



**QUESTION TIME**  
OF THE  
LEGISLATIVE ASSEMBLY  
FOR THE  
AUSTRALIAN CAPITAL TERRITORY

**HANSARD**

Edited proof transcript

Thursday, 30 November 2023

This is an **EDITED PROOF TRANSCRIPT** of question time proceedings that is subject to further checking. Members' suggested corrections for the official *Weekly Hansard* should be lodged with the Hansard office as soon as possible.

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Ministerial arrangements .....	1
Questions without notice .....	1
Canberra Institute of Technology—chief executive officer.....	1
Calvary Hospital—acquisition .....	1
Calvary Hospital—acquisition .....	3
Access Canberra—website.....	4
Government—procurement.....	6
ACT Policing—staffing .....	8
Government—human resources and information management system.....	10
Housing ACT—vacant property .....	10
Active travel—car-free day .....	11
Planning—infill target.....	12
Drugs—pill testing .....	12
Roads—dangerous driving .....	14

## **Ministerial arrangements**

**MS BERRY** (Ginninderra—Deputy Chief Minister, Minister for Early Childhood Development, Minister for Education and Youth Affairs, Minister for Housing and Suburban Development, Minister for the Prevention of Domestic and Family Violence, Minister for Sport and Recreation and Minister for Women) (2.01): The Chief Minister will be absent from question time today. I will be taking questions within his portfolio areas.

## **Questions without notice**

### **Canberra Institute of Technology—chief executive officer**

**MS LEE:** My question is to the Special Minister of State. Minister, the CIT CEO, Ms Leanne Cover, who has been stood down on paid leave for almost 18 months, was granted a 3.5 per cent pay rise in July, bringing her total remuneration package to \$373,061 per annum.

On 24 November, the commonwealth Remuneration Tribunal made a determination to revoke compensation if secretaries are found to have breached the APS Code of Conduct or are under investigation by the National Anti-Corruption Commission.

Minister, will you write to the ACT Remuneration Tribunal to consider a similar determination to avoid the situation that we currently find ourselves in, where ACT taxpayers are funding two CEOs?

**MR STEEL:** I thank the member for her question. As she well knows, the employment of the CEO is a matter for the CIT board. It is not appropriate for me as minister to intervene in an employment matter of an independent territory authority, when it has a governing board that is responsible for employment matters.

The Remuneration Tribunal makes decisions independent of government, and under the Remuneration Tribunal Act 1995, when the tribunal makes a determination, it cannot be rejected or changed by the government.

**MS LEE:** Minister, was there any discussion or consideration by you as the responsible minister as to whether a pay rise for a CEO who has been stood down, and is under an Integrity Commission inquiry, is an appropriate use of ACT taxpayer dollars?

**MR STEEL:** Madam Speaker, I refer the member to the answer for the last question.

**MS LAWDER:** Minister, have you received a copy of the Integrity Commissioner's interim report on their investigation into Ms Cover and the CIT?

**MR STEEL:** Yes.

## **Calvary Hospital—acquisition**

**MS CASTLEY:** My question is to the Minister for Health. Minister, I refer to your answer to my question of 13 September about why you listed special legislation to acquire Calvary on the spring 2022 legislative program, in which you said:

... as it looked like we were potentially going to reach agreement with Calvary that we would be able to transition the land without having to legislate, I wrote to the Chief Minister ... requesting that that legislation be removed from the legislative forward agenda because the negotiations with Calvary actually looked like they were going to reach agreement.

Minister, given that four separate documents—including two under your signature—say these negotiations were not successful, how could your explanation to the Assembly possibly be true?

**MS STEPHEN-SMITH:** Up until I received Mr Bowles's response to my September letter in late November 2022, I actually did think that we would be able to reach agreement. I thought Calvary understood just how serious the ACT government was: that when we were going to invest a billion dollars in a new northside hospital, we wanted that hospital to be clearly owned by ACT taxpayers and that we considered that it was bottom line for us that the ACT government would have control of the current public hospital site—the site that was then Calvary Public Hospital Bruce, the whole area inside the ring road that had been the subject of discussion for many, many months. We thought Calvary understood that a modern services agreement was also a bottom line for us. A modern services agreement, as is explained in the letter to Mr Bowles, from an ACT government perspective—for probity reasons, and in line with the expectations of the community today in 2023, as opposed to in the 1970s—would be that a modern services contract would not extend for more than 25 years.

I thought these were reasonable propositions to put to Calvary. We were going to acquire the land from them, at an appropriate agreed compensational price; we were going to build an entire new hospital; and we were going to ask them to run it for us for 25 years! That seemed to me to be a pretty good offer that Calvary might be able to agree to. So I was surprised when Mr Bowles's response in November was a flat “No, the board will not agree to 25 years.”

**MS CASTLEY:** Minister, when asking the Chief Minister to remove this special legislation from the spring program, why did you write that, “it would not be appropriate to include this bill in the program at this time”?

**MS STEPHEN-SMITH:** I was just looking at that letter as it was on the top of a pile of papers I was looking at earlier today. I think, from memory, that it says, “while the negotiations are continuing.” It was a clear indication that negotiations were continuing, and as I have just said in my first response to Ms Castley, I actually thought we might be able to negotiate this through—to come to an agreement with Calvary for them to run a substantial public hospital for 25 years. That is a pretty good offer!

To put it in terms that Mr Parton would understand, Calvary sought to call our bluff in that 28 November letter. We told them we were serious and we showed them we were serious: that we were going to act in the best interests of Canberrans to build a billion-dollar hospital on land owned by Canberrans, a hospital that will be owned by

Canberrans, and that will be part of a more efficient and effective health system. We had hoped to achieve that through a modern services agreement with Calvary. They said they would not do that. So we acted in the best interests of Canberrans and we will stand by that decision every step of the way.

**MR CAIN:** Minister, how was it appropriate for this special legislation to be put on the spring program a month before the expiry of the exclusive negotiation period with Calvary, given you could have continued to negotiate with them?

**MS STEPHEN-SMITH:** I am really actually struggling to understand Mr Cain's question. Ms Castley's question was about why I wrote to the Chief Minister to take it off the spring program. The way that the legislation program works is—and this is public knowledge—cabinet had given authority for the drafting of legislation. Calvary was told about that in April. The reason we had asked and been given authority for the drafting of legislation—and, again, this is clear in the briefing that I received and in my comments on those briefs—was that we thought that any legislative response was likely to be complex and we wanted to understand what our options were. Sometimes it is one thing to make a policy decision, it is another thing to understand how that could or would be given effect through legislation. In order to get those drafting resources, and not understanding where the first round of the negotiation was going to land—

**Mr Cain:** Why didn't you continue negotiations?

**MS STEPHEN-SMITH:** There were two phases in this negotiation, Mr Cain; if you had actually looked at any of the documents you would understand that! The legislation was put on the spring program, because that is the way it works. It then had to be formally removed from the spring program. That is what that letter was about, formally removing it from the spring program because negotiations were ongoing.

### **Calvary Hospital—acquisition**

**MS CASTLEY:** My question is to the Minister for Health. I refer the minister to my question on 13 September, which asked why, rather than waiting until the outcome of negotiations with Calvary, you asked your department “to commence drafting”—special legislation—“now, not wait and see.” In response, you tabled a meeting paper containing various options for acquisition, saying:

At that stage ... whether or not we could use the Lands Acquisition Act was part of the question and the reason that I wanted the work done, to understand exactly what the mechanism would be.

Given that on the same day you instructed your department “to commence drafting” special legislation “now”, you also signed a letter asking that special legislation be put on the spring legislative program, how can your statement to the Assembly about considering the Lands Acquisition Act at that point possibly be true?

**MS STEPHEN-SMITH:** As minister, my obligation is to understand what the options are that are available to me to give effect to policy decisions that have been taken and that may be taken, and that includes options around legislating. We knew

that, even if we used the Lands Acquisition Act, we would probably still have to legislate in some way, shape or form. That is why the letter to Calvary in April explicitly talks about drafting of legislation. The question was what that legislation would look like.

Calvary had been clear with us that any legislative response would not be supported by them. Initially we said, ‘They are potentially going to have difficulty getting the Vatican to agree to alienate this land through a transition to the ACT government.’ The fact that they had to get that agreement was made clear by Patrick McArdle, representing the archdiocese, in his evidence to the Senate committee. Although, that was denied by Calvary, that was very clear from Dr McArdle’s evidence.

So the initial question was: “If that is going to be a challenge”—as it was in 2010—“we may need to legislate, and we may be able to do that effectively with the agreement of Calvary. If we cannot get agreement, we may need to legislate without Calvary agreeing.” Calvary was very clear that they would not agree to and support legislation, and we needed to understand what our options would be if it came to that.

**MS CASTLEY:** Minister, isn’t your suggestion that you were considering an option other than special legislation just plain wrong and your suggestion to the contrary a diversion?

**MS STEPHEN-SMITH:** No.

**MRS KIKKERT:** Minister wasn’t it always your intention to use special legislation to acquire land at Calvary, if not through negotiation then by expropriation?

**MS STEPHEN-SMITH:** Madam Speaker, I did not really understand Mrs Kikkert’s question where she said, “if not through negotiation then by expropriation”. Mrs Kikkert’s question did not make any sense, but I can assure her that the ACT government and officials in the ACT government negotiated in good faith with Calvary to seek the transfer of the land inside the ring road.

We were always clear that we wanted enough land to build a new hospital building and for future expansion space. We were negotiating for Calvary to run that hospital under a modern services agreement for 25 years—25 years of a modern services agreement to run a much bigger public hospital than the one that they already ran. We thought that was a reasonable offer for them to consider, but they completely and utterly rejected that offer, with no offer of compromise on the 25 years.

### **Access Canberra—website**

**MR PETTERSSON:** My question is to the Minister for Business and Better Regulation. Minister, Access Canberra has a new website. Why did this occur and what has changed?

*Opposition members interjecting—*

**MS CHEYNE:** I thank Mr Pettersson for the question.

*Opposition members interjecting—*

**MS CHEYNE:** Actually, it is quite serious, because the Access Canberra website is one of the ACT government's most visited, with more than 6½ million views and eight million digital transactions completed each year. Significant improvements have been made to support users' experience on the new website, including a complete overhaul of the search functionality. All website content has been rewritten in plain English, at grade 7 level, to improve accessibility, readability and searching. To ensure a better customer experience, content has been rewritten and pages have been reduced significantly, by about 90 per cent.

The new website was developed by professional content designers to ensure best practice web content. It launched on 31 October and was designed and developed based on research, insights and testing. Accessibility was a key consideration in the development of the new website. The new website provides clear and simple information and easy access to a range of digital services. The new website is giving back time and making it easier to engage with the ACT government.

The Liberals might mock this line of questioning, Madam Speaker, but they have asked about websites and content on websites before. If they really think this is silly, they are contradicting themselves—

*Ms Lee interjecting—*

**MS CHEYNE:** particularly Ms Lee. Could I say just how much I want to thank the hardworking staff at Access Canberra and across the ACT government who have worked tirelessly over a number of years to make this new website happen and for ensuring that the transition was smooth and seamless for users and that it sets a new standard. It has been an extraordinary undertaking, and the proof is in the pudding.

**MR PETTERSSON:** Minister, who was consulted on the design and functionality of the website?

**MS CHEYNE:** I thank Mr Pettersson for the supplementary question. Key community stakeholders and partners were provided with the opportunity to view the new website, prior to the launch, and to provide valuable feedback, which was then incorporated into the design. Accessibility was a key consideration in the development of the new website. It has been designed and developed to meet legislated web accessibility standards. It also has been tested with both the Canberra Blind Society and the Centre for Inclusive Design. User groups, including older Canberrans, had the opportunity to share their preferences and experiences to inform the design and navigation of the site.

**MS ORR:** Minister, what has the feedback been on the new website?

*Opposition members interjecting—*

**MS CHEYNE:** Given the quality of the questions that we have had from the Liberals already today—

*Opposition members interjecting—*

**MADAM SPEAKER:** Members! To the response, Ms Cheyne.

**Ms Lawder:** Point of order, Madam Speaker: imputations and inferences.

**MADAM SPEAKER:** There is no point of order. To the question, Ms Cheyne.

**MS CHEYNE:** Thank you, Madam Speaker. Sorry. I just couldn't resist. Honestly.

*Opposition members interjecting—*

**MADAM SPEAKER:** Members!

**MS CHEYNE:** Thank you, Madam Speaker. Feedback so far has been overwhelmingly positive, particularly about the improved search functionality of the website. As noted previously, extensive testing occurred and changes were made to the developed design, structure and content in response to user feedback, prior to the new website launching at the end of October.

Access Canberra welcomes any feedback from the community, including the opposition, and further refinements and improvements will continue to be made to the website in the months to come. Feedback can be provided in a range of ways, but perhaps the simplest is via the feedback function at the bottom of each page on the new website, where users are able to provide their suggestions about how that page could be improved.

### **Government—procurement**

**MR CAIN:** Madam Speaker, my question is to the Special Minister of State.

The Auditor-General said that there is “a lack of expertise, a lack of practice, an unawareness and in some cases even a naivety” in Procurement ACT. I have heard the same view from various small to medium sized local businesses, many of whom feel that despite offering more competitive tenders, directorates continuously prioritise larger consultancy firms.

Minister, why does your government appear to inhibit local small and medium sized local businesses in the ACT?

**MR STEEL:** We do not. In fact, the procurement reform program that is underway has been informed by a substantial body of work that has been undertaken based on the feedback from businesses through the Better Regulation Taskforce to make sure that it is easier for suppliers—particularly small and medium sized businesses—to engage with government. It is one of the reasons why I have introduced the Government Procurement Amendment Bill to the Assembly earlier in the year—

*Mr Cain interjecting—*

**MR STEEL:** which is currently being considered, no doubt, by the opposition, to



make sure it is easier to engage with businesses and that the new rules in there will make it easier to do so. We will continue to work with businesses on those opportunities, Madam Speaker, to streamline our procurement processes but also to make sure that they remain robust and transparent at the same time. There is a balance to be struck. We understand that.

In relation to the support that we provide to government agencies that undertake procurements through Procurement ACT, we are, through the Procurement Reform Program, developing our capability framework and accreditation system to make sure that each of the procuring entities has the support that they need, based on the level of capability that they have, which will be accredited under the program. That is being rolled out, and I have been providing updates to the Assembly on a regular basis. I know Mr Cain was not there when I gave my last ministerial statement updating the Assembly on the government procurement program. In fact, I do not think he was there for the update before that, but those are available for him to read in the *Hansard*.

**MR CAIN:** Minister, is the Auditor-General wrong when he says that Procurement ACT, under your leadership has a lack of expertise and practice, unawareness and naivety?

**MR STEEL:** I think the comments from the Auditor-General referred to a range of different procuring entities, not Procurement ACT specifically.

*Mr Cain interjecting—*

**MR STEEL:** Procurement ACT does have significant capability in procurements. Procurement ACT is developing, through its capability framework, a tailored model which will support procuring entities based on the level of capability that they have.

*Ms Lee interjecting—*

**MR STEEL:** So if entities do not have as much capability as some of the larger agencies that are undertaking larger and particularly more highly complex procurements, then they will provide that tailored advice to the relevant entity as required.

**Mr Cain:** A point of order. The question is a simple one: is the Auditor-General wrong? Would the minister answer that question.

**MADAM SPEAKER:** I am not going to—and you know that I cannot—direct the minister's answer.

**DR PATERSON:** Minister can you outline some of the important changes that will be coming through with the Government Procurement Amendment Bill?

**MR STEEL:** I want to particularly acknowledge the work that has been done through the better regulation taskforce to make sure that we promote, through the different levels of procurement, small and medium sized enterprises. That is a particular reform of the government procurement bill. I am certainly keen to see that part debated in the Assembly. I am happy to offer members a briefing on it before we get underway with

the detail stage of the debate. It informs part of a broader suite of reforms, both policy and legislative, that we are undertaking today. While we are making it easier for suppliers to engage with us, we also want to make sure that the suppliers that we engage with have ethical practices. That is why I am so pleased that today we have also strengthened the ethical treatment of workers evaluation to have a particular focus on modern slavery.

### **ACT Policing—staffing**

**MS ORR:** My question is to the Minister for Police and Emergency Services. Minister, can you provide an update to the Assembly on ACT Policing numbers?

**MR GENTLEMAN:** I thank Ms Orr for her interest in policing numbers and the safety of people in the territory. As of 8 November, ACT Policing's average FTE equals 1,176 employees, of which we have 725 sworn officers on the beat. Contrary to the erroneous statements made by the opposition, these figures represent a 20 per cent increase in ACT Policing's average full-time equivalent staffing numbers over the last five years. These numbers highlight how the ACT Policing workforce is consistently growing and negates the false claims made by the fearmongers opposite who continue to denigrate the territory. I should point out that these numbers do not yet include the government's record funding commitment made in the last budget to put a further 126 officers on the street over the next five years. That will represent a further 17 per cent increase over five years of sworn officers on the street.

The opposition well knows it is quite misleading to compare ACT police numbers to other jurisdictions as other Australian jurisdictions tend to have a much wider geographical area to cover, and the ACT, of course, is predominantly metropolitan—

**Ms Lee:** Madam Speaker, on a point of order: Mr Gentleman referred to the opposition as misleading and I ask you to rule on whether that is unparliamentary.

**MADAM SPEAKER:** Mr Gentleman, would you reflect on your use of language. If you did say somebody was misleading, that is through a substantive motion.

**MR GENTLEMAN:** I said it is “quite misleading”, Madam Speaker.

*Members interjecting—*

**MADAM SPEAKER:** Members! Mr Gentleman.

**MR GENTLEMAN:** Thank you, Madam Speaker. When we talk about the geographical area—

**Ms Lee:** Sorry—was there a ruling or not?

**MADAM SPEAKER:** There is no point of order, Ms Lee.

**MR GENTLEMAN:** for example, contrary to some of the recent fearmongering—according to Google, the Belconnen Police Station is exactly 6.6 kilometres away from the Kippax shops and a police car could easily deploy to the Kippax shops in a

matter of minutes. (*Time expired.*)

**MS ORR:** Minister, can you provide an update on ACT Policing recruitment numbers for the last two years?

**MR GENTLEMAN:** I am very pleased to convey that ACT Policing plays a very active role in recruiting and training police officers to serve the community. In the 2022-23 financial year, 93 new recruits graduated and joined ACT Policing, and, so far this financial year, we had 25 new recruits graduate and join ACT Policing in July and a further 21 new recruits graduate and join ACT Policing in September. We are anticipating a further 37 recruits to join between now and the end of the financial year. Together, this represents 176 newly graduated police officers having joined or are expected to join the ranks of police in the course of the current and previous financial years. I should also add that I have had the pleasure of attending a number of ACT Policing graduation ceremonies, and I am thrilled to welcome these fine individuals to ACT Policing.

I want to convey without hesitation that Canberrans can rest assured, knowing that ACT police are working tirelessly in our community and have among their ranks a group of wonderful Canberrans who are serving the ACT with pride and distinction.

**MADAM SPEAKER:** I am going to go to Dr Paterson, but I am also coming back to my ruling and say I will review the *Hansard* and come back. I remind people to be careful with the language they use so they do not find themselves needing to withdraw words in the debate. Dr Paterson.

**DR PATERSON:** Thank you, Madam Speaker. Minister, could you outline the training regime for ACT Policing recruits?

**MR GENTLEMAN:** I thank Dr Paterson for her interest in police training. During the initial training, recruits live on the site of the AFP College in Barton for 24 weeks, although local candidates now have the option to remain at home and travel to the college each day. From Monday to Friday, they train in a squad of up to 30 recruits. They do physical training three times a week and also complete some assignments out of hours. Recruits go through extensive training involved in the use of force, the use of firearms and other accoutrements, and driver training. They also study criminal law thoroughly and receive training on de-escalation, conflict resolution, brief of evidence preparation, and interview techniques. After the recruits finish their training, they will be allocated to one of our five police stations.

The first two weeks with ACT Policing sees them complete a two-week local policies and procedures program, and that program covers ACT Policing systems, including the use of police radios, dispatch protocols and operational applications. New officers are also certified in the provision of random breath-testing procedures and other road policing procedures. When they complete the six months probation, work in the first year is done. When this is assessed as complete, officers qualify for a diploma of policing.

I should note that is just the beginning of an ACT police officer's training. In short, learning and development is a career-long journey for our police officers. I am very

proud to say that we give our police officers the best training, and that is why ACT Policing includes some of the finest police officers in the country. Canberrans should be very proud of their police force, as I certainly am.

### **Government—human resources and information management system**

**MR CAIN:** My question is to the Special Minister of State. Minister, as you are aware, the disastrous human resources and information management system project has cost ACT taxpayers close to \$78 million and counting. Minister, what is the total cost to ACT taxpayers of decommissioning the HRIMS project?

**MR STEEL:** I think I will refer Mr Cain to the answer that I provided to him on notice, which is finding its way to him.

**MR CAIN:** Minister, can you confirm that HRIMS has finally been decommissioned?

**MR STEEL:** I will take that on notice.

**MRS KIKKERT:** Minister, what will be the total cost of the life cycle of the HRIMS project, including the process of its decommissioning?

**MR STEEL:** I, again, refer the member to the answer that I have provided on notice. Of course, through that program we have a new learning management system, which will continue to deliver learning across ACT government as part of that program, so not the entire program will be decommissioned.

### **Housing ACT—vacant property**

**MS LAWDER:** My question is for the Minister for Housing. The cost of living inquiry was told in April this year that there were about 100 properties that were vacant and awaiting redevelopment, there were about 700 dwellings in the pipeline and that there were also nearly 100 demolitions scheduled before the end of this calendar year. The minister was asked specifically about public housing opposite Wanniasa shops that was knocked down and fenced off. Directorate officials said during that hearing that nine houses would be completed in early 2024 on that site. All of this with a backdrop of thousands of people waiting for public housing, while hundreds of properties are empty for years. Minister, has construction started on this block in Wanniasa, and the block in Chisholm that was also talked about during the cost of living inquiry?

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

**MS LAWDER:** Minister, will the project be completed in Wanniasa in early 2024 as advised to the committee earlier this year?

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

**MR PARTON:** Minister, how many properties are currently vacant, awaiting development and awaiting demolition?

**MS BERRY:** I will need to take that question on notice too. As Mr Parton will know, those figures change quite regularly and I just do not have today's figures. I will get the closest that I have to today and provide it, if I can before the end of today, or on notice.

### **Active travel—car-free day**

**MR PARTON:** My question is to the Minister for Emissions Reduction. Minister, earlier in the year you very clearly stated that you were planning to run a car-free day in Canberra in the spring. This was despite advice from EPSDD that “there was significant risk of further compounding negative community sentiment” by hosting such an event. At the time—as per your laugh here in chamber—you dismissed the advice and declared that your car-free day would occur in the spring. Spring is over, and the postponed Sustainable Travel Street Party in Braddon that was planned for the weekend would certainly not have been a car-free day, if it had gone ahead. Minister, why did you back away from the steadfast commitment of a car-free day?

**MR RATTENBURY:** I did develop a wry smile as Mr Parton asked his question, because he has been such an excellent proponent of that “negative community sentiment”. His distortion of what the ACT government was trying to achieve by drawing the community's attention to alternative travel options involved, for example, being in Tuggeranong and telling people that they would not be able to drive to Civic. These sorts of falsehoods that were being propagated by Mr Parton—

*Members interjecting—*

**MR RATTENBURY:** He has been very passionate about this. That sort of falsehood created issues around how we thought about how to talk to the community about this. The government set out to organise the Sustainable Travel Street Party, an event where we were going to expose the community to a range of alternative travel options. It was scheduled for last weekend but, unfortunately, due to the forecast of extremely poor weather, a decision was taken last week to postpone that event until early in 2024. The event will proceed. We were very pleased with the engagement from the community around that event. The range of stallholders, community organisations and alternative travel providers who were keen to be involved was very positive. I am sure when this event goes ahead early in 2024 it will be very successful.

**MR PARTON:** Minister, is the Sustainable Travel Street Party relevant to the people of Tuggeranong, outer Gungahlin and West Belconnen? If so, why was it planned for Braddon?

**MR RATTENBURY:** It absolutely is. It is relevant to every person in every suburb in the ACT. It seeks to provide people with information about the range of travel options that are available to them. Right across this city, a large number of car journeys are less than five kilometres. If you live in Condor, that might be to the local shops. There are all sorts of examples where people take quite short journeys that could be taken another way—through the use of electric bikes, through the use of electric scooters and a range of options. That is why it is relevant to everybody across the city.

The reason it was to be held in Braddon was to seek to coincide with a range of other activities. Of course, being the centre of a vast city—a city that is quite spread out—you try to make it as central as possible for everybody to get to. It is simply a matter of convenience.

**MR COCKS:** Minister, will you run your car-free day between now and the election?

**MR RATTENBURY:** As indicated, the Sustainable Travel Street Party will take place early in 2024.

### **Planning—infill target**

**MS CLAY:** My question is to the Minister for Planning and Land Management. Minister, in a recent answer you revealed that the only suburbs counted as greenfield for the purposes of our 70-30 infill target were Strathnairn, Whitlam, Taylor, Denman Prospect and Jacka. Throsby is a greenfield suburb, which expands the current urban footprint, but it was counted as within our urban footprint. It clearly isn't, on the map. Can you tell me why the suburb of Throsby, on the city's fringe, was classified as within the urban footprint in 2018?

**MR GENTLEMAN:** I thank Ms Clay for the question. The government remains committed to the growth of our city in a sustainable way. This is evident in the 70-30 target for urban infill that we have in the Planning Strategy from 2018. That strategy allows the government to manage urban sprawl while still providing a range of housing choices to the community. I can say that the suburbs of Throsby, Coombs and Wright are identified as land within the existing urban footprint and would fall into the category of infill within the Planning Strategy.

**MS CLAY:** Minister, why were the greenfield sections of Wright and Coombs, which are directly across the road from the greenfield suburb of Denman Prospect, counted as within the urban footprint?

**MR GENTLEMAN:** These suburbs are shown in a grey colour as urban areas on the growth map in the Planning Strategy. The ACT Planning Strategy does not have a map that shows the existing urban footprint. However, the glossary defines "urban footprint" as the geographic extent of the existing urban area. The Planning Strategy policy plan shows urban areas in grey.

**MR CAIN:** Minister, is it not true that you have effectively been redefining key definitions since the 2018 commitment, to give the appearance of meeting that 70-30 target?

**MR GENTLEMAN:** No.

*Members interjecting—*

**MADAM SPEAKER:** Members!

### **Drugs—pill testing**

**MISS NUTTALL:** My question is for the Minister for Health.

Minister, on 25 November, *Spilt Milk* made history and became the 2nd music festival to accommodate onsite pill testing here in the ACT. The *Festivals pill testing policy* outlines important advice for event organisers to prioritise harm minimisation at large events. The recommendations in the policy serve as a general framework and event organisers are not obligated to follow them. Minister, what is the ACT government doing to make onsite pill testing a necessary requirement for music festivals in Canberra?

**MS STEPHEN-SMITH:** I thank Miss Nuttall for the question. I appreciate getting the question today.

The ACT government is not currently intending to make onsite pill testing a requirement for musical festivals. We know from the history just last year that there were substantial challenges with delivering onsite pill testing at festivals; Pill Testing Australia was unable to get affordable insurance for that undertaking. It would not be reasonable—the insurance market being the fickle beast that it is—for the ACT government to insert a requirement for musical festivals to include pill testing or drug checking where there is an unknown and unpredictable cost associated with that. Indeed, while I hope this is not the case, it is possible in the future that insurance will be impossible to get.

So it is not our intention to make it mandatory to have pill testing or drug checking available at music festivals. But we certainly do welcome the fact that the service was able to go ahead at *Spilt Milk*. Obviously that is the third time that we have had pill testing at a music festival in the ACT. From all reports, it sounds like it was very, very welcome. Of course, it sat alongside the extended hours at CanTEST, our fixed site drug checking service, as well. This is a really positive harm minimisation measure for our community.

**MISS NUTTALL:** Minister, what is the ACT government doing to avoid a situation such as the one that arose last year where the *Groovin the Moo* onsite pill testing was unable to happen because the insurer backed out?

**MS STEPHEN-SMITH:** I thank Miss Nuttall for the supplementary question. There is actually a limited amount that the ACT government can do in that circumstance. We are not in a position to provide insurance or support for insurers in those circumstances. Obviously, we do have the *Festivals pill testing policy*, which Miss Nuttall referred to in her first question, which creates a highly supportive environment. I also note the Queensland Labor government has indicated that it is now going to support festival based pill testing and I have encouraged health ministers around the country to look at the evidence from our now-three examples of where we have had festival based pill testing, because the more governments want to do it, and the more it is shown to be an appropriate service, the more likely it is that insurers will actually be willing to take this on.

So those are the things we can do. We can create a supportive environment. We can provide the evidence, including the evidence from fixed site pill testing that demonstrates that this is not a risk for insurers such that it should be uninsurable. We

can encourage our colleagues around the country to do the same, to build up that evidence base in Australia.

**MR PARTON:** Minister, is there a genuine fear that this sort of insurance will, at some stage, no longer be available? What is that fear based on?

**MS STEPHEN-SMITH:** That is based on experience from last year, Mr Parton, where that insurance was effectively unavailable for this particular service, and it was only at the very last minute that it became really clear that Pill Testing Australia was not going to be able to secure that insurance. That is why it is so important that we continue to demonstrate the effectiveness of this harm reduction service, both in a fixed site way and in a festival setting, so that insurers can better understand the product and so they can appropriately respond to it with an affordable insurance scheme. That will then see more festival promoters actually being willing and able to have pill testing and drug checking at their festivals.

### **Roads—dangerous driving**

**DR PATERSON:** My question is to the Minister for Transport and City Services. Minister, one of the actions of the ACT Road Safety Action Plan 2020-2023 is to review the ACT's road transport penalties framework. How is the ACT government tracking in delivering this action?

**MR STEEL:** I thank Dr Paterson for her question and her commitment to road safety in the ACT. I am very pleased to advise the Assembly that the ACT government has been making very good progress in relation to our review of the ACT's road transport penalties framework. The Assembly passed the government's first tranche of reforms earlier this year, through the Road Safety Legislation Amendment Bill 2022, which targeted dangerous driving behaviours such as high-range speeding, hooning and street racing. I was very pleased to hear, including at a recent roundtable that the Attorney-General hosted on dangerous driving in the ACT, that ACT Policing has been effectively using the new powers and has swiftly removed more than 150 dangerous drivers from ACT roads by issuing immediate licence suspensions.

Yesterday, I introduced the government's second tranche of reforms through the Road Safety Legislation Amendment Bill 2023. That targets unsafe drink and drug driving behaviours on ACT roads.

**DR PATERSON:** Minister, how will the newly introduced Road Safety Legislation Amendment Bill help to improve road safety in Canberra?

**MR STEEL:** I thank Dr Paterson for her supplementary. The new bill introduces swifter, stronger and fairer reforms that will make our roads safer for everyone. The amendments will enhance penalties, particularly for deterring drink and drug driving behaviours, implement a new infringements scheme for first-time low-range drink drivers, introduce a new combined drink and drug driving offence, and introduce cocaine as a prescribed drug that ACT Policing can screen for in roadside testing.

The implementation of an infringements scheme will see first-time low-range drink drivers, for levels 1 and 2, receive an immediate \$800 fine and six months loss of



licence. The amendments proposed in the bill send a very strong message to the community that, if you drink and drive or if you take drugs and drive, you can receive an immediate licence suspension. This makes our community safer by immediately removing impaired drivers from our roads.

**MR PETTERSSON:** Minister, what other actions is the ACT government taking to improve road safety in Canberra?

**MR STEEL:** I thank the member for his question. Legislative reforms are only ever part of the overall picture. The ACT government is committed to ongoing education, behaviour-change programs and safety initiatives to keep our local roads safe. The ACT government has been developing our next action plan under the Road Safety Strategy which will be for 2024 and 2025. I am looking forward to releasing it soon. It will incorporate actions from the National Road Safety Action Plan for states and territories that we signed up to in December last year.

Last week, I launched the new learner driver first-aid program, which will provide more flexible options for learner drivers to enhance their skills and credit their mandatory supervised driving hours. That can be undertaken with a range of different organisations, but particularly through St John it is a free program. Work has been underway to develop a new program which will focus on behaviour change and is targeted at at-risk youth, with the aim of reducing dangerous driving behaviours. Over the summer holiday period, the ACT government will also be rolling out community education and awareness campaigns focused on dangerous driving behaviours like drink and drug driving.

Last year, we had a very bad year on our roads, with 18 deaths. This year, we have had three deaths on our roads—three lives too many. I want to urge all Canberrans over the Christmas holiday period to stay safe on our roads, particularly when travelling on roads like the Hume Highway, the Federal Highway, the Barton Highway and the Kings Highway. Make sure that you drive so that others survive.

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