as the Yala Student Association run Café's provide adequate space for socialising on a larger scale for program participants.

(21) Nil.

(Copies of the attachments are available at the Chamber Support Office).

Canberra Hospital—equipment (Question No 1572)

Mrs Dunne asked the Minister for Health and Wellbeing, upon notice, on 3 August 2018:

- (1) Has any equipment (medical, surgical, maintenance, office or other) gone missing from The Canberra Hospital (TCH) between 1 July 2017 and 31 July 2018.
- (2) For each item that went missing, (a) what was the item, (b) what is the value of the item and (c) when was it reported that the item went missing.
- (3) What investigations have been made into how and why these items went missing.
- (4) If not investigations have been made, why not.
- (5) Was it found that there were security weaknesses at TCH.
- (6) What actions have been taken to improve security at TCH.

Ms Fitzharris: The answer to the member's question is as follows:

- (1) In line with its *Strategic Asset Management of Major Equipment Policy*, ACT Health conducts an annual asset stocktake of equipment which is categorised as Plant and Equipment, Tangible Major Medical and Non-Medical Equipment costing \$5,000 or greater with an estimated useful life greater than 12 months. Under this process, no ACT Health equipment was identified as missing for the period between 1 July 2017 and 31 July 2018.

ACT Health staff are required to report any missing assets, and also follow set procedures and schedules for the disposal of assets.

- (2) Not applicable.
 - (3) Not applicable.
 - (4) Not applicable.
 - (5) Not applicable.
 - (6) Not applicable.
-

**Government—meetings
(Question No 1574)**

Mrs Dunne asked the Minister for Health and Wellbeing, upon notice, on 3 August 2018:

Has Ms Katy Gallagher attended any meetings involving ACT Government officials and/or ministers since she began work with the Little Company of Mary; if so, (a) what were the dates of those meetings, (b) where were they held, (c) who attended, (d) what matters were discussed and (e) what were the outcomes.

Ms Fitzharris: The answer to the member's question is as follows:

1. Yes, with ACT Government officials, as part of ACT Health's cross directorate Building Health Services Program (BHSP) Strategy Steering Committee (time limited meeting group).
 - a) 16 July 2018 (specific debrief meeting with Calvary and Ms Gallagher, as they were apologies for the steering committee meeting of 9 July 2018), 19 July 2018, 27 July 2018, 2 August 2018, and 9 August 2018.
 - b) Calvary Hospital on 16 July 2018 and ACT Health Corporate offices for the other dates.
 - c - e) Attendees were present from ACT Health, other ACT Government, Calvary and Capital Health Network. A range of matters were discussed to inform policy proposals in relation to ACT Health's major infrastructure investment projects.

The final outcomes will inform a submission to the ACT Government.

**Domestic animal services—dogs
(Question No 1575)**

Ms Lawder asked the Minister for Transport and City Services, upon notice, on 3 August 2018:

- (1) Was Domestic Animal Services (DAS) aware of the microchip and the identification of the owner before the instruction was given to destroy the dog "Izzy" on or about 11 June 2018.
- (2) What was the reason there was an urgency to destroy "Izzy" within 24 hours of her being taken into care.
- (3) Why were DAS's normal protocols not adhered to in the case of "Izzy".
- (4) When will the owner find out what happened to "Izzy".

Ms Fitzharris: The answer to the member's question is as follows:

- (1) On presentation to DAS, Rangers scanned 'Izzy' and identified she was microchipped. Rangers attempted to contact the owner however the contact information in the microchip details had not been updated.

- (2) Izzy was euthanised on animal welfare grounds.
 - (3) An independent review of the Izzy case has found that all DAS protocols were adhered to and all persons involved in this matter acted in a manner compliant with their legal obligations.
 - (4) The owner was advised of the findings of the independent report on 2 August 2018.
-

**Domestic animal services—dogs
(Question No 1577)**

Ms Lawder asked the Minister for Transport and City Services, upon notice, on 3 August 2018:

- (1) Who or what is the “third party” that is conducting the inquiry into the death of the dog “Izzy” that was euthanised at the direction of Domestic Animal Services on or about 11 June 2018.
- (2) Who (a) selected the “third party” and (b) is the “third party” independent of.
- (3) What are the terms of reference for the inquiry.
- (4) Is a report required.
- (5) When is the report due.
- (6) Who will the report be given to.
- (7) Will the report be (a) made public and (b) given to the owner of “Izzy”.
- (8) If the “third party” is another arm of one of the Minister’s Directorates why was the Minister unable to comment on the matter at the Estimates hearing.

Ms Fitzharris: The answer to the member’s question is as follows:

- (1) An independent review of the investigation into the circumstances surrounding the euthanasia of Izzy was undertaken by Ashurst Australia, a leading legal firm, and was led by Ms Barbara Deegan.
- (2) (a) The Professional Standards Unit, within the Chief Minister, Treasury and Economic Development Directorate, ACT Government. (b) The third party was independent of the ACT Government.
- (3) The terms of Reference were to investigate the conduct of DAS in relation to a dog ‘Izzy’, including whether any person involved in the incident may have engaged in misconduct.
- (4) Yes.
- (5) The report was finalised on 10 July 2018.

- (6) The report is currently being considered.
 - (7) The report is currently being considered.
 - (8) The report was commissioned after the Estimates Hearing and was undertaken by an external organisation independent of the ACT Government.
-

**Domestic animal services—dogs
(Question No 1579)**

Ms Lawder asked the Minister for Transport and City Services, upon notice, on 3 August 2018 (*redirected to the Minister for City Services*):

- (1) Was the owner of the attacking dog/s identified in relation to an attack on another dog on 2 July 2018 in a private backyard in Monash.
- (2) Was the attacking dog/s seized or held by Domestic Animal Services (DAS).
- (3) Had the attacking dog/s come to the attention of, or been reported to DAS previously; if so what action had previously been taken by DAS against the (a) owners and (b) dog/s.
- (4) What has now happened or is happening to the attacking dog/s.
- (5) Was the attacking dog/s (a) registered, (b) desexed and/or (c) microchipped.
- (6) What action has DAS taken or is intending to take against the owner of the attacking dog/s.
- (7) When and what advice has been provided to the owners of the dog who was attacked.

Mr Steel: The answer to the member's question is as follows:

- (1) Yes.
 - (2) Yes.
 - (3) Yes. There is a current investigation involving the dogs and their owners associated with this address. Any prior history involving these dogs or their owners will form part of this investigation, as such further comment cannot be made at this time.
 - (4) The dogs remain in the care of DAS while an investigation is conducted.
 - (5) (a) No (b) No (c) Yes.
 - (6) This incident is currently being investigated and further action will be taken pending the outcomes of the investigation.
 - (7) Investigators have contacted all parties involved in this case and advised them of the investigation process. Investigators will continue to update all parties as the investigation progresses.
-

Domestic animal services—staffing (Question No 1585)

Ms Lawder asked the Minister for Transport and City Services, upon notice, on 3 August 2018 (*redirected to the Minister for City Services*):

- (1) In relation to the Minister's answer to question on notice No 1492, of the 28 positions listed in the Licensing and Compliance Organisational structure as at October 2017 (a) what was the position number for each position and (b) how many of these were "animal ranger" positions.
- (2) In relation to the Minister's answer to question on notice No 1492, of the 36 positions listed in the Licensing and Compliance Organisational structure as at June 2018 (a) what was the position number for each position, (b) how many of these were "animal ranger" positions, (c) for each position number is the role occupied on a (i) full time, (ii) part time, (iii) temporary, (iv) job share and (v) some other combination of basis and (d) for each position number on 1 June 2018 which positions were (i) occupied, (ii) vacant, (iii) subject to employment action, and (iv) fully trained and qualified to perform the roles of "animal ranger".

Mr Steel: The answer to the member's question is as follows:

- (1) Refer to Attachment A.
- (2) Refer to Attachment A.

Attachment A

(1) Licensing and Compliance Organisational Structure as of October 2017

Licensing & Compliance Executive			
Title	Classification	Position Number	Employment Status
Senior Manager	SOGA	P12940	Full time permanent
Finance/HR & System Support	AS04	P00120	Full time permanent
Animal Welfare			
Animal Welfare Officer	AS06	P17392	Full time permanent
Managers			
Manager Administration Services	SOGC	P33283	Full time permanent
Manager Compliance	SOGC	P15214	Full time permanent
Manager Licensing	SOGC	P00548	Full time permanent
City Ranger Services			
Ranger in Charge	AS06	P21704	Full time permanent
City Ranger	AS04	P32127	Full time permanent
City Ranger	AS04	P32126	Full time permanent
City Ranger	AS04	P32123	Full time permanent
City Ranger	AS04	P32124	Full time permanent
City Ranger	AS04	P18864	Full time permanent
City Ranger	AS04	P32125	Full time permanent
Domestic Animal Services			
Ranger in Charge	AS06	P35859	Full time permanent
Senior Ranger (Animal Ranger)	AS04	P09804	Full time permanent
Senior Ranger (Animal Ranger)	AS04	P09803	Full time permanent
DAS Ranger (Animal Ranger)	AS03	P17770	Full time permanent

Title	Classification	Position Number	Employment Status
DAS Ranger (Animal Ranger)	AS03	P17773	Full time permanent
DAS Ranger (Animal Ranger)	AS03	P17767	Full time permanent
DAS Ranger (Animal Ranger)	AS03	P17768	Full time permanent
DAS Ranger (Animal Ranger)	AS03	P17771	Full time permanent
DAS Ranger (Animal Ranger)	AS03	P17772	Full time permanent
Kennel Master	AS03	P23681	Full time permanent
Land Use Unit			
Public Use Coordinator	AS06	P03027	Full time permanent
Park Booking Officer	AS05	P25884	Full time permanent
Public Use Booking Officer	AS04	P17351	Full time permanent
Investigations Unit			
Ranger in Charge	AS06	P16951	Full time permanent
Senior Ranger Investigations	AS05	P13679	Full time permanent

(2) Licensing and Compliance Position Status as of 30 June 2018

Licensing & Compliance Executive				
Title	Classification	Position Number	Employment Status	Position Occupied
Senior Manager	SOGA	P12940	Full time permanent	Position Occupied / Competent
Finance/HR & System Support	AS04	P00120	Full time permanent	Position Occupied / Competent
Animal Welfare				
Animal Welfare Officer	AS06	P17392	Full time permanent	Position Occupied / Competent
Managers				
Manager Administration Services	SOGC	P33283	Full time permanent	Position Occupied / Competent
Manager Compliance	SOGC	P15214	Full time permanent	Position Occupied / Competent
Manager Licensing	SOGC	P00548	Full time permanent	Position Occupied / Competent
City Ranger Services				
Ranger in Charge	AS06	P21704	Full time permanent	Position Occupied / Competent
City Ranger	AS04	P32127	Full time permanent	Position Occupied / Competent
City Ranger	AS04	P32126	Full time permanent	Position Occupied / Competent
City Ranger	AS04	P32123	Full time permanent	Position Occupied / Competent (Subject to employment)
City Ranger	AS04	P32124	Full time permanent	Position Occupied / Competent
City Ranger	AS04	P18864	Full time permanent	Position Occupied / Competent
City Ranger	AS04	P32125	Full time permanent	Position Occupied / Competent
Domestic Animal Services				
Ranger in Charge	AS06	P35859	Full time permanent	Position Occupied / Competent
Senior Ranger (Animal Ranger)	AS05	P09804	Full time permanent	Position Occupied / Competent
Senior Ranger (Animal Ranger)	AS05	P09803	Full time permanent	Position Occupied / Competent

Title	Classification	Position Number	Employment Status	Position Occupied
Senior Ranger Education and Victim Support	AS05	P39672	Full time permanent	Vacant/Subject to recruitment
DAS Ranger (Animal Ranger)	AS04	P17770	Full time permanent	Position Occupied / Competent
DAS Ranger (Animal Ranger)	AS04	P17773	Full time permanent	Position Occupied / Competent
DAS Ranger(Animal Ranger)	AS04	P17767	Full time permanent	Position Occupied / Competent
DAS Ranger(Animal Ranger)	AS04	P17768	Full time permanent	Position Occupied / Competent
DAS Ranger(Animal Ranger)	AS04	P17771	Full time permanent	Position Occupied / Competent
DAS Ranger (Animal Ranger)	AS04	P39666	Full time permanent	Position Occupied / Competent
DAS Ranger (Animal Ranger)	AS04	P39668	Full time permanent	Position Occupied / Competent
DAS Ranger (Animal Ranger)	AS04	P39669	Full time permanent	Position Occupied / Competent
Ranger - Animal Behaviour	AS03	P17772	Full time permanent	Position Occupied / Competent
Kennel Master	AS03	P23681	Full time permanent	Position Occupied / Competent
Ranger Ops Support	AS03	P39665	Full time permanent	Position Occupied / Competent
Ranger Ops Support	AS03	P39667	Full time permanent	Position Occupied / Competent
Land Use Unit				
Public Use Coordinator	AS06	P03027	Full time permanent	Position Occupied / Competent
Park Booking Officer	AS05	P25884	Full time permanent	Position Occupied / Competent
Public Use Booking Officer	AS04	P17351	Full time permanent	Position Occupied / Competent
Investigations Unit				
Ranger in Charge	AS06	P16951	Full time permanent	Position Occupied / Competent
Senior Ranger Investigations	AS05	P13679	Full time permanent	Position Occupied / Competent
Senior Ranger Investigations	AS05	P39670	Full time permanent	Position Occupied / Competent
Senior Ranger Investigations	AS05	P39671	Full time permanent	Position Occupied / Competent

Housing—government support (Question No 1594)

Ms Le Couteur asked the Minister for Housing and Suburban Development, upon notice, on 3 August 2018:

- (1) Can the Minister advise whether any work has been conducted to support young people exiting out of home care at eighteen years of age to access or sustain independent rental accommodation.

- (2) Are specific measures being developed for this priority group in the ACT Housing Strategy
- (3) Does the ACT have Territory level data on the housing circumstances of young people after exiting care given that work is under way in a number of jurisdictions on the development of some kind of housing guarantee or extension to the age at which young people are exited from care.

Ms Berry: The answer to the member's question is as follows:

- (1) The ACT Together consortium deliver foster and kinship care and residential care funded under the *A Step Up for Our Kids Strategy*.

ACT Together offer a range of differential services that support young people in out of home care to transition to independent living called the Community Adolescent Program (CAP). The CAP has a strong focus on supporting young people to obtain and maintain safe and appropriate stable housing based on individual needs.

The CAP Outreach service is designed for young people who have self-placed or are transitioning to independent living from foster or kinship care. Young people are provided with case management and support with an emphasis on building the young people's capacity for independent living and exploring housing options.

The CAP Housing program provides housing options for young people transitioning from out of home care to independent living. Offering fully furnished accommodation with individual and shared housing options, as well as flexible and hands-on support provided by CAP case managers and youth workers. Within the CAP Housing program there are two specific services:

Lead Tenant Program – Supports young people live alongside a Lead Tenant, a volunteer, who shares a home rent-free and acts as a mentor by role modelling independent living and supports the ongoing development of living skills.

Transitional Housing Program – Provides supported accommodation options for young people. One particular stream within this model allows for the transfer of Housing ACT properties to young people who are transitioning from care. ACT Together has 3 individual properties where young people are supported to establish a home and once they have demonstrated their capacity for independence the case manager completes a Priority Needs Recommendation for the Housing ACT Multidisciplinary Panel to consider an application for priority allocation.

The CAP Aftercare Support program offers outreach case management support for young people aged 18 - 25 years who have previously been in care. Young people are supported to continue to develop their independent living skills and are supported to access appropriate housing options and a range of other support services according to their individual needs.

The A Step Up for Our Kids strategy extended the carer subsidy for some young people who wish to remain in the care of their foster or kinship carer beyond the age of 18 and up to the age of 21 years. ACT Together are able to apply to extend the carers subsidy for young people where it can be demonstrated the young person's wellbeing, stability and ability to transition to independence would otherwise be jeopardised by the cessation of the carer subsidy at 18 years.

Housing ACT has a specialised Youth Team which works with young people aged between 16 and 25 years of age. Young people are assessed on an individual basis and allocation to the Youth Team is based on a client's specific needs. However, Care and Protection involvement (including out of home care) and incarceration would normally provide automatic access to the Youth Team.

The Youth Team provides one point of contact being the Youth Housing Manager, who will work with the young person around their housing application, connection with support services and provide advice on Housing ACT policies, processes and procedures.

When a young person signs up for a tenancy with Housing ACT, the Youth Housing Manager will remain the point of contact until they are 25 years of age – and sometimes longer. They will conduct client service visits and assist the young person to sustain their tenancy. The Youth team works with many youth agencies, including ACTtogether, to help achieve this outcome. This collaboration often begins when a young person is still in care and plans are discussed and supporting documents collected to assist in the timely assessment and allocation processes, along with the provision of supports to help the sustain the tenancy.

- (2) Through the consultation process for the new ACT Housing Strategy, including the Housing and Homelessness Summit, feedback highlighted the need for a better plan for those exiting institutions, into social, community or public housing. It also highlighted the importance of better information sharing between services such as health, mental health, homelessness, justice, counselling, social work and other related services.

Housing ACT is now working to use the input as a guide to inform the actions for the new ACT Housing Strategy which is under development. This includes people exiting institutions and greater information sharing across the ACT Government human service system to better support those who are at risk of homelessness.

- (3) The ACT does not collect Territory level data on the housing circumstances of young people after exiting care. ACT Together have implemented a Transition Panel to provide oversight and quality assurance of transition planning for all young people in out of home care from 15 years of age. The panel aims to ensure the development of high quality and timely transition plans that are developed with the active involvement of young people transitioning from care.

Housing ACT's Youth team currently manages 164 tenancies for young people.

Roads—Sulwood Drive (Question No 1604)

Ms Lawder asked the Minister for Transport and City Services, upon notice, on 3 August 2018 (*redirected to the Minister for Roads*):

- (1) Who authorised the signs that were erected then removed (after public outcry over safety and legal concerns) warning motorists about people illegally entering/exiting the Mt Taylor (Sulwood Drive) "carpark".

- (2) How much did these signs cost.
- (3) What quality management control and governance processes applied and were they followed to design, build and install these signs that encouraged people to stop and cross double white lines; if so; how they are being improved, if not; can the Minister explain the lack of governance.
- (4) What standards for road signs apply and did these signs meet them.

Mr Steel: The answer to the member's question is as follows:

- (1) The temporary signs installed to alert motorists to possible vehicles emerging from the grass verge were authorised for use by Road ACT. The signs were removed after consultation with residents and other stakeholders regarding a permanent solution to the concerns about the use of the verge for parking by users accessing the walking tracks on Mount Taylor.
- (2) The two signs cost \$1723.00 including the cost of installation. The signs when removed were taken to stores and will be reused.
- (3) The signs were designed and installed to the required Australian Standards, and authorised for installation by the Road Manager (or their Delegate) prior to installation. This is standard governance practice for this function.
- (4) All road signs need to comply with the rules set out in the Australian Standards AS1742. The temporary signs complied with the standards.

Roads—traffic management (Question No 1605)

Ms Lawder asked the Minister for Transport and City Services, upon notice, on 3 August 2018 (*redirected to the Minister for Roads*):

- (1) Can the Minister provide a copy of the risk assessment and full risk management plan undertaken for the speed humps on McBryde Crescent adjacent Ricardo that seems to have been installed without a network user understanding with dangerous unintended consequences and represents at least a potential black spot.
- (2) Can the Minister provide a copy of the risk assessment undertaken for the intersection of Sternberg and Comrie.
- (3) Was the original proposal to install traffic lights at the intersection of Sternberg and Ashley and on what basis did it change from traffic lights to a roundabout.

Mr Steel: The answer to the member's question is as follows:

- (1) A copy of the risk assessment is provided at [Attachment A](#).

The installation of the speed cushions in the Erindale Group Centre was part of traffic calming measures associated with the implementation of 40 km/h group centre speed limits. Speed cushions were installed in May 2017 in two locations on McBryde

Crescent as vehicles enter the group centre. The installation locations were selected based on the following factors:

- proximity within the group centre;
- intersection layout (avoiding turn lanes);
- access locations;
- existing lighting infrastructure;
- pedestrian desire lines; and
- location of speed signs and required offset.

The locations of the speed cushions installed on McBryde Crescent between the intersections of Ricardo Street (east) and Comrie Streets were based on the factors listed above and were identified as a feasible installation location given the existing road environment.

Collisions prior to Speed Cushion Installation

A review of collision data between 2011 and 2017 identified 16 collisions at the intersection of McBryde Crescent and Comrie Street and eight collisions at the intersection of McBryde Crescent and Ricardo Street (east).

Of the above collisions, nine of the collisions at the intersection with Comrie Street and three collisions at the intersections with Ricardo Street (east) were in the directions of travel where speed cushion locations have been installed.

Collisions post Speed Cushion Installation

Since the installation of the speed cushions there has been no reported collisions on McBryde Crescent at either the Comrie Street or the Ricardo Street (east) intersections.

- (2) A copy of the risk assessment is provided at Attachment B.
- (3) No. The original proposal was to install a roundabout at the intersection of Sternberg Crescent and Ashley Drive.

(Copies of the attachments are available at the Chamber Support Office).

Roads—resurfacing (Question No 1606)

Ms Lawder asked the Minister for Transport and City Services, upon notice, on 3 August 2018 (*redirected to the Minister for City Services*):

- (1) Can the Minister provide the policy and processes regarding road surface standards that are used in the ACT in general and Sternberg Crescent in particular where removal of white plastic stripes leave roads gouged, producing an increasing number of fragments to be thrown up at vehicles, cyclists and pedestrians.
- (2) How does this compare to comparable policies and processes from other jurisdictions that the ACT has consulted or examined.
- (3) Have inferior road surfaces such as Sternberg Crescent have been professionally assessed as (a) safe to drive on in all conditions, (b) do not and will not cause (i) risks

of damage or injury to people and vehicles from road fragments and (ii) any further wear on tyres than if a higher standard of road applied.

- (4) Was a professional risk assessment and risk management plan commissioned in relation to the above matters; if so, can the Minister provide it; if not, why not.

Mr Steel: The answer to the member's question is as follows:

- (1) Roads ACT utilised the Austroads Guides to Pavement Technology and Asset Management as well as the Roads and Maritime Services NSW specifications for pavement maintenance contracts. Roads ACT developed and follows its 'Pavement Visual Inspection Manual' for the inspection of municipal streets like Sternberg Crescent. This manual was developed based on national and international guidelines and is attached at Attachment A.
- (2) The guidance documents referred to above apply internationally, nationally, NSW-wide and locally, as indicated.
- (3) Roads ACT undertake a comprehensive inspection program to monitor the condition of all road surfaces on a three year cycle which included Sternberg Crescent. Resealing and asphalt treatments are widely applied in the ACT and other jurisdictions to provide the necessary balance between durability, skid resistance, noise generation and tyre wear. In the case of resealing, the initial application results in some residual loose material (stones) which is removed by sweeping a number of times in the following days and weeks.
- (4) Prior to the commencement of the intersection upgrade of Sternberg Crescent a professional risk assessment and risk management plan was undertaken by the Contractor engaged to undertake the upgrade works. This reports covered the entire project, including the road surface prior to the works being undertaken. This report can be provided if required.

(A copy of the attachment is available at the Chamber Support Office).

Government—lease arrangements (Question No 1608)

Ms Lawder asked the Treasurer, upon notice, on 3 August 2018 (*redirected to the Minister for Community Services and Facilities*):

- (1) How many peppercorn leases are currently subleased.
- (2) Can the Minister provide a list of which lease areas are currently subleased and to who.

Mr Steel: The answer to the member's question is as follows:

- (1)

Agency/Directorate	Number of peppercorn leases currently sub-leased
Access Canberra	Nil
ACT Health	Nil

Agency/Directorate	Number of peppercorn leases currently sub-leased
ACT Property Group	Nil
Community Services Directorate	Nil
Education	Nil
Environmental Planning and Sustainability Development Directorate	Nil
Justice and Community Safety	Nil
Suburban Land Agency	Four
Transport Canberra and City Services	Nil

(2)

Agency/Directorate	Lease areas that are currently subleased and to who
Access Canberra	Nil
ACT Health	Nil
ACT Property Group	Nil
Community Services Directorate	Nil
Education	Nil
Environmental Planning and Sustainability Development Directorate	Nil
Justice and Community Safety	Nil
Suburban Land Agency	For privacy reasons this information has not been provided.
Transport Canberra and City Services	Nil

Building—code compliance (Question No 1609)

Ms Lawder asked the Minister for Planning and Land Management, upon notice, on 3 August 2018 (*redirected to the Minister for Building Quality Improvement*):

- (1) What course of action is available for people who have purchased a property that differs significantly to the building plans held by Environment, Planning and Sustainable Development (EPSD).
- (2) Are builders required to inform EPSD of any changes to building plans; if so, (a) how soon after the changes and (b) how many of these changes has EPSD received in the last 12 months.
- (3) Are builders required to inform the constituent of any changes to the building plans where a constituent has purchased a property off the plan; if so, (a) how soon after the changes and (b) what recourse do constituents have in circumstances where they have not been advised of the changes.
- (4) Is there a standard that common walls in units and townhouse buildings are required to meet; if so, what are these standards or applicable legislation.

- (5) Does the EPSD have the power to prosecute builders that do not comply with building codes; if so, how many prosecutions has EPSD undertaken in (a) 2014, (b) 2015, (c) 2016, (d) 2017 and (e) 2018.
- (6) Does EPSD have the power to prosecute builders that do not comply with the approved building plans; if so, how many prosecutions has EPSD undertaken in (a) 2014, (b) 2015, (c) 2016, (d) 2017 and (e) 2018.
- (7) Is there a requirement for builders to rectify any changes to building plans; if so, how would a constituent go about achieving this.

Mr Ramsay: The answer to the member's question is as follows:

- (1) Remedies available to a purchaser would depend on the nature of the changes and whether they affect compliance with the contract for purchase. Purchasers may make a complaint about breaches of building laws or consumer laws to Access Canberra. There may also be civil remedies available for contract breaches.

Building plans and files are managed by the Construction Occupations Registrar (the Registrar) within Access Canberra.

- (2) No. Builders are required to build in accordance with approved plans. If the owner has agreed to a change, unless the change is exempt, the owner must apply to the certifier for an amended or new approval before the work is undertaken. When a new approval is issued the building certifier must lodge the approved plans with the Registrar (Access Canberra) within seven days of issuing the approval. There are also processes under the Building Act for the building certifier to notify certain non-compliances with approved building plans.
- (3) Notification requirements would depend on the relationship between the builder and the purchaser, and the terms of the purchase contract. Unless the builder has a direct contractual relationship with the purchaser, for example if the builder is also the owner of the land and has contracted for the sale of the building, they would not be responsible for notifying a purchaser of changes to the building plans.
 - a) If the owner of the land, generally referred to as the developer, has made changes to the building plans, the contract with the purchaser would generally determine whether notification of particular changes is required, and in what time the notification must be made.
 - b) Where a purchaser is not notified of a change that would affect compliance with the contract they may pursue a civil remedy or may lodge a complaint with Access Canberra, which administers fair trading and consumer law.
- (4) Building standards for common walls in units and townhouses are outlined in the National Construction Code. Other laws, such as planning laws, may also apply to common walls.
- (5) Since late 2014 under the Administrative Arrangements Access Canberra has responsibility for building and construction licensing regulation. EPSDD has policy responsibilities but does not currently undertake regulatory functions.

EPSDD did not undertake any prosecutions in 2014.

- (6) Since late 2014 under the Administrative Arrangements Access Canberra has responsibility for building and construction licensing regulation. EPSDD has policy responsibilities but does not currently undertake regulatory functions.

EPSDD (then the Environment and Planning Directorate) undertook a successful prosecution against an owner-builder under the *Dangerous Substances Act 2004* in relation to asbestos removal in 2014.

- (7) The land owner is responsible for applying for the building approval and for any contractual issues that may arise from making changes to the approved plans. The builder must build in accordance with the approved plans and is responsible for any departures they have made from approved plans. If a constituent is concerned that a builder may have unlawfully failed to comply with the building approval they may wish to pursue this with the person they have purchased from or raise a complaint through the Access Canberra portal to have the matter investigated.

Municipal services—Henry Rolland Park (Question No 1610)

Ms Lawder asked the Minister for Transport and City Services, upon notice, on 3 August 2018 (*redirected to the Chief Minister*):

- (1) Are there any plans to build toilets in or near the Henry Rolland park.
- (2) Why was the park commissioned without toilet facilities.
- (3) Are there any plans to build children's play equipment at the park.
- (4) Why was the park commissioned without children's play equipment.
- (5) Are there plans to put road calming measures in place along the shared road.
- (6) Are there plans to put increased signs around the cycle path asking cyclists to slow down near the park.

Mr Barr: The answer to the member's question is as follows:

- (1) There will continue to be public toilets in West Basin. The location of future public toilets has not yet been resolved. Currently, there are Public Toilets 300 metres away from Henry Rolland Park, at the West Basin Jetty Building.
- (2) The design for Henry Rolland Park did not include public toilets. It is intended to have public toilets contained in future pavilions to be built as part of future stages of the West Basin development. These future toilets will be more centrally located to better service the whole of the West Basin Waterfront.
- (3) There are no plans to build children's play equipment in Henry Rolland Park.
- (4) It was determined to be a safety risk to have a children's playground in close proximity to the water and the Barrine Drive shared path.

- (5) There are currently road calming measures in place, consisting of a speed hump prior to entering the shared zone from Commonwealth Park and a raised threshold entry at the intersection of the shared path and Albert Street. There are currently no plans to install additional road calming measures.
 - (6) There are no plans to install additional signs around the cycle path, requesting cyclists to slow down. The traffic control devices, including signage, were designed and installed in accordance with the relevant standards.
-

Roads—Ashley Drive (Question No 1612)

Ms Lawder asked the Minister for Transport and City Services, upon notice, on 3 August 2018 (*redirected to the Minister for Roads*):

- (1) Are there any points along the Ashley Drive Duplication that are only three lanes.
- (2) Why was it decided to reduce Ashley drive to only three lanes at Clift Crescent.
- (3) Was the community ever informed that this part of Ashley Drive would not be duplicated.
- (4) Was a study conducted to investigate what bottleneck this would cause.
- (5) Can the Minister provide a copy of the risk assessment report for Ashley Drive Duplication.

Mr Steel: The answer to the member's question is as follows:

- (1) The location adjacent to Clift Crescent intersection has three through lanes and one turn lane. This configuration includes two through lanes southbound and one through lane and one turn lane northbound.
- (2) The decision to merge the through lanes prior to Clift Crescent intersection is due to:
 - The second lane northbound at Clift Crescent is utilised as a turn lane. This allows vehicles turning into Clift Crescent to be stored awaiting a change in traffic signals to turn into Clift Crescent. The vehicles leaving Clift Crescent also have their own lane to turn into not stopping the northbound traffic. This is a similar arrangement to the intersection of Ginninderra Drive and Coulter Drive in Belconnen where vehicles travelling east on Ginninderra Drive are not required to wait for vehicles exiting to or entering from Coulter Drive;
 - The intersection arrangement allows an improved flow due to the northern through lane not being stopped to allow vehicles to enter from Clift Crescent; and
 - Traffic modelling supported the proposed layout.
- (3) Community consultation activities for the project to gain feedback on the preliminary design, including the design of the turning lane into Clift Crescent were attended by government representatives and the design consultant. The community consultation undertaken included the following activities:

- Notification letters and fact sheets were letterbox dropped to the suburbs of Wanniasa, Monash, Gowrie, Fadden, Calwell, Isabella Plains and Richardson as well as to shops at the Erindale Shopping Centre, Monash Shops and Gowrie Shops;
 - A public information display was installed at the Erindale Shopping Centre for a period of two weeks followed by Erindale Library for a further four weeks;
 - A Time to Talk website was established providing a summary of the key project information for the public to view and provide feedback; and
 - Two public drop-in sessions were conducted at the Erindale Shopping Centre on Thursday 6 and Friday 14 November 2014, attended by representatives of PCW, Roads ACT and GHD.
- (4) Traffic modelling was undertaken to demonstrate that the proposed arrangement can accommodate anticipated traffic flows to 2031. The design is constrained by the existing two lane Monks Creek road bridge and the proximity to the bridge of the Clift Crescent intersection. Widening of the existing Monks Creek Bridge to accommodate an additional lane would significantly increase the cost of the project.
- (5) The Safety in Design Review is at Attachment A.

(A copy of the attachment is available at the Chamber Support).

Bushfires—controlled burns (Question No 1613)

Mr Coe asked the Minister for Police and Emergency Services, upon notice, on 3 August 2018 (*redirected to the Environment and Heritage*):

- (1) How many hazard reduction burns have occurred in 2018 to date.
- (2) On what date did each of these burns occur and (a) where did they occur and (b) how many hectares were burnt at each location.
- (3) Which burns are left to be conducted prior to the beginning of the next bushfire season and how many hectares does each burn amount to.

Mr Gentleman: The answer to the member's question is as follows:

- (1) The Bushfire Operational Plan (BOP) prepared annually by EPSDD guides a range of fuel management activities that are undertaken across the ACT. The aim is to reduce fire fuel loads and subsequently risk and 96.9% of all activities scheduled in the 2017/18 BOP have been completed. Actions to achieve fire fuel management include slashing, prescribed burning, grazing, physical removal and chemical treatment of vegetation. Prescribed burning is one type of action to reduce fire fuel loads.

In the 2018 calendar year to date, the Environment, Planning and Sustainable Development Directorate has completed twenty seven (27) prescribed burns.

(2)

Burn Name and ID	Area Burnt (ha)	Commencement Date
Jerrabomberra Wetlands NR	2	07/03/2018
Piccadilly, Brindabella Road Namadgi NP	319.63	08/03/2018
Blue Range, north of the Lower Cotter	114.32	08/03/2018
Jerrabomberra Grasslands NR	33.01	09/03/2018
Cooleman Ridge NR	12.86	09/03/2018
Gungaharra Grasslands NR	9.96	10/03/2018
East Dunlop, Belconnen	8.96	10/03/2018
Mulangari NR	8.85	10/03/2018
Potters Hill, southern Namadgi NP	678.58	10/03/2018
Dunlop Grasslands NR	7.23	11/03/2018
Kama NR South	5.85	11/03/2018
Oakey Hill NR	10.23	12/03/2018
Aranda Spine, adjacent to Aranda NR	1.25	14/03/2018
FB352 Fairfax St, O'Connor	1.65	14/03/2018
Wildflower Triangle, Aranda	4.45	14/03/2018
Aranda Spine East, adjacent to Aranda NR	0.81	16/03/2018
Catherine Park, Molonglo River NR	10.27	04/04/2018
Molonglo River Corridor, Coombs - Patch K	9.58	04/04/2018
Pinnacle NR	16.96	17/04/2018
Pine Island, Murrumbidgee River Corridor	8.55	17/04/2018
Radford College, Bruce	5.12	20/04/2018
Mt. Rogers, Spence	9.81	21/04/2018
Wallaby Rocks, Tidbinbilla NR	12.56	22/04/2018
Barry Drive, Belconnen	17.62	26/04/2018
Devil's Gap, Tidbinbilla NR	309.71	28/04/2018
Little Black Mountain, Black Mtn NR	15.86	02/05/2018
Black Mountain Tower	3.94	02/05/2018

NR – Nature Reserve

NP – National Park

- (3) None of the uncompleted burns were conducted prior to the beginning of this year's bushfire season, noting the Commissioner for Emergency Services has declared an early start to the season, commencing 1st September 2018.

A total of eight planned burns from the 2017-18 BOP (see below) have been unable to be implemented thus far in 2018 - three located in the higher alpine regions of the ACT as well as two cultural, two ecological and one urban burn.

EPSDD will not contemplate the delivery of burns where they cannot be safely executed or delivered in a way where objectives cannot be met. The eight planned

prescribed burns listed below were unable to be delivered due to prevailing climatic conditions which were at various times, too wet or too dry. Each of these burns have been incorporated in the EPSDD 2018-19 Bushfire Operational Plan (BOP).

It is important to note that the 2017-18 EPSDD BOP includes over 700 individual activities all aimed at contributing to the land manager's ability to manage bushfire in the landscape. Completing 96.9% of all scheduled activities means the ACT is well prepared to face the 2018-19 fire season.

Burn Name	Planned Ha
Smokers, Namadgi National Park (Alpine)	3012.04
Tango Spur, Tidbinbilla (Alpine)	406.46
Blue Gums, Namadgi National Park (Alpine)	2157.8
London Bridge, Googong Foreshores (Cultural)	7.05
Grass Trees, Pierces Creek (Cultural)	8.41
Mount Pleasant NR (Urban)	9.65
Crace Grasslands (Ecological)	26
Horse Park Drive (Ecological)	27.96

ACT Ambulance Service—crews (Question No 1616)

Mr Coe asked the Minister for Police and Emergency Services, upon notice, on 3 August 2018:

- (1) Has the review of the suitability of minimum crewing level as a resourcing guide been (a) commenced, (b) completed and (c) on what dates did this occur.
- (2) What is the result of this review.

Mr Gentleman: The answer to the member's question is as follows:

- (1) and (2) This work is ongoing and I look forward to responding to this review when complete.
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Government—firearms amnesty (Question No 1617)

Mr Coe asked the Minister for Police and Emergency Services, upon notice, on 3 August 2018:

- (1) How many illegal firearms have been seized by ACT Policing in 2018 to date and how does this compare to (a) 2017, (b) 2016 and (c) 2015, broken down by category of firearm.
- (2) When is the next firearm amnesty expected to occur in the ACT.

- (3) How long is this amnesty expected to be in effect.
- (4) Has the number of illegal firearms seized in the ACT had an impact on planning for the next firearms amnesty.

Mr Gentleman: The answer to the member's question is as follows:

- (1) Between 1 January 2018 – 30 June 2018, ACT Policing seized 76 illegal firearms. Seizures include firearms seized by police in police operations as well as firearms voluntarily surrendered. The breakdown of these seizures is provided at 'Attachment A'. The table shows a higher number of seizures in 2017 reflecting the most recent amnesty.
- (2) No firearms amnesty is scheduled in the immediate future. The most recent amnesty period was available to members of the public less than 12 months ago. It was held between 1 July 2017 and 30 September 2017.
- (3) This question does not arise (see answer to (2)).
- (4) No. Members of the public are able to lawfully surrender unregistered firearms, in the event they acquire these, to ACT Policing or a licenced firearms dealer, and are legally obliged to do so as soon as possible.

(A copy of the attachment is available at the Chamber Support Office).

Roads—National Capital Plan (Question No 1619)

Mr Coe asked the Minister for Transport and City Services, upon notice, on 3 August 2018 (*redirected to the Minister for Roads*):

- (1) What is the current status of Monash Drive's removal from the National Capital Plan.
- (2) When was the removal of Monash Drive from the National Capital Plan first proposed, (a) by whom and (b) what has prevented or delayed the Monash Drive from being removed from the National Capital Plan since it was first proposed.
- (3) When (a) did the negotiations between the ACT Government and the National Capital Authority commence, (b) are scheduled to conclude and (c) is Monash Drive expected to be removed from the National Capital Plan.
- (4) Has the Government provided the National Capital Authority with all requested and relevant information or documents in relation to the removal of Monash Drive from the National Capital Plan; if so, what information or documents (a) were requested by the National Capital Authority and on what date the request was made and (b) have been provided by the ACT Government and on what date they were provided; if not, (a) what information is the National Capital Authority waiting to be provided with and (b) why the information or documents have not been provided and what date they will be provided to the National Capital Authority.

Mr Steel: The answer to the member's question is as follows:

- (1) The current status of the removal of Monash Drive is that an impact assessment was completed in 2012 that concluded the road reserve did not provide a significant benefit to the community as a road, however the corridor could be utilised for other less intensive and disruptive uses such as an Active travel corridor and to support servicing the utilities such as the high voltage electricity easement and assets that run within or directly adjacent to the reserve.
- (2) (a) The removal of Monash Drive from the National Capital Plan (NCP) was first proposed by the ACT Government in 2009. It was initially proposed by the ACT Government and the NCA agreed to propose a draft amendment to the NCP. (b) The proposed draft amendment was not progressed at the time as the investigation (impact assessment) suggested alternative future uses could utilise the corridor and would be beneficial to the community.
- (3) (a) Negotiations between the ACT Government and the NCA commenced initially in 2009, and were progressed further in 2013 following investigations into the potential impacts and benefits of the proposed removal. (b) The negotiations concluded when it was determined during the investigations that the removal of the reservation would prevent future alternative and compatible uses such as active travel as well as servicing the existing utilities located within the reserve. (c) The agreement with the NCA at the time concluded that retaining the road reservation would allow other potential complimentary uses such as utility services or active travel infrastructure to be provided in the future.
- (4) At the time of the initial discussions, all relevant materials including the draft Impact Assessment Report were provided to the NCA for their consideration. (a) In 2012 the NCA informed the territory that to progress the amendment to the NCP to remove the road reservation would require an Impacts Assessment Study that considered the environmental impacts and benefits of the proposed removal, and a letter from the territory seeking the removal of the road reservation. (b) The draft Impacts Assessment report was provided to the NCA for review in early 2013. Following the review, and further discussions about the potential alternative uses for the corridor, the ACT Government did not to send the letter formally seeking the amendment to the NCP.

For the matter to be progressed, a letter seeking the removal of the road reservation, and a finalised Impacts Assessment Report will need to be sent to the NCA requesting the formal process to proceed. The proposed amendment to the NCP would then be put on public exhibition for consideration by the community, before the NCA would make a determination whether to remove the road reservation corridor.

The ACT Government is currently seeking advice as to whether the instrument within the NCP could restrict the 'construction of a road' from the allowable developments within the corridor. This would allow the retention of the reservation for future compatible uses such as active travel and utilities servicing whilst preventing the construction of a road. If this is possible, an updated Impact Assessment report and letter seeking this action will be progressed in August 2018.

**Government—facilities booking system
(Question No 1626)**

Mrs Kikkert asked the Minister for Multicultural Affairs, upon notice, on 3 August 2018:

- (1) What specific obstacles and/or concerns were identified during the initial scoping phase for a coordinated booking venue system, where it resulted in the determination that there was “not an obvious single capability across government that would meet community needs for a booking system” in relation to the Action Plan 2016-17 from the ACT Multicultural Framework 2015-2020.
- (2) What ACT Government facilities and infrastructure are currently available to the public for booking.
- (3) When can the public expect to see the launch of the following booking systems currently under development for (a) sportsground bookings and (b) camp ground bookings.
- (4) What other booking systems are currently under development to assist community members with convenient access to ACT Government facilities and infrastructure in relation to replacing the online community coordinated venue booking system.
- (5) What other ACT Government venues and facilities are being considered for booking system development and are there plans for a booking system to be developed in the future for ACT public school facilities; if so, why; if not, why not.

Mr Steel: The answer to the member’s question is as follows:

- (1) In 2017, the Chief Minister, Treasury and Economic Development Directorate made available funding for initial scoping work on a coordinated venue booking system. In late 2017, the scoping phase showed there was not an obvious single capability across government that would meet community needs for a booking system. A number of booking systems are under development to assist community members to access facilities.

The Office of the Chief Digital Officer had looked at the feasibility of creating a whole of government community facilities booking portal. The discovery phase of the project was finalised in June 2017, and a range of areas across government were consulted to assess the need and viability of commissioning a whole of government solution. The Office of Multicultural Affairs was one of the areas consulted. The Digital Services Governance Committee decided not to pursue a single government solution, as each of the booking processes were too different in nature and specificity.

As a result, campground bookings alone was chosen for further development.

- (2) ACT Community facilities and infrastructures that are currently available for public bookings include various venues, arts facilities, cultural facilities, educational rooms, sportsgrounds, public spaces, and a number of ACT Emergency Services stations.
- (3) Access Canberra is currently working on a system for campground bookings. Work on booking systems is ongoing across Directorates and will be made available to the public as systems are developed.

ACT Sportsground bookings can be searched and booked online.

- (4) ACT Property Group are currently investigating the possibility of upgrading the current booking database available for general venue hire. The system being investigated is currently being utilised by the Exhibition Park in Canberra. Further consultation is required to ensure the system would meet the specific requirements of ACT Property Group managed venues and is cost effective.

TCCS is working internally with Libraries ACT and other Directorates to explore options to expand the online sportsground booking system for wider use, such as for Education Directorate sports facilities.

The ACT Government is developing an electronic booking system that will be used by the community to book ACT public school facilities. The system is currently under development and is being tested. Dependent on the outcome of testing, it is anticipated the system will be trialled publicly at Melrose High School and Palmerston Primary School during term 4 of 2018.

- (5) As provided earlier, ACT public school facilities are available for the community to book at: www.education.act.gov.au with an electronic booking system in development.

Other booking systems are under consideration and announcements will be made in due course.

Hospitals—emergency incidents (Question No 1630)

Mrs Dunne asked the Minister for Health and Wellbeing, upon notice, on 3 August 2018:

- (1) How many code (a) red (fire), (b) blue (medical emergency), (c) purple (bomb threat), (d) yellow (infrastructure and other internal emergencies), (e) black (personal threat), (f) brown (external threat) and (g) orange (evacuation) incidents were recorded at (i) The Canberra Hospital and (ii) Calvary Public Hospital in (A) the calendar year 2017 and (B) 1 January to 30 June 2018.
- (2) For part (1), and where relevant, (a) how many physical or psychological injuries were sustained by (i) staff, (ii) patients and (iii) hospital visitors, (b) what was the nature of those injuries, (c) how many (i) staff, (ii) patients and (iii) hospital visitors died, (d) what support was provided to affected (i) staff, (ii) patients and (iii) hospital visitors, (e) what damage was caused to (i) infrastructure and (ii) equipment, (f) what was the cost to (i) repair damage and (ii) replace equipment, (g) how long did it take to (i) repair damage and (ii) replace equipment, (h) what changes were made to operational procedures, (i) what other impacts were identified and (j) how were other impacts dealt with.

Ms Fitzharris: The answer to the member's question is as follows:

- (1) (i) Codes at Canberra Hospital:

		A	B
	CODE TYPE	1 January 2017 to 31 December 2017	1 January 2018 to 30 June 2018
a	Code Red ²	9	2
b	Code Blue	1869	1032
c	Code Purple	0	0
d	Code Yellow ²	30	28
e	Code Black ¹	1,398	787
f	Code Brown	0	0
g	Code Orange	7	2

¹ These figures are inclusive of all duress activations, which includes false alarm activations (such as people leaning against wall mounted duress buttons, faults or tilt-alarm activation on portable duress handsets). The duress buttons utilise the Code Black system programming which triages alerts to the appropriate first responders to a potential incident. All alarms are treated as true alarms until investigated. This system characteristic means that the data cannot be separated by false or true alarms. In some circumstances these duress alarms may be updated to a different Code once investigated.

² In some circumstances, Code Red or Yellow activations have also triggered a Code Orange evacuation response. Each Code is counted in the table above.

(ii) Codes at Calvary Public Hospital in Bruce:

		A	B
	CODE TYPE	1 January 2017 to 31 December 2017	1 January 2018 to 30 June 2018
a	Code Red	18	10
b	Code Blue (MET)	474	142
c	Code Purple	1	0
d	Code Yellow	13	14
e	Code Black	8	10
f	Code Brown	0	0
g	Code Orange	0	0

- (2) I have been advised by my directorate that the information sought is not in an easily retrievable form, and that to collect and verify the information sought would require a considerable diversion of resources. In this instance, I do not believe that it would be appropriate to divert resources from other priority activities for the purposes of answering the Member's question.

Schools—swimming (Question No 1634)

Ms Lee asked the Minister for Education and Early Childhood Development, upon notice, on 17 August 2018:

- (1) Do all ACT Government primary schools deliver the AQUASAFE program.

- (2) What is the cost to each school.
- (3) Who conducts the programme.
- (4) Can schools choose not to have this water safety programme; if so, (a) what schools have decided not to offer the course and (b) what is the reason for not offering this course.
- (5) Are learn to swim lessons offered as part of a school co-curricular programme; if so, (a) which schools and (b) how are they funded.
- (6) What consultations have been undertaken with schools, parents and water safety organisations on the value of making learn to swim lessons compulsory for all ACT primary schools.

Ms Berry: The answer to the member's question is as follows:

- (1) All ACT Government public primary schools are required to provide the opportunity for students to participate in the Water Safety and Awareness Program. The school is required to deliver the theory component to the entire year 2 cohort. Participation in the water based component is at the discretion of parents and carers.
- (2) The cost per student is \$110 in 2018. The ACT Government pays \$60 per student, the remaining contribution of \$50.00 per student is managed at the school level. Schools may seek a parent contribution to cover this amount, or access other funding sources to maximise student participation. Schools ensure that cost does not prevent students from participating in the program.
- (3) The Royal Life Saving Society of Australia ACT Branch.
- (4) No.
- (5) The Water Safety and Awareness Program is an ACT Government initiated and funded water safety program and does not replace existing learn-to-swim programs. All primary schools are encouraged to continue to offer learn-to-swim programs, however it is a school based decision to offer any additional activities, including learn to swim classes. Additional activities are funded by parent contributions or from within school budgets.
- (6) Learn to swim classes are not part of the Australian Curriculum and therefore not compulsory for schools to deliver. The Water Safety and Awareness Program aligns with the Australian Curriculum: Health and Physical Education and is an appropriate activity to meet the learning achievement standards. The Education Directorate has not undertaken consultations on making learn to swim classes compulsory for ACT primary schools.

Schools—uniforms (Question No 1636)

Ms Lee asked the Minister for Education and Early Childhood Development, upon notice, on 17 August 2018:

- (1) In relation to dress standard and uniforms in Canberra public schools, what is the definition of “ethical providers” used by the Government with regard to the supply of school uniforms.
- (2) Does the Education Directorate have a list of the ethically approved suppliers of school uniforms; if so, can the Minister publish this list; if not, how many suppliers are there and which state/territory and/or country are they from.
- (3) What assistance does the directorate provide in ensuring that schools can source their school uniforms from ethical suppliers.
- (4) How far back through the supply chain are schools and Parents and Citizens’ Associations expected to investigate to ensure ethical practices.

Ms Berry: The answer to the member’s question is as follows:

- (1) Businesses that manufacture textiles, clothing and/or footwear that map local supply chains and verify workers are receiving their legal entitlements.
- (2) The Education Directorate has been working with Ethical Clothing Australia and STOP THE TRAFFIK to identify providers that source clothing from an ethical supply chain.
- (3) The Education Directorate has been working with Ethical Clothing Australia and STOP THE TRAFFIK to identify providers that source clothing from an ethical supply chain.
- (4) Schools are encouraged to understand where their uniforms come from and under what conditions they are made. The policy prompts schools to explore options for uniform suppliers where they know the working conditions and impact on the environment are of a certain standard. A principle for the implementation of the policy in schools is that wherever possible, uniforms should be sourced from ethical producers who are committed to an ethical supply chain and publish a list of their factories and suppliers. The Education Directorate has been working with Ethical Clothing Australia and STOP THE TRAFFIK to identify providers that source clothing from an ethical supply chain.

Roads—safety (Question No 1637)

Ms Le Couteur asked the Minister for Transport and City Services, upon notice, on 17 August 2018 (*redirected to the Minister for Police and Emergency Services*):

Can the Minister provide statistics on the enforcement of the following specific road rules (a) failing to give way to pedestrians when turning, (b) exceeding 10 kilometres when cycling on a pedestrian crossing and (c) failing to keep a safe distance from the vehicle in front.

Mr Gentleman: The answer to the member’s question is as follows:

- (a) The number of infringements issued by ACT Policing for the offence identified by the member is as follows:

Offence	2015-2016	2016-2017	2017-2018
Failing to give way to pedestrians when turning	7	5	3

- (b) ACT Policing has issued no infringements for the matter identified by the member.
- (c) The number of infringements issued by ACT Policing for the offence identified by the member is as follows:

Offence	2015-2016	2016-2016	2017- 2018
Drive behind another vehicle too closely to stop safely	93	110	70

Planning—Murrumbidgee Country Club (Question No 1640)

Ms Le Couteur asked the Minister for Planning and Land Management, upon notice, on 17 August 2018:

- (1) Does the Murrumbidgee Country Club's website reference a possible Territory Plan Variation (TPV) and de-concessionalisation of part of the club's site; if so, has a de-concessionalisation application been made and; if so, (a) what is its status, (b) what community consultation has been done and (c) what decision (if any) has the government made.
- (2) In relation to the possible TPV, (a) what is its status (if any), (b) has an application for a variation been made, (c) what community consultation has been done (including pre-consultation) and (d) what decision (if any) has the government made.

Mr Gentleman: The answer to the member's question is as follows:

- (1) The Murrumbidgee Country Club's website references the planning report lodged with the Environment, Planning and Sustainable Development Directorate (EPSDD).
 - (a) No development application to de-concessionalise the lease has been lodged.
 - (b) Not applicable.
 - (c) Not applicable.
- (2) (a) No Territory Plan Variation has been prepared.
 - (b) EPSDD has received the planning report for Murrumbidgee Country Club to inform the requested rezoning of part of the golf course land to allow residential use.

The preparation of a planning report is required to provide a rationale by the proponent for the proposal before it can be considered for a draft variation to the Territory Plan.
 - (b) No statutory community consultation has occurred. The planning report provides details of community consultation undertaken by the Club including the provision of information and feedback via the Club's website and dedicated development email list together with a range of face-to-face discussions and meetings.

(c) No decision has been made on whether to proceed to a draft variation to change the zoning for part of the golf course land to permit residential use.

**Environment—recycling bins
(Question No 1641)**

Ms Le Couteur asked the Minister for Transport and City Services, upon notice, on 17 August 2018 (*redirected to the Minister for City Services*):

What policies, procedures and laws are in place that govern the strata managers of apartments and units in relation to the provision of recycling bins and services for their residents.

Mr Steel: The answer to the member's question is as follows:

There is no legislative requirement in place to force strata bodies to offer a recycling service within their managed properties.

The Territory provides a waste and recycling collection service to eligible multi-unit developments. The waste and recycling allocation for residential multi-unit developments is established under the Development Control Code (DCC) for Best Practice Waste Management in the ACT.

The DCC creates a transparent model for the allocation of waste and recycling services to residential multi-unit developments of similar unit capacity.

The onus is on strata managers and bodies to contact the Territory to organise appropriate waste and recycling collection services, according to the DCC.

**Roads—Sulwood Drive
(Question No 1642)**

Mr Parton asked the Minister for Transport and City Services, upon notice, on 17 August 2018 (*redirected to the Minister for Roads*):

- (1) What action has the Government undertaken to investigate improvements to the Sulwood Drive, Mount Taylor parking area.
- (2) What action has the Government undertaken towards installing dedicated entry and exit points for car parking to be constructed on Sulwood Drive.
- (3) What action has the Government undertaken towards lighting being installed in the carpark of Mount Taylor on Sulwood Drive.
- (4) What action has the Government undertaken towards a dedicated bike lane being constructed on Sulwood Drive.

Mr Steel: The answer to the member's question is as follows:

- (1) Following lengthy discussions with the community, improvements will be undertaken to the surface of the informal carpark on the verge of Sulwood Drive, Mount Taylor in addition to kerbing and signs.
- (2) Dedicated entry and exit points to and from the informal carpark will be marked some 150m east and west from the intersection with Mannheim Street, to prevent vehicles exiting and entering close to the intersection.
- (3) The adequacy of lighting will be reassessed in the context of these changes.
- (4) The ACT Government will separately consider the feasibility of improved active travel facilities on Sulwood Drive.

Domestic and family violence—government initiatives (Question No 1644)

Mrs Kikkert asked the Minister for the Prevention of Domestic and Family Violence, upon notice, on 17 August 2018:

Will the ACT Government fund, develop and implement a new ACT Prevention of Violence Against Women and Children Strategy from 2018 onwards; if so, how much funding will be allocated to the new Strategy, and when will it be published; if not, why not.

Ms Berry: The answer to the member's question is as follows:

- (1) The ACT Government is developing the next set of priorities to address domestic/family violence (DFV), through an analysis of data and information from a range of consultations/sources/forums, including:
 - Local sector consultations during July and August 2018, in partnership with the Australian Government, to inform the development of the Fourth Action Plan for the *National Plan to reduce violence against Women and their Children*;
 - Insights collected from frontline workers and people with a lived experience of DFV collected through the Family Safety Hub co-design process;
 - New ideas and responses to systemic issues developed and tested through Family Safety Hub challenges;
 - Housing Strategy consultation and development;
 - Early Intervention by Design consultation and development; and
 - Findings from the Extraordinary Meeting convened by the Domestic Violence Prevention Council focusing on the needs of children and young people affected by DFV, including sexual violence.

Funding for future family safety initiatives that align with these priorities will be considered through the usual budget process.

Further consideration will be given as to whether a new overarching ACT framework is required given the recent establishment of the Family Safety Hub and the current focus on the national plan outcomes.

Women—government support (Question No 1646)

Mrs Kikkert asked the Minister for Women, upon notice, on 17 August 2018:

- (1) Will the Government reinstate ACT Women's Budget Statements, including a "gendered critique of the impact of budget allocations on the lives of girls and women", as recommended by YWCA Canberra in their May 2018 report, titled "Leading the Change: the pathway to gender equality"; if so when will the budget statements be published, and who will be involved in the development of such a gendered critique and; if not, what are the reasons for rejecting this recommendation.
- (2) Is the Government committed to fast tracking the implementation of the ACT Women's Plan through "dedicated resources for the Office of Women with transparent targets and evaluation", as recommended by YWCA Canberra in their May 2018 report, titled "Leading the Change: the pathway to gender equality"; if so,
 - (a) what measures is the Government taking to fast track the implementation of the ACT Women's Plan, (b) when was implementation of the ACT Women's Plan originally due, and how early will implementation take place if it is fast tracked, and (c) what are the "transparent targets" and the nature of the evaluation that will guide the ACT Women's Plan; if not, what are the reasons for rejecting the recommendation to do otherwise.

Ms Berry: The answer to the member's question is as follows:

- (1) The ACT Government is now in its second year of implementing actions from the first *ACT Women's Action Plan*. The action plan can be found online at https://www.communityservices.act.gov.au/__data/assets/pdf_file/0020/1040375/ACT-WOMENS-PLAN-2016-26-FIRST-ACTION-PLAN-2017-19-WEB.pdf. An action to be delivered in year two of the first action plan is to 'prepare an annual Women's Budget Statement'. The government will continue to consider the best way to deliver this action over coming months.

Currently, the ACT Government's budget documentation already includes an annual Social Inclusion Statement that analyses the impacts of the Government's policies on the Territory's population, including women.

The Social Inclusion Statement reflects how the respective Budget delivers on the Government's vision to support both inclusion and diversity in all its forms. As may be expected, the Social Inclusion Statement details how specific Budget initiatives will benefit women, and how the Government intends to progress gender equality both within our workforce, and through the services and programs that we provide.

- (2) The ACT Government has demonstrated its commitment to prioritise the implementation of the ACT Women's Plan through dedicated resources for the Office of Women. The Plan will be delivered through the agreed implementation and evaluation schedule as detailed below.
 - (a) In the 2018-19 Budget the ACT Government announced an additional \$696,000 over four years to implement actions under the *ACT Women's Plan* and to promote gender equality more broadly.

This demonstrates the ACT Government's ongoing commitment to the *ACT Women's Plan* and their leadership in advancing the status of women at work and in our community.

This additional funding provided to the Office for Women will support delivery of a suite of initiatives, including:

- Community engagement to promote gender equality in the ACT;
- Improving the evidence base related to gender equality;
- Training to reduce and eliminate unconscious bias across government;
- Promoting diversity on boards through the diversity register; and
- Delivering a board traineeship program for women.

Importantly, the Office for Women is resourced and charged with the responsibility of working with each and every government directorate to drive and deliver the commitments identified under the *ACT Women's Plan*.

This additional investment will assist the broader community, including corporate businesses and community not-for-profit organisations, by providing additional tools to better address gender inequality in their own spheres of influence, and to give women in the community direct access to policy makers.

- (b) The ten year plan is a whole of government commitment and is being implemented through three action plans. One hundred actions are being delivered through the *First Action Plan 2017-19* which is a three year plan.

The full participation of women and girls in all aspects of society is critical to the wellbeing of the whole community, but educating the ACT community and ACT public service staff about continuing inequality and facilitating genuine and ongoing change is not a quick fix. That is why the ACT Government has committed to the delivery of the 10-year *ACT Women's Plan* and will continue to address issues of gender equity as a whole of Government and community response coordinated by the Office for Women.

Implementation of the *ACT Women's Plan* is to be undertaken through a series of action plans:

	PRIORITY AREA	ACTION PLAN
2016	Development of First Action Plan	
2017-2019	Health and Wellbeing	First Action Plan
2020-2022	Housing and Homelessness Safety	Second Action Plan
2023-2025	Economic Security Leadership	Third Action Plan
2026	Consolidation and review	

As occurred earlier this year, the government will report annually on the progress of the women's action plans. These reports will be made available online once they are released.

Year one of the *First Action Plan* concluded in March this year and detailed reporting against the 44 year one actions is available via the Office for Women website.

Every action plan will be reviewed and evaluated, with findings contributing to the development of future plans.

Reporting on progress against the *First Action Plan* is also provided to the ACT Ministerial Advisory Council on Women (MACW) every few months.

**Women—office for women
(Question No 1647)**

Mrs Kikkert asked the Chief Minister, upon notice, on 17 August 2018 (*redirected to the Acting Chief Minister*):

Will the Government position the Office for Women in the Chief Minister, Treasury and Economic Development Directorate (CMTEDD) to “streamline strategic oversight of gender equality in the ACT”, as recommended by YWCA Canberra in their May 2018 report, titled “Leading the Change: the pathway to gender equality”; if so, when should the ACT community expect to see this office repositioning, and what strategies within the CMTEDD will be implemented to establish a streamlined strategic oversight of gender equality and; if not (a) what are the reasons for rejecting this recommendation and (b) what measures will the Government take to better streamline strategic oversight of gender equality in the ACT.

Ms Berry: The answer to the member’s question is as follows:

(1) No, the Office for Women will remain in the Community Services Directorate.

(a) The ACT Office for Women already works across the whole of the ACT Government and has strategic oversight of this work through the ACT Women’s Plan.

The *ACT Women’s Plan 2016-26* recognises the importance of acknowledging and addressing intersectionality when seeking to support women and girls in the ACT. Intersectionality refers to the multiple forms of discrimination that can result when individual factors overlap, such as race, gender, age, ethnicity and disability.

The Office for Women’s position in the Community Services Directorate allows for closer collaboration with other relevant areas to address the needs of particular cohorts of women who are likely to face higher levels of discrimination, such as women with a disability, senior women, Aboriginal and Torres Strait Islander women and women from culturally and linguistically diverse backgrounds.

In addition, the Office for Women is well placed in the Community Services Directorate alongside the Office for the Coordinator-General for Family Safety given the links between gender equality and violence against women.

(b) The *ACT Women’s Plan* is a whole of Government commitment and provides the vision, principles and priority areas to guide a coordinated approach to achieving improved gender equality in the ACT.

A number of actions in the *First Action Plan*, particularly those to be implemented through year two, have a focus on changes to practices within the ACT public service which relate to gender equality. In addition to changing internal practices, these actions will also focus on improving understanding of the gendered impact of government policies and programs and guide greater gender awareness in the development of future initiatives.

Many of these actions are the responsibility of all directorates and will be developed and implemented across Government to support greater cohesion and dissemination.

The ACT Women's Plan and the First Action Plan can be found at www.communityservices.act.gov.au/women/womens-plan-2016-26

As noted in the Action Plan, all government directorates have a commitment to deliver a range of actions over the life of the plan.

Women—government support (Question No 1648)

Mrs Kikkert asked the Minister for Women, upon notice, on 17 August 2018:

- (1) What measures will the Government take (in line with recommendations made by YWCA Canberra in their May 2018 report, titled “Leading the Change: the pathway to gender equality”) to incentivise and support companies in introducing progressive paid parental leave entitlements that (a) “encourage shared care arrangements”, (b) “build a culture that normalises male employee’s uptake” and (c) “supports the development of the bond between mother and child”.
- (2) Will the Government consider enacting a Gender Equality Act (as recommended by YWCA Canberra) that is informed by evidence-based international models and includes tangible quotas and target; if so, which international models might inform such an Act, and what quotas and targets might guide the Act; if not, what is the reason for rejecting this recommendation.
- (3) Will the ACT Government follow in the stead of the Commonwealth Government and also expressly preclude non-compliant employers of the Workplace Gender Equality Act 2012 from tendering for government contracts; if so, where and when will this preclusion be published; if not, why not.
- (4) Will the Government re-consider employers with a history of substantiated sexual harassment claims and breaches of discrimination law tendering for ACT Government contracts; if so, what is the process of reconsideration in such cases.

Ms Berry: The answer to the member’s question is as follows:

- (1) The ACT Government is committed to improving gender equality in all avenues of society including in the workplace. There are a number of actions to be delivered through the *First Action Plan 2017-19* under the *ACT Women’s Plan 2016-26*, which will support improved gender equality within the ACT public service, in other workplaces and the broader community.

The Community Services Directorate is in the process of developing a suite of resources to encourage improved gender equity in the workplace. These resources will have practical information about how to improve practices in a number of staffing and recruitment areas, including supporting flexible work arrangements for all staff (female and male). These resources will be available for use by both the ACT public service and broader business and community sectors to encourage and support more equitable working environments across the ACT.

The Commonwealth Government has overall policy and legislative responsibility for employment matters, including paid parental leave entitlements. The ACT Government will continue to advocate for more progressive parental leave entitlements with our Commonwealth counterparts.

- (2) The ACT Government does not have any current plans to enact a Gender Equality Act. The *ACT Women's Plan* is a whole of Government commitment and provides the vision, principles and priority areas to guide a coordinated approach to achieving improved gender equality in the ACT.

Under the *ACT Women's Plan* and through the work of the Office for Women more broadly, a number of tangible targets are already being implemented to improve gender equality in the ACT, including:

- achieving and maintaining 50 per cent representation of women on ACT Government boards and committees; and
- engaging with peak ACT sporting organisations on the introduction of a requirement for triennially funded organisations to achieve a target of 40 per cent representation of females on their boards by 2020.

The ACT Government is also looking at other ways that it can encourage improved gender equality in workplaces across the ACT, including considering how procurement processes could prioritise contractors with appropriate gender equity strategies.

- (3) The Territory will not enter into contract with a party named as a non-complying employer by the *Workplace Gender Equality Act 2012* (the Gender Act). The Territory has held this position since May 2013. The Territory's position is published within the Standard Terms and Conditions of Tender which is issued with each tender opportunity. It is also publicly available at clause 1.21 of Standard Terms and Conditions of Quotation in the document's Library of Tenders ACT. For your convenience the relevant clause is as follows;

“1.21 Affirmative Action

The Territory will not enter into a contract with a contractor named by the Workplace Gender Equality Agency as an employer currently not complying with the Workplace Gender Equality Act 2012 (Cth) (“the Gender Act”). Information about the Gender Act may be obtained from the Workplace Gender Equality Agency. Refer to: <http://www.wgea.gov.au>”

Instead of preventing employers from submitting a response to any of the Government's tender opportunities, the Territory checks whether the tenderer is listed on the Workplace Gender Equality Agency's non-compliant organisations list (WGEA) before proceeding to evaluation. Tenderer's identified as non-compliant with the WGEA may be excluded from further evaluation or issued a request for information, advising the tenderer to provide evidence of their compliance with the WGEA before the contract can be awarded to them.

For construction related procurement the standard Request for Tender template also requires tenderers to complete an Ethical Suppliers Declaration (ESD). Part of this Declaration requires tenderers to advise of any breaches, proceedings or convictions with any Prescribed Legislation in the 24 months preceding the date of the Declaration. Prescribed Legislation includes the *Workplace Gender Equality Act 2012 (Cth)* and the *Paid Parental Leave Act 2010 (Cth)*.

- (4) Apart from the Territory's position not to enter into contract with a party deemed non-compliant with the Gender Act, for Goods and Services Procurement there is no current requirement in tender processes to specifically consider issues related to substantiated sexual harassment claims and breaches of discrimination law. However cases where these issues would constitute a significant risk in the procurement, such as working with vulnerable people, the Territory would request evidence of the tenderers' methodologies to address these risks to be considered as part of the assessment.

For construction related procurement under current Ethical Suppliers Declaration (ESD) requirements (substantially duplicated in the Secure Local Jobs Package) Adverse Rulings on matters such as sexual harassment and breaches of discrimination law will negatively affect the assessment of a tender by the company. If the company is part of the current Industrial Relation and Employment (IRE) or future Secure Local Jobs Code, their certification could also be removed preventing them from successfully tendering for government work.

Domestic and family violence—family safety hub (Question No 1649)

Mrs Kikkert asked the Minister for the Prevention of Domestic and Family Violence, upon notice, on 17 August 2018:

- (1) On what date was the Family Safety Hub established.
- (2) What is the breakdown of all operational costs (including office space leasing, staffing etc.) for the Family Safety Hub for the following financial years (a) 2016-2017 and (b) 2017-2018.
- (3) Will the Family Safety Hub be relocating in the near future; if so, (a) what is the reason for relocating the Hub, (b) where will the Hub be located and (c) what will be the anticipated costs in office space leasing for the new location.
- (4) How many full-time equivalent staff have been employed at the Family Safety Hub for the following financial years (a) 2016-2017 and (b) 2017-2018.
- (5) What is the employment classification for each staff member of the Family Safety Hub.

Ms Berry: The answer to the member's question is as follows:

- (1) The Family Safety Hub was officially launched on 11 May 2018.
- (2) Operational costs for the Family Safety Hub:

- a. 2016-17 – no budget funds committed
 - b. 2017-18 – \$455,000 budgeted for the Family Safety Hub. Funds were allocated to co-designing the Hub and the first Hub Challenge. Of the budgeted amount, consultancy and contractor costs were approximately \$333,000, which included: conducting user research; leading and delivering the co-design process; designing the Family Safety Hub and its operating model; and running the first Hub Challenge. The remaining \$122,000 funded operational costs and staff costs, including: ICT; venue hire; printing; developing communication material; and launch of the first Hub Challenge.
- (3) The Family Safety Hub team is located within the Community Service Directorate 11 Moore Street offices. There are no plans to relocate staff in the near future.
- (4) No full-time equivalent staff were employed at the Family Safety Hub for the 2016-17 financial year. In 2017-18 a temporary staff member was employed for around two months to work on establishment of the Hub and the first challenge.
- (5) Recruitment for the Family Safety Hub team is underway. When complete the staffing profile is currently projected to be: 1xASO5, 1xASO6, 2xSOGC, and 1xSOG A.
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Energy—efficiency (Question No 1650)

Mr Coe asked the Minister for Climate Change and Sustainability, upon notice, on 17 August 2018:

- (1) Can the Minister provide the number of applications made under the wood heater replacement program in the following financial years (a) 2014-2015, (b) 2015-2016, (c) 2016-2017, (d) 2017-2018 and (e) 2018-2019 to date.
- (2) Can the Minister provide the number of applications approved under the wood heater replacement program in the following financial years (a) 2014-2015, (b) 2015-2016, (c) 2016-2017, (d) 2017-2018 and (e) 2018-2019 to date.
- (3) Can the Minister provide the total cost of rebates distributed under the wood heater replacement scheme in the following financial years (a) 2014-2015, (b) 2015-2016, (c) 2016-2017, (d) 2017-2018 and (e) 2018-2019 to date.

Mr Rattenbury: The answer to the member's question is as follows:

- (1) The number of applications made under the wood heater replacement program for each financial year:
 - (a) 2014-15 = 27
 - (b) 2015-16 = 67
 - (c) 2016-17 = 51
 - (d) 2017-18 = 39
 - (e) 2018/19 to date = 6.

- (2) The number of applications approved under the wood heater replacement programs for each financial year:
- (a) 2014-15 = 19
 - (b) 2015-16 = 24
 - (c) 2016-17 = 26
 - (d) 2017-18 = 25
 - (e) 2018-19 to date = 2

Reasons for the difference between number of applications received and number of applications approved include reasons such as people choosing not to progress with the application, ineligible for the rebate, or not providing the required documentation ie proof of disposal of removed wood heater at landfill.

- (3) The total cost of rebates distributed under the wood heater replacement program for each financial year:
- (a) 2014-15 = \$12,600
 - (b) 2015-16 = \$15,900
 - (c) 2016-17 = \$18,200
 - (d) 2017-18 = \$16,000
 - (e) 2018-19 to date = \$1,700.

Government—land acquisition arrangements (Question Nos 1652-1680)

Mr Coe asked the Chief Minister, the Minister for Urban Renewal, the Minister for Economic Development, the Treasurer, the Minister for Aboriginal and Torres Strait Islander Affairs, the Attorney-General, the Minister for Police and Emergency Services, the Minister for Multicultural Affairs, the Minister for Workplace Safety and Industrial Relations, the Minister for Sport and Recreation, the Minister for Women, the Minister for Housing and Suburban Development, the Minister for the Environment and Heritage, the Minister for Planning and Land Management, the Minister for the Prevention of Domestic and Family Violence, the Minister for Tourism and Major Events, the Minister for Regulatory Services, the Minister for the Arts and Community Events, the Minister for Veterans and Seniors, the Minister for Climate Change and Sustainability, the Minister for Justice, Consumer Affairs and Road Safety, the Minister for Corrections, the Minister for Mental Health, the Minister for Community Services and Social Inclusion, the Minister for Disability, Children and Youth, the Minister for Education and Early Childhood Development, the Minister for Health and Wellbeing, the Minister for Transport and City Services and the Minister for Higher Education, Training and Research, upon notice, on 17 August 2018 (*redirected to the Chief Minister*):

- (1) Can the Minister provide a consolidated list of all land acquired by the ACT Government agencies or entities for which you are responsible, except purchases made by Housing ACT, during 2017-2018 to date and include (a) the block identifiers, (b) the type of property of acquisition, (c) the method of acquisition, (d) who approved the acquisition, (e) the date the acquisition was approved and (f) the price paid.

- (2) Can the Minister provide a consolidated list of properties acquired by Housing ACT, and the price paid for each acquisition during each financial year from 2017-2018 to date, and include (a) the suburb of the property, (b) the method of acquisition, (c) who approved the acquisition, (d) the date the acquisition was approved and (e) the price paid.

Mr Barr: The answer to the member's question is as follows:

(1)

Public Housing Renewal Taskforce

The Public Housing Renewal Taskforce purchases properties which are subsequently transferred to Housing ACT, the following purchases were settled in financial year 2017-18 or after and include a number of different delivery methodologies, including completed dwellings, house and land packages and off the plan purchases.

Region	Number of Properties	Type of Property	Method of acquisition	Approval	Date of approval	Price paid
Tuggeranong	11	Multi-Unit	Purchased through Expression of Interest	Executive Director - Public Housing Renewal Taskforce	09/11/2016	\$3,439,946.00
Tuggeranong	6	Multi-Unit	Purchased through Expression of Interest	Executive Director - Public Housing Renewal Taskforce	15/02/2017	\$1,824,500.00
Inner North	18	Multi-Unit	Purchased through Expression of Interest	Executive Director - Public Housing Renewal Taskforce	20/01/2017	\$8,100,000.00
Inner North	20	Multi-Unit	Purchased through Expression of Interest	Executive Director - Public Housing Renewal Taskforce	20/01/2017	\$8,000,000.00
Belconnen	3	Multi-Unit	Purchased through Expression of Interest	Executive Director - Public Housing Renewal Taskforce	29/06/2017	\$940,000.00
Inner North	6	Multi-Unit	Purchased through Expression of Interest	Executive Director - Public Housing Renewal Taskforce	20/01/2017	\$2,820,000.00
Belconnen	6	Multi-Unit	Purchased through Expression of Interest	Executive Director - Public Housing Renewal Taskforce	04/10/2017	\$2,210,000.00
Inner North	15	Multi-Unit	Purchased through Expression of Interest	Executive Director - Public Housing Renewal Taskforce	29/06/2017	\$6,515,000.00
Tuggeranong	12	Multi-Unit	Purchased through Expression of Interest	Executive Director - Public Housing Renewal Taskforce	15/02/2017	\$4,109,500.00
Gungahlin	24	Multi-Unit	Purchased through Expression of Interest	Executive Director - Public Housing Renewal Taskforce	09/11/2016	\$8,680,619.00

Region	Number of Properties	Type of Property	Method of acquisition	Approval	Date of approval	Price paid
Inner North	6	Multi-Unit	Purchased through Expression of Interest	Executive Director - Public Housing Renewal Taskforce	10/07/2017	\$2,340,000.00
Gungahlin	6	Multi-Unit	Purchased through Expression of Interest	Executive Director - Public Housing Renewal Taskforce	25/08/2017	\$2,085,000.00
Inner North	13	Multi-Unit	Purchased through Expression of Interest	Executive Director - Public Housing Renewal Taskforce	20/10/2016	\$6,170,000.00
Tuggeranong	6	Multi-Unit	Purchased through Expression of Interest	Executive Director - Public Housing Renewal Taskforce	02/11/2016	\$2,310,000.00
Belconnen	8	Multi-Unit	Purchased through Expression of Interest	Executive Director - Public Housing Renewal Taskforce	28/10/2016	\$2,875,000.00
Belconnen	5	Single Residential	Purchased through Expression of Interest	Executive Director - Public Housing Renewal Taskforce	20/10/2016	\$2,195,000.00
Belconnen	4	Single Residential	Purchased through Expression of Interest	Executive Director - Public Housing Renewal Taskforce	09/03/2017	\$1,800,000.00
Belconnen	10	Multi-Unit	Purchased through Expression of Interest	Executive Director - Public Housing Renewal Taskforce	20/10/2016	\$4,498,400.00

Asbestos Response Taskforce

The Asbestos Response Taskforce acquires land from private residential families, as such the price of these transactions remain confidential.

Suburb	Block & Section	Type of Property	Method of acquisition	Approval	Date of acquisition	Price paid
Aranda	B5 S31	RZ1: SUBURBAN	Lease Surrender	Head of Asbestos Response Taskforce	22/06/2018	Not provided for privacy reasons
Campbell	B6 S53	RZ1: SUBURBAN	Lease Surrender	Head of Asbestos Response Taskforce	10/11/2017	Not provided for privacy reasons
Farrer	B8 S28	RZ1: SUBURBAN	Lease Surrender	Head of Asbestos Response Taskforce	24/10/2017	Not provided for privacy reasons
Hackett	B13 S10	RZ1: SUBURBAN	Lease Surrender	Head of Asbestos Response Taskforce	14/07/2017	Not provided for privacy reasons
Hackett	B17 S31	RZ1: SUBURBAN	Lease Surrender	Head of Asbestos Response Taskforce	18/09/2017	Not provided for privacy reasons

Suburb	Block & Section	Type of Property	Method of acquisition	Approval	Date of acquisition	Price paid
Holder	B8 S26	RZ1: SUBURBAN	Lease Surrender	Head of Asbestos Response Taskforce	18/07/2017	Not provided for privacy reasons
Holt	B17 S5	RZ1: SUBURBAN	Lease Surrender	Head of Asbestos Response Taskforce	17/10/2017	Not provided for privacy reasons
Holt	B5 S70	RZ2: SUBURBAN CORE	Contract of Sale	Head of Asbestos Response Taskforce	12/06/2018	Not provided for privacy reasons
Hughes	B12 S33	RZ1: SUBURBAN	Lease Surrender	Head of Asbestos Response Taskforce	26/06/2018	Not provided for privacy reasons
Kambah	B5 S334	RZ1: SUBURBAN	Lease Surrender	Head of Asbestos Response Taskforce	20/02/2018	Not provided for privacy reasons
Kambah	B2 S350	RZ1: SUBURBAN	Lease Surrender	Head of Asbestos Response Taskforce	30/10/2017	Not provided for privacy reasons
Kambah	B4 S442	RZ1: SUBURBAN	Lease Surrender	Head of Asbestos Response Taskforce	22/09/2017	Not provided for privacy reasons
Macquarie	B4 S28	RZ1: SUBURBAN	Lease Surrender	Head of Asbestos Response Taskforce	13/10/2017	Not provided for privacy reasons
Macquarie	B7 S36	RZ2: SUBURBAN CORE	Lease Surrender	Head of Asbestos Response Taskforce	11/09/2017	Not provided for privacy reasons
Mawson	B8 S29	RZ2: SUBURBAN CORE	Lease Surrender	Head of Asbestos Response Taskforce	21/03/2018	Not provided for privacy reasons
Melba	B33 S48	RZ2: SUBURBAN CORE	Lease Surrender	Head of Asbestos Response Taskforce	08/08/2017	Not provided for privacy reasons
Melba	B8 S5	RZ1: SUBURBAN	Lease Surrender	Head of Asbestos Response Taskforce	10/11/2017	Not provided for privacy reasons
Pearce	B8 S34	RZ1: SUBURBAN	Lease Surrender	Head of Asbestos Response Taskforce	08/09/2017	Not provided for privacy reasons
Phillip	B17 S61	RZ2: SUBURBAN CORE	Contract of Sale	Head of Asbestos Response Taskforce	28/03/2018	Not provided for privacy reasons
Scullin	B23 S47	RZ1: SUBURBAN	Contract of Sale	Head of Asbestos Response Taskforce	28/11/2017	Not provided for privacy reasons
Wanniassa	B17 S205	RZ1: SUBURBAN	Lease Surrender	Head of Asbestos Response Taskforce	22/09/2017	Not provided for privacy reasons
Weston	B11 S16	RZ1: SUBURBAN	Lease Surrender	Head of Asbestos Response Taskforce	09/08/2017	Not provided for privacy reasons

Suburb	Block & Section	Type of Property	Method of acquisition	Approval	Date of acquisition	Price paid
Yarralumla	B11 S25	RZ1: SUBURBAN	Lease Surrender	Head of Asbestos Response Taskforce	20/07/2017	Not provided for privacy reasons
Downer	B13 S53	RZ1: SUBURBAN	Lease Surrender	Head of Asbestos Response Taskforce	11/08/2017	Not provided for privacy reasons

Suburban Land Agency

Property	Block identifiers	Type of Property	Method of Acquisition	Approval	Date of approval	Price paid
Pine Ridge	Block 1600, District of Belconnen	Rural	Commercial Contract for Sale	LDA Board	26/06/2017	\$4,600,000.00
Wagtail Park	Part Block 1601, District of Belconnen	Rural	Deed of Surrender	LDA Board	30/03/2017	\$1,686,000.00
The Vines	Block 1582, District of Belconnen	Rural	Deed of Surrender	LDA Board	30/03/2017	\$2,200,000.00

- (2) A consolidated list of properties acquired by Housing ACT during 2017-2018 to 23 August 2018 is located at **Attachment A**

(A copy of the attachment is available at the Chamber Support Office).

ACT Health—proposed organisational changes (Question No 1682)

Mrs Dunne asked the Minister for Health and Wellbeing, upon notice, on 17 August 2018:

- (1) How many employees will work in (a) ACT Health and (b) The Canberra Hospital (TCH) and Health Services of the 100 leaders who attended a meeting held by the Minister's Directorate on 14 August 2018.
- (2) How many of the attendees were (a) doctors, (b) nurses, (c) other health professionals, (d) administrative staff and (e) from other classifications.
- (3) How many of the people attending held (a) SES positions, (b) executive level positions and (c) positions below executive level.
- (4) When will the Government announce the detail of the new structure for ACT Health and TCH and Healthcare Services.
- (5) After the restructure for ACT Health, how many positions will be at (a) SES level and (b) Executive level.
- (6) How many positions for TCH and Health Services after the restructure will be at (a) SES level and (b) Executive level.

- (7) Where did the meeting of 14 August 2018 take place.
- (8) What were the costs for (a) venue hire, (b) catering and (c) other costs (specify any individually that cost \$1,000 or more).

Ms Fitzharris: The answer to the member's question is as follows:

- (1) The final structure and staffing profile of the two new health entities is still being finalised in consultation with ACT Health leadership. In accordance with industrial agreements and government policy, further consultation with all ACT Health staff and their representatives will be undertaken before final decisions regarding employee movements will be made.
- (2) It is difficult to provide a breakdown as requested, as some clinical staff hold administration positions. Approximately one third of the participants of this workshop were from clinical leadership positions. This includes medical, allied health and nursing professions.
- (3) (a and b) 33 executive level positions. Please note executive positions in ACT Government are not differentiated as stated in Question 3; SES is an Australian Public Service term and in the ACT Public Service they are classified as executive positions.
(c) 106 positions below executive level.
- (4) Details regarding the proposed structure of the two new health entities will be announced in September 2018, after further consultation with ACT Health executives and staff.
- (5) See response to question 1 above.
- (6) See response to question 1 above.
- (7) National Museum, Peninsula Room.
- (8) (a) \$850.
(b) \$13,600 (\$80 pp x 170 people).
(c) Keynote Speaker Fee \$9,500 (excl. GST).

National Arboretum Canberra—events (Question No 1687)

Ms Lawder asked the Treasurer, upon notice, on 24 August 2018 (*redirected to the Acting Treasurer*):

- (1) What is the policy on organisations using the Arboretum for events.
- (2) What charges are placed on organisations who wish to use the Arboretum.
- (3) How are these charges worked out.
- (4) How much has the Sri Chinmoy paid for the use of the Arboretum for the 100km + run each year for the last four years.

- (5) Where are the negotiations up to for this year's use of the Arboretum.
- (6) When will a decision be made as to if the Sri Chinmoy will be allowed to use the Arboretum for this year's 100km + run.

Ms Berry: The answer to the member's question is as follows:

- (1) The National Arboretum Canberra provides access to a large variety of events that can be accommodated within the confines of the Arboretum location. All events (commercial and community) are reviewed for timing and site impact by the Arboretum's Events Team, before being provided permission to proceed.
- (2) The National Arboretum Canberra has a 2018 and 2019 Pricing Policy for its events and functions available to the public on its website located here:
<https://www.nationalarboretum.act.gov.au/functions/2018-venues-fees-and-charges>
- (3) The National Arboretum Canberra's pricing policy is benchmarked with similar spaces and organisations with hire fees. The National Arboretum Canberra Pricing Policy is reviewed every two years.
- (4) The Sri Chinmoy event has paid a total of \$2748.00 for eight events over the past four years (ie two events per year) from 2013-2017. This total averages to approximately \$343.00 per event.
- (5) The National Arboretum Canberra approved the 2018 event application by Sri Chinmoy and has informed the organisation.
- (6) See (5).

**Government—free wi-fi
(Question No 1692)**

Ms Lawder asked the Minister for Economic Development, upon notice, on 24 August 2018 (*redirected to the Minister for Trade, Industry and Investment*):

- (1) How many people access the ACT Government free wi-fi each year at (a) Tuggeranong, (b) Woden, (c) Civic, (d) Belconnen, (e) Weston Creek and (f) Gungahlin.
- (2) How many local shops have Canberra free wi-fi access points.
- (3) How is it considered where Canberra free wi-fi access points are placed.
- (4) How are local coffee shops considered for Canberra Free wi-fi access points.
- (5) Are there any plans to place Canberra free wi-fi access points at Erindale shopping centre.
- (6) Has there been any investigation into installing access points at Erindale; if so, can the Minister provide a copy of any findings.

Mr Barr: The answer to the member's question is as follows:

- (1) How many people access the ACT Government free wi-fi each year at (a) Tuggeranong, (b) Woden, (c) Civic, (d) Belconnen, (e) Weston Creek and (f) Gungahlin.

The information provided by iiNet on CBRfree usage does not include the number of unique users per Town Centre but the number of users per month of the most popular Wireless Access Point in a Town Centre.

The table below lists the most utilised Wireless Access Point for each Town Centre referred to in the Question on Notice for the period between 29 January 2018 and 29 July 2018.

Town Centre	Wireless Access Point	Aggregate Users
Tuggeranong	TUGG_AP05	13,679
Woden	WODN_AP04-1	15,972
Civic	CIVC_EAST_AP08-1	43,219
Belconnen	BELC AP 15_1	21,882
Weston Creek	WEST_AP02	19,482
Gungahlin	GUNG_AP03-1	16,489

- (2) How many local shops have Canberra free wi-fi access points.

No local shops have external CBRfree deployments.

- (3) How is it considered where Canberra free wi-fi access points are placed.

The CBRfree Wireless Access Points are placed in accordance with the *WiFi Services Agreement: provision of a free public WiFi Service, Contract Number 2013.23179.220*, dated 24 May 2014.

iiNet has completed the specified deployment of Wireless Access Points around the town centres and group centres set out in the contract. The contract has provision for a 'bank' of Access Points (representing approximately 20 per cent of the final contract) to be reserved for deployment following final acceptance of the network. In addition to public benefit, overall network integrity as well as cost and engineering design complexity, are factors that influence Wireless Access Point placement.

- (4) How are local coffee shops considered for Canberra Free wi-fi access points.

Where local coffee shops are customers of iiNet/TransACT/TPG they can approach iiNet for the installation of an indoor CBRfree Wireless Access Point in their premise. There are certain conditions, such as provision of power, which the shop owner will have to discuss with iiNet. A range of community, cultural and sporting groups such as the CBR Innovation Network, Belconnen Arts Centre and Tuggeranong Basketball Stadium have CBRfree indoor Wireless Access Points installed. To date, 98 indoor Wireless Access Points have been installed.

- (5) Are there any plans to place Canberra free wi-fi access points at Erindale shopping centre.

No commitment has been made to extend CBRfree to the Erindale Group Centre, but Erindale is one of a number of group centres where preliminary design and engineering and cost working is being conducted. Priorities will be established in consideration of factors noted in (3) above.

- (6) Has there been any investigation into installing access points at Erindale; if so, can the Minister provide a copy of any findings.

No design or cost investigations have been completed for Erindale Group Centre.

Environment—plastic bag ban (Question No 1694)

Ms Lee asked the Minister for Climate Change and Sustainability, upon notice, on 24 August 2018:

- (1) How has the plastic bag ban affected consumer behaviour since its introduction in 2011.
- (2) What evidence does the Minister have to support the answer to part (1).
- (3) How many tonnes of plastic waste have gone to landfill in the ACT in (a) 2011, (b) 2012, (c) 2013, (d) 2014, (e) 2015, (f) 2016, (g) 2017 and (h) 2018.
- (4) How many plastic bags have gone to landfill in the ACT in (a) 2011, (b) 2012, (c) 2013, (d) 2014, (e) 2015, (f) 2016, (g) 2017 and (h) 2018.
- (5) Why does the ban not cover barrier bags (tear-off-the-roll bags).
- (6) What is the decision making process for banning certain types of bags.
- (7) When will the ACT Government's plastic bag ban review be published and why has the review been delayed.

Mr Rattenbury: The answer to the member's question is as follows:

- (1). The *Plastic Shopping Bags Ban Act 2010* (the Act) came into effect in the ACT on 1 November 2011 following a four month transition period. The ACT's plastic bag ban was reviewed in 2012 and 2014, including through community surveys.

The 2014 survey found that:

- 90% of people surveyed reported taking their own shopping bags more frequently as a result of the bag ban
- more than 70% of people surveyed did not want the ban overturned
- 65% of those surveyed supported the ban for environmental reasons and agreed it had a positive effect on the environment
- almost 70% of people surveyed thought the ban should be implemented nationally.

- (2) The 2014 review was based on a telephone survey of over 600 randomly selected residents conducted by Piazza Research in 2014. The primary grocery shopper of each household was interviewed.
- (3) The actual tonnes of plastic waste going in to landfill is not measured. A sampling audit methodology is used to estimate the tonnes of plastics going to landfill. Sampling audits are carried out periodically at the Transfer stations, the landfill, and on household waste bins.

The material compositions that are obtained by these sampling audits are then used to convert total tonnes of waste to landfill into tonnes by material type. The total tonnes of waste to landfill is obtained by weighbridge records.

The category of 'plastics' includes: Polyethylene terephthalate (PET), High-density polyethylene (HDPE), Polyvinyl chloride (PVC) packaging, Low-density polyethylene (LDPE), Polypropylene (PP), Polystyrene (PS), plastic film and plastic bags.

The estimated tonnes of plastics going to landfill using this methodology is included below.

	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17	2017-18
Plastics	34,685t	32,057t	24,419t	24,930t	25,182t	27,244t	26,055t

Note: the audits used as the basis for these estimates were carried out in 2011, 2014 and 2017.

- (4) Data is not collected on the number of plastic bags going to landfill, as they are received in mixed loads of waste. The 2012 review of the ban estimated that around 182 tonnes of single-use plastic bags were sent to landfill in the 6 month period 1 May 2011 to 31 October 2011. Not all shoppers bring their own shopping bags and instead choose to purchase 'boutique bags' (made of thicker plastic, not covered by the ban). Replacing single-use plastic bags with boutique bags still results in these bags being sent to landfill after a varying period of re-use. The 2014 review estimated that around 114 tonnes of boutique bags were sent to landfill in the 6 month period 1 May 2013 to 31 October 2013.

This suggests a reduction in plastic bag waste to landfill of around 68 tonnes per 6 months as a result of the ban, so around 136 tonnes per year. This equates to a reduction of around 950 tonnes of plastic bag waste since the ban was introduced in November 2011.

- (5) The ban aimed to change the behaviour of shoppers to reduce single use plastic shopping bags. Barrier bags have different issues associated with them, including food safety.
- (6) The Commissioner for Sustainability and the Environment is due to release a review of the plastic bag ban shortly. The Government will carefully consider any response this review
- (7) The review has been prepared and submitted by the Commissioner for Sustainability and the Environment to the Minister for Climate Change and Sustainability.

In accordance with the Commissioner for Sustainability and the Environment Act 1993, the Minister must table the review to the Legislative Assembly within six sitting days of receipt.

I expect to publicly release the respond in the September sittings.

**Housing—grants
(Question No 1695)**

Ms Le Couteur asked the Minister for Housing and Suburban Development, upon notice, on 24 August 2018:

- (1) Will the full \$220 000 that was allocated for the Home Sharing Scheme component but not spent in the first round of the Housing Innovation Fund be allocated for the second round; if not, how will the \$220 000 be allocated across the other grant areas.
- (2) Has the Government investigated options to encourage potential applicants for the Home Sharing Scheme to apply for this funding when the second round is announced.
- (3) In the event that there are no applications for funding for the Home Sharing Scheme component of the second round of the Housing Innovation Fund, will the funding allocated for this component be spread among other grants.

Ms Berry: The answer to the member's question is as follows:

- (1) Yes. The funding allocated to the introduction of a Home Sharing Scheme in the ACT will be rolled over and re-offered for Homeshare Scheme as part of the second round of innovation fund grants.
- (2) Yes. Following consultation within and outside of Government including with the Homeshare peak body - Homesharing Australia and New Zealand Association (HANZA), the Government will promote and target a larger number of potential Homeshare applicants as part of the Affordable Housing Innovation Fund second year funding round.
- (3) No decisions have been made about the relocation of funds beyond round 2.

**Schools—sexual harassment programs
(Question No 1696)**

Ms Le Couteur asked the Minister for Education and Early Childhood Development, upon notice, on 24 August 2018:

In relation to programs delivered in the past by YWCA, Rape Crisis, and Sexual Health and Family Planning ACT in ACT schools on education and cultural change dealing with consent, sexual violence, sexual harassment and assault issues (a) what programs delivered by local groups are funded and delivered in ACT schools, (b) what programs by other groups are funded and delivered, (c) are any programs delivered by ACT Government staff, (d) what age groups receive the programs, (e) do the programs include

ways to negotiate consent, (f) how does the Government evaluate the success of these programs and (g) can the Minister provide a copy of the most recent evaluation of the programs.

Ms Berry: The answer to the member's question is as follows:

- (a) Schools access a variety of programs to support the learning needs of students which are offered by a range of local groups:
- Sexual Health and Family Planning (SHFPACT) provide programs to schools that cover issues relating to personal safety, decision making and negotiation skills and gender roles.
 - Menslink delivers the *Pride* program for young men that includes topics relating to respectful relationships, communication and seeking help when needed.
 - Canberra Rape Crisis Centre (CRCC) provides a number of programs, presenting to schools regularly on topics such as consent, respect and communication. CRCC recently presented the "Please" day, a day coordinated by Pastoral Care coordinators for high school students. CRCC also delivers *Cultural Change*, a program for Aboriginal and Torres Strait Islander students run in ten schools which connects boys to culture as a platform for safety to then address impacts of trauma. It is a program designed for boys, but some girls who have expressed interest have attended. Consent and respect are key themes.
 - ACT Police Citizens and Youth Club have been engaged by a number of high schools to present on Respectful Relationships which has included speaking at school assemblies.

If programs attract a cost, they are purchased by individual schools with finances being managed directly with the school.

- (b) As of August 2018, 24 ACT public schools have engaged with the White Ribbon *Breaking the Silence* schools program; 15 schools have completed the program to date. White Ribbon provided this program free of charge.

Our Watch has provided information and advice to the Directorate to assist with implementing their Respectful Relationship Education materials. This was at no cost to the Education Directorate.

- (c) Teachers employed by ACT government are involved in teaching students content which is foundational to addressing the drivers of gender based violence. This is informed by the Early Years Learning Framework (preschool), the Australian Curriculum (kindergarten to year 10) and approved Board of Senior Secondary Studies courses (college).

Respectful relationships content can be found in Australian Curriculum: Health and Physical Education elaborations and through the personal and social general capability. The Health and Physical Education curriculum includes an emphasis on both respectful relationships, and the health and wellbeing aspects of sex education, including content to address healthy emotional and sexual relationships.

Teachers use a range of resources to develop meaningful and relevant units of work to teach students about sex education and respectful relationships. No particular

commercially available package is used exclusively. Teachers draw from a variety of sources to suit the particular needs of their students.

On request, Senior Psychologists also provide programs such as *Love Bites* (National Association for Prevention of Child Abuse and Neglect), a respectful relationships education program. The aim of this program is to equip young people with the knowledge needed to have respectful relationships, encourage and develop their skills in critical thinking and assist them in being able to problem solve and communicate effectively.

School Youth Health Nurses, through ACT Health, use the YWCA's Respectful Relationships program in their work with students and teachers in high schools.

- (d) Content across the Early Years Learning Framework (preschool), the Australian Curriculum (kindergarten to year 10) and approved Board of Senior Secondary Studies (college) covers all age groups.

All school levels - early childhood, primary, high school and college levels have attended the White Ribbon training.

Social and Emotional Learning approaches are a requirement for all school levels.

- (e) Programs delivered by Sexual Health and Family Planning ACT and Canberra Rape Crisis Centre address consent.

The Line Campaign used by schools provides materials which address negotiating consent.

- (f) Schools are encouraged to use evidence based programs. Evidence based programs ideally include data relating to student outcomes.

Evaluation is a built in part of programs delivered by local groups. This may include participant feedback forms or assessment tasks to gauge students understanding of the content.

White Ribbon has recently undertaken an external evaluation of their *Breaking the Silence* Schools Program.

Social and Emotional wellbeing programs such as *Kids Matters* and *Mind Matters* have been externally evaluated.

- (g) No. This information is not centrally collected by the Education Directorate.

Planning—Oaks Estate (Question No 1697)

Ms Le Couteur asked the Minister for Planning and Land Management, upon notice, on 24 August 2018:

- (1) In relation to land in Oaks Estate scheduled for release in 2020/21, why is the heritage-listed "Robertsons" House, being sold and how will the land sale process protect the house.

- (2) Is it the Government's intention to complete these processes before the land is sold as the Master Plan and Territory Plan Variation are currently on hold.

Mr Gentleman: The answer to the member's question is as follows:

- (1) The heritage listed Robertsons' House is being sold as part of a process of consolidating

ACT Government property custodianship and management of assets. The process is intended to promote higher utilisation of assets. The *Heritage Act 2004* provides a range of protections for listed sites of heritage significance. In addition, the heritage listing will be a part of the sales documentation and will need to be considered as part of any future plans for the site.

- (2) The property and the adjoining vacant land is included on the 2018-19 to 2021-22 Indicative Land Release Program for release in 2020-21. The intention is for the land to be sold subject to the completion of the Territory Plan Variation process.

Planning—development applications (Question No 1699)

Ms Le Couteur asked the Minister for Planning and Land Management, upon notice, on 24 August 2018:

How many retrospective development applications have been (a) submitted, (b) approved and (c) rejected, in the past five financial years.

Mr Gentleman: The answer to the member's question is as follows:

During the past five years there have been:

- (a) 202 Retrospective Development Applications submitted,
- (b) 179 Retrospective Development Applications approved or approved with conditions, and
- (c) 12 Retrospective Development Applications refused.

Note that four applications were withdrawn and seven are currently under assessment.

Government—lease variation revenue (Question No 1700)

Ms Le Couteur asked the Treasurer, upon notice, on 24 August 2018:

In the 2017/18 financial year, for Lease Variation Charge revenue under Schedule 1 of the determinations in force during the financial year what was the total Lease Variation Charge revenue under (a) item 1 and how many development applications paid this revenue, (b) items 1A and 1B and how many development applications paid this revenue and (c) items 1AA and 1BB and how many development applications paid this revenue.

Mr Barr: The answer to the member's question is as follows:

Schedule 1 of Planning and Development (Lease Variation Charges) Determination 2017 (No 2) applies charges to variations of crown leases. Items 1, 1A, 1B, 1AA and 1BB apply charges for additional dwellings. Charges under Items 1A and 1AA apply for up to 3 dwellings. Charges under Items 1B and 1BB apply for more than 3 dwellings.

Items 1A and 1B apply charges where a development application was submitted before 1 July 2017. Items 1AA and 1BB apply charges where a crown lease was purchased between 1 July 2016 and 30 June 2017 and the development application was submitted before 1 October 2017 and was lodged before 1 July 2018. Item 1 applies in all other circumstances.

In the 2017-18 financial year total revenue from Items 1, 1A, 1B, 1AA and 1BB was \$1,417,500.

- Revenue from Item 1 was \$67,500 from 1 development application.
- Revenue from Items 1A and 1B was \$947,500 from 30 development applications.
- Revenue from Items 1AA and 1BB was \$402,500 from 16 development applications.

Domestic Violence Crisis Service—staffing (Question No 1706)

Mrs Kikkert asked the Minister for the Prevention of Domestic and Family Violence, upon notice, on 24 August 2018:

How many full-time equivalent staff were employed at the Domestic Violence Crisis Service call centre for the following years (a) 2015-16, (b) 2016-17 and (c) 2017-18

Ms Berry: The answer to the member's question is as follows:

This information is not readily available. The Service Funding Agreement between Community Services Directorate and DVCS does not require DVCS to report on staffing numbers.

Domestic Violence Crisis Service—call centre (Question No 1707)

Mrs Kikkert asked the Minister for the Prevention of Domestic and Family Violence, upon notice, on 24 August 2018:

What is the average number of incoming calls received by the Domestic Violence Crisis Service call centre in the years 2017-18 and 2016-17 for the following periods (a) daily, (b) weekly, (c) weekends, (d) between 8 am-3:30 pm, Monday to Friday, (e) between 3:30 pm-11:30 pm, Monday to Friday and (f) between 11:30 pm-8 am, Monday to Friday.

Ms Berry: The answer to the member's question is as follows:

This information is not available. The Service Funding Agreement between Community Services Directorate and DVCS does not require DVCS to report on the number of incoming calls at this level of detail.

**Domestic Violence Crisis Service—support visits
(Question No 1708)**

Mrs Kikkert asked the Minister for the Prevention of Domestic and Family Violence, upon notice, on 24 August 2018:

- (1) What is the nature (i.e. objects, roles and responsibilities etc.) of (a) all outgoing work carried out by Domestic Violence Crisis Service (DVCS) crisis intervention staff and (b) support visits undertaken by DVCS crisis intervention staff.
- (2) How many crisis visits were made in the following years (a) 2015-16, (b) 2016-17 and (c) 2017-18.
- (3) How many support visits were made in the following years (a) 2015-16, (b) 2016-17 and (c) 2017-18.
- (4) How many crisis visits were made between 11:30pm-8am, Monday-Friday in the following years (a) 2015-16, (b) 2016-17 and (c) 2017-18.
- (5) How many crisis visits were made over the weekend in the following years (a) 2015-16, (b) 2016-17 and (c) 2017-18.

Ms Berry: The answer to the member's question is as follows:

- (1)
 - (a) DVCS provides a range of supports and interventions on crisis visits including:
 - providing information on DVCS services, risk assessment and safety planning;
 - providing referrals to legal services, counselling, outreach programs and crisis accommodation;
 - providing emotional support and crisis counselling;
 - offering support while the client makes a statement and/or while being examined by a Forensic Medical Officer; and
 - explaining processes regarding ACT Policing matters, Child and Youth Protection Services and criminal justice system processes such as court outcomes and Family Violence Orders.
 - (b) Support visits differ from crisis visits as they do not necessarily occur in relation to clients under imminent risk. The support visit is focused more on the services and supports available to the client and on safety planning. For example, if the person using violence against the client is remanded in custody or is currently overseas, DVCS may provide a support visit even though the client is not under imminent risk.

Client eligibility for a face-to-face support visit (as opposed to contacting DVCS over the phone) can also be determined by the vulnerability of the client. For example, clients who are highly isolated, are older or who have a disability might require a face-to-face support visit. CALD clients, Aboriginal or Torres Strait Islander clients and LGBTIQ clients are also often considered for support visits.

(2) DVCS made:

- (a) 821 crisis visits in 2015-16;
- (b) 368 crisis visits in 2016-17; and
- (c) 527 crisis visits in 2017-18.

This data is published in the DVCS annual report.

(3) Information on support visits is not available. The Service Funding Agreement between Community Services Directorate and DVCS does not require DVCS to report on the number of support visits they provide.

Court support visit data is published in the DVCS annual report.

- (a) DVCS made 818 court support visits in 2015-16;
- (b) 863 court support visits in 2016-17; and
- (c) 651 court support visits in 2017-18.

(4) This information is not available. The Service Funding Agreement between Community Services Directorate and DVCS does not require DVCS to report on the number of services made between 11:30pm-8am, Monday-Friday.

(5) This information is not available. The Service Funding Agreement between Community Services Directorate and DVCS does not require DVCS to report on the number of weekend crisis visits they provide.

Planning—flood maps (Question No 1709)

Mrs Kikkert asked the Minister for Planning and Land Management, upon notice, on 24 August 2018 (*redirected to the Minister for Environment and Heritage*):

- (1) When will the mapping and analysis be completed for the upgrade of the flood modelling for the 1 percent Annual Exceedance Probability mapping (previously referred to as 1 in 100 year flood events) for eight catchments across the ACT that the ACT Government is in the process of revising as of 10 May 2018.
- (2) If the mapping and analysis has already been completed, what date was it completed.
- (3) What date did the mapping and analysis work commence, and who is undertaking this work.

- (4) What are the reasons for carrying out the mapping and analysis work.

Mr Gentleman: The answer to the member's question is as follows:

- (1) The maps that identify areas that potentially could be impacted (in terms of extent, depth and hazard) from riverine flooding in a 1% Annual Exceedance Probability (AEP) flood event (previously known as the 1 in 100 year flood) are expected to be completed and ready for release in the fourth quarter of 2018.
- (2) The process for flood analysis and mapping to determine the nature and extent of flood risk commenced in 2016/2017. As part of this work the flood studies have also undergone a significant peer review process.
- (3) The flood mapping has been developed based on extensive technical input and flood modelling expertise provided by two locally based professional consulting firms and managed by the Environment Planning and Sustainable Development Directorate. As outlined above, funding for this work was through the Commonwealth Natural Disaster Resilience Program.
- (4) The current work is being undertaken in line with proposed actions in the ACT Water Strategy, *Striking the Balance 2014-2044*, specifically Action 10 "Improve planning, information and regulation for flood management".

The ACT Government is following the process for developing flood risk mapping as recommended by the Australian Institute of Disaster Resilience. The flood mapping management program was conducted as part of continual improvement to the governments planning and emergency response capability and takes into account the changing environment in terms of land use and climate, consideration that support sustainable development and in the best interests of the Canberra community in terms of protection of life and property.

National Multicultural Festival—costs (Question No 1711)

Mrs Kikkert asked the Minister for Multicultural Affairs, upon notice, on 24 August 2018:

What is the breakdown of all operational costs (including but not limited to equipment hire, setup, power, licencing etc.) for each public stage at the National Multicultural Festival for the following years (a) 2015, (b) 2016, (c) 2017 and (d) 2018.

Mr Steel: The answer to the member's question is as follows:

- (1) It is not possible to provide a breakdown of all operational costs by public stage for each year of the National Multicultural Festival. Contracted services typically provide an overall invoice for the services delivered, of which aspects may relate to stages.

A detailed breakdown of costs per service contracted for the last four years is at [Attachment A](#).

(A copy of the attachment is available at the Chamber Support Office).

**Office of Multicultural Affairs—staffing
(Question No 1712)**

Mrs Kikkert asked the Minister for Multicultural Affairs, upon notice, on 24 August 2018:

- (1) How many of the following types of staff are employed in the Office of Multicultural Affairs (a) full-time equivalent, (b) full-time, (c) part-time, (d) casual and (e) other (please describe).
- (2) What is the (a) employment classification (b) job title and (c) description for each staff member of the Office of Multicultural Affairs.

Mr Steel: The answer to the member's question is as follows:

- (1) As at 22/08/2018 there were nine staff in the Office for Multicultural Affairs.
 - a) 8.29 FTE;
 - b) 7 full-time employees;
 - c) 2 part-time employees;
 - d) 0 casual staff; and
 - e) nil
- (2)
 - a) Office for Multicultural Affairs workforce profile
 - 1 - ASO1;
 - 2 - ASO4;
 - 2 - ASO5;
 - 1 - ASO6;
 - 1 - SOGC; and
 - 2 - SOGA
 - b) Job title, as follows:
 - 1 Administrative Assistant
 - 4 Project Officers
 - 1 Senior Project Officer
 - 1 Assistant Manager
 - 1 Senior Manager, Multicultural Affairs
 - 1 Senior Manager, National Multicultural Festival
 - c) Description of roles
 - 1 Administrative Assistant - provide support at the Theo Notaras Multicultural Centre;
 - 4 Project Officers - responsible for support at the Theo Notaras Multicultural Centre, assist in multicultural community engagement and events, manage Multicultural Grants, facilitate the Work Experience Support Program, coordinate the eNewsletter, planning and delivery of the National Multicultural Festival and general administrative tasks;

- 1 Senior Project Officer – responsible for Citizenship ceremonies, Overseas Qualification assessment and Multicultural Advisory Council Secretariat;
 - 1 Assistant Manager - multicultural community engagement and events;
 - 1 Senior Manager - oversight of the functions for the Office for Multicultural Affairs; and
 - 1 Senior Manager - National Multicultural Festival
-

**National Multicultural Festival—service of alcohol
(Question No 1715)**

Mrs Kikkert asked the Minister for Multicultural Affairs, upon notice, on 24 August 2018:

- (1) Did the Minister state that the decision to restrict alcohol sales for the 2018 National Multicultural Festival was intended “to address a concern that has been expressed by stakeholders over a number of years”; if so, was the concern (a) the quantity of alcohol available at the festival, (b) the fact that it has been served by community groups, or (c) both.
- (2) In relation to any stakeholders that have expressed concern that community groups were allowed to sell alcohol at past festivals, what reasons have been offered in support of this concern for example, including lack of RSA training or any other reason.
- (3) What government departments, non-governmental agencies or unions have raised concerns about the sale of alcohol at the festival by community groups, and what reasons have these organisations given.

Mr Steel: The answer to the member’s question is as follows:

1. The concern expressed was about the quantity of alcohol and level of intoxication at the event, including that unlimited alcohol sales could undermine the family friendliness, safety and cultural integrity of the festival. The concern was not specific to the sale of alcohol by community groups.
 2. Concern was not only in relation to community groups concerns related to both the availability of alcohol across the footprint and responsible service of alcohol.
 2. In the context of debriefing about risks and challenges at the Festival, ACT Police highlighted the risks of increased intoxicated behaviours with the potential of serious consequences if preventative action was not taken. This opinion was agreed with by some members of the Festival Steering Committee. Stallholders have also discussed sale of alcohol with the Festival team and have expressed that managing alcohol sales contributes to the Festival maintaining its family friendliness, safety and cultural integrity. These opinions were further supported in the recent community consultation, along with some views supporting alcohol sales.
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Questions without notice taken on notice

Canberra Hospital—radiology department

Ms Fitzharris (*in reply to a question and a supplementary question by Mr Hanson on Tuesday, 31 July 2018*):

- 1) No, the Chief Medical Officer did not mislead the committee. At the time of the hearing, ACT Health was working with the Royal Australian and New Zealand College of Radiologists to finalise the Accreditation process. It would have been inappropriate for specific information on the Radiology Department to have been shared at that time.
- 2) No. Follow up information was provided to the committee on request.

Canberra Hospital—radiology department

Ms Fitzharris (*in reply to a supplementary question by Mrs Dunne on Tuesday, 31 July 2018*):

ACT Health acted on concerns raised by staff in January and February of 2017 in a number of ways, including:

- Commencing recruitment for more nurses for an overnight nurse roster which was implemented on 23 March 2017 and remains in place.
- Commencing rotations through the breast service and nuclear medicine modalities in April 2017, with additional modalities such as angiography included later.
- Finalising the appointment of the Clinical Director of Radiology.
- Commencing recruitment of registrars, including one position in preparation for a rural rotation, noting the significant, unavoidable lead time that often occurs between when the doctor is offered a position and their commencement. This recruitment brought the department to the required number of registrars.

Canberra Hospital—radiology department

Ms Fitzharris (*in reply to a supplementary question by Mrs Dunne on Tuesday, 31 July 2018*):

I have been aware of the broad issues regarding staff relations for some time. I have also been aware that ACT Health has been working to address these issues as outlined in response to QTON reply on 31 July 2018.

Most specifically, my office was provided with a brief in relation to radiology accreditation on 14 May 2018.

Land—rural property acquisition

Mr Gentleman (*in reply to a supplementary question by Mr Coe on Wednesday, 1 August 2018*):

Consistent with evidence from the Auditor-General to the Standing Committee on Public Accounts in relation to the Inquiry into the Assembly of Rural Land West of Canberra (Report No 8/2018) Report, and in accordance with concluding advice from the ACT Government Solicitor, that "...it is not apparent that the Directorate (that is, the Territory) has any obligation to undertake any investigation into the conduct of the valuer at this time..." investigations by the directorate regarding the partial surrender and regrant ('subdivision') of Fairvale, are not warranted.

Budget—pensioner concessions

Mr Barr (*in reply to a supplementary question by Mrs Dunne on Wednesday, 15 August 2018*):

In 2017-18, 8,555 ratepayers received a rebate of \$700. The rebate provides a discount of 50 per cent of the household rates bill up to \$700.

Molonglo Valley—shopping facilities

Mr Gentleman (*in reply to a supplementary question by Mr Hanson on Thursday, 16 August 2018*):

The Denman Prospect local centre is forecast for construction completion at the end of 2018. The opening of the centre is scheduled shortly thereafter with a number of tenants secured for the centre. Further information about tenancies will be provided closer to the opening date and any interested parties can receive updates on progress of the local centre via the developments website at <https://denmanprospect.com.au/denman-village-shops/>.

Planning—Fyshwick

Mr Gentleman (*in reply to supplementary questions by Ms Lee and Miss C Burch on Thursday, 16 August 2018*):

I understand that the recent decision is still within the statutory appeal period and it would not be appropriate for me to comment on this matter, or the original decision, at this point in time.

In relation to this being "the second time this year that a development application has been wrongly approved", I am not clear which development application the Member is referring to but as there are some matters currently subject to appeal being heard by the Supreme Court as well as in the ACT Civil and Administrative Tribunal, it would not be appropriate for me to comment further at this time.

Planning—Yarralumla brickworks

Ms Stephen-Smith (*in reply to a supplementary question by Ms Lee on Thursday, 16 August 2018*):

The Canberra Brickworks Precinct sale is still under open tender conditions and negotiations with the Preferred Tenderer are ongoing. The specific details of the submitted tender remain commercial in confidence and cannot yet be disclosed.

I note that any proposal to develop the site will be subject to a Development Application process.

Canberra Hospital—accident and emergency procedures

Ms Fitzharris (*in reply to a question and supplementary questions by Mrs Dunne and Miss C Burch on Tuesday, 21 August 2018*):

1. All patients presenting to the Emergency Department are triaged according to clinical need. Without further information, Canberra Hospital is unable to identify the patient being referred to and therefore I cannot comment on this specific situation.
2. Canberra Hospital Emergency Department prioritises transplant and immunodeficient patients according to clinical need.
3. Refer to response at question 2 above.

Planning—Woden

Mr Gentleman (*in reply to a question by Ms Le Couteur on Thursday, 23 August 2018*):

Work has been ongoing to investigate how community benefits, such as community facilities, could be best provided to meet demand.

The Planning Strategy Refresh has progressed this year, and it is expected that in 2019 a review of the Territory Plan will be undertaken. The Territory Plan Review will address the issues raised.

In the context of Woden, the master plan provides an adequate and well-studied framework for the delivery of community facilities that is in line with the anticipated growth of the community.