



LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL TERRITORY

2016–2017

MINUTES OF PROCEEDINGS

No 43

THURSDAY, 30 NOVEMBER 2017

1 The Assembly met at 10 am, pursuant to adjournment. The Speaker (Ms Burch) took the Chair and asked Members to stand in silence and pray or reflect on their responsibilities to the people of the Australian Capital Territory.

2 PETITIONS—REFERRALS TO COMMITTEES—STATEMENTS BY MEMBERS

The Clerk announced that the following Members had lodged petitions for presentation:

Ms Le Couteur, from 250 and 2862 residents, respectively, requesting in similar terms that the Assembly call on the Government to protect the iconic Red Hill natural environment and surrounding existing green space through integrated planning (Pets 28-17 and 29-17).

Pursuant to standing order 99A, petition 29-17 stands referred to the Standing Committee on Planning and Urban Renewal.

Ms Lee, from 749 residents, requesting that the Assembly urge and support the Commonwealth Government to protect the heritage values of Lake Burley Griffin and its surrounds (Pet 30-17).

Pursuant to standing order 99A, petition 30-17 stands referred to the Standing Committee on Environment and Transport and City Services.

Mrs Jones, from 713 residents, requesting that the Assembly upgrade the playground next to the Torrens shops, including more funding for additional equipment and access from the shops (Pet 31-17).

Pursuant to standing order 99A, petition 31-17 stands referred to the Standing Committee on Environment and Transport and City Services.



Mr Steel, from 149 residents, requesting that the Assembly take steps to delay draft variation 344 until the Standing Committee on Planning and Urban Renewal completes its inquiry into the matter and issues surrounding building heights, shadowing and signposting. (Pet 32-17).

Mrs Jones, Ms Le Couteur, Mr Steel, Ms Lee and Ms Lawder, by leave, made statements in relation to the petitions.

3 2016 A.C.T. ELECTION AND ELECTORAL ACT—SELECT COMMITTEE—REPORT—INQUIRY INTO THE 2016 A.C.T. ELECTION AND THE ELECTORAL ACT—REPORT NOTED

Ms Cody (Chair), pursuant to order, presented the following report:

2016 ACT Election and Electoral Act—Select Committee—Report—*Inquiry into the 2016 ACT Election and the Electoral Act*, dated 30 November 2017, including additional/dissenting comments (*Ms Le Couteur*), together with the relevant minutes of proceedings—

and moved—That the report be noted.

Debate ensued.

Question—put and passed.

4 A.C.T. HEALTH SYSTEM-WIDE DATA REVIEW QUARTERLY UPDATE—MINISTERIAL STATEMENT—PAPER NOTED

Ms Fitzharris (Minister for Health and Wellbeing) made a ministerial statement concerning the ACT Health system-wide data review quarterly update and presented the following paper:

ACT Health System-Wide Data Review Quarterly Update—November 2017—Ministerial statement, 30 November 2017.

Ms Fitzharris moved—That the Assembly take note of the paper.

Question—put and passed.

5 EUROPEAN UNION DELEGATION—AUGUST/SEPTEMBER 2017—MINISTERIAL STATEMENT AND PAPERS—PAPER NOTED

Mr Gentleman (Minister for Planning and Land Management) made a ministerial statement concerning a European Union Delegation in August/September 2017 and presented the following papers:

European Union Delegation—August/September 2017—Ministerial statement, 30 November 2017.

European Union and Singapore—12-day study tour—Report.

Letter of intent between Canberra, Australia and Prague Start-up Centre, Prague, Czech Republic, dated 29 August 2017.

Mr Gentleman moved—That the Assembly take note of the Ministerial statement.

Question—put and passed.

6 VETERANS MINISTERS' ROUNDTABLE—UPDATE ON VETERANS INITIATIVES AND OUTCOMES—MINISTERIAL STATEMENT—PAPER NOTED

Mr Ramsay (Minister for Veterans and Seniors) made a ministerial statement concerning an update on veterans initiatives and outcomes from the Veterans Ministers' Roundtable and presented the following paper:

Veterans Ministers' Roundtable—Update on Veterans Initiatives and Outcomes—Ministerial statement, 30 November 2017.

Mr Ramsay moved—That the Assembly take note of the paper.

Question—put and passed.

7 BUILDING AND CONSTRUCTION LEGISLATION AMENDMENT BILL 2017

Mr Gentleman (Minister for Planning and Land Management), pursuant to notice, presented a Bill for an Act to amend legislation about building and construction, and for other purposes.

Papers: Mr Gentleman presented the following papers:

Explanatory statement to the Bill.

Human Rights Act, pursuant to section 37—Compatibility statement, dated 29 November 2017.

Title read by Clerk.

Mr Gentleman moved—That this Bill be agreed to in principle.

Debate adjourned (Ms Lawder) and the resumption of the debate made an order of the day for the next sitting.

8 CRIMES (FORTIFICATION REMOVAL) AMENDMENT BILL 2017

Mr Ramsay (Attorney-General), pursuant to notice, presented a Bill for an Act to amend the *Crimes Act 1900*.

Papers: Mr Ramsay presented the following papers:

Explanatory statement to the Bill.

Human Rights Act, pursuant to section 37—Compatibility statement, dated 29 November 2017.

Title read by Clerk.

Mr Ramsay moved—That this Bill be agreed to in principle.

Debate adjourned (Mr Hanson) and the resumption of the debate made an order of the day for the next sitting.

9 CRIMES LEGISLATION AMENDMENT BILL 2017 (NO 2)

Mr Ramsay (Attorney-General), pursuant to notice, presented a Bill for an Act to amend legislation about crimes, and for other purposes.

Papers: Mr Ramsay presented the following papers:

Explanatory statement to the Bill.

Human Rights Act, pursuant to section 37—Compatibility statement, dated 29 November 2017.

Title read by Clerk.

Mr Ramsay moved—That this Bill be agreed to in principle.

Debate adjourned (Mr Hanson) and the resumption of the debate made an order of the day for the next sitting.

10 WORK HEALTH AND SAFETY LEGISLATION AMENDMENT BILL 2017

Ms Stephen-Smith (Minister for Workplace Safety and Industrial Relations), pursuant to notice, presented a Bill for an Act to amend legislation about dangerous substances and work health and safety, and for other purposes.

Papers: Ms Stephen-Smith presented the following papers:

Explanatory statement to the Bill.

Human Rights Act, pursuant to section 37—Compatibility statement, dated 29 November 2017.

Title read by Clerk.

Ms Stephen-Smith moved—That this Bill be agreed to in principle.

Debate adjourned (Mr Wall) and the resumption of the debate made an order of the day for the next sitting.

11 ADMINISTRATION AND PROCEDURE—STANDING COMMITTEE—REFERENCE—REVIEW OF CONTINUING RESOLUTION 9—SENATOR FOR THE AUSTRALIAN CAPITAL TERRITORY—PROCEDURES FOR ELECTION

Mrs Dunne, pursuant to notice, moved—That this Assembly:

- (1) notes:
 - (a) the provision of Continuing Resolution 9 of the Legislative Assembly relating to the procedure for electing a Senator for the ACT to fill a casual vacancy in the Senate;
 - (b) the recent High Court decision that led to the disqualification and resignations of a number of Senators and Members of the Australian Parliament due to ineligibility to serve under clause 44 of the Australian Constitution;
 - (c) the Assembly's appointment of Ms Katy Gallagher as a Senator in 2015; and
 - (d) the statements in the Senate of 4 September 2017, by Senator Gallagher, that cast doubt on her eligibility to be appointed to a casual vacancy in 2015; and
- (2) calls on the Assembly to refer Continuing Resolution 9 to the Legislative Assembly Standing Committee on Administration and Procedure for review and report.

Mr Rattenbury moved the following amendment: Omit all words after (1), substitute:

- “(1) notes:
- (a) the recent High Court decision that led to the disqualification and resignations of a number of Senators and Members of the Australian Parliament due to ineligibility to serve under clause 44 of the Australian Constitution;
 - (b) the provision of Continuing Resolution 9 of the Legislative Assembly relating to the procedure for electing a Senator for the ACT to fill a casual vacancy in the Senate;
 - (c) that the Legislative Assembly has acted under Continuing Resolution 9 on two separate occasions to fill casual vacancies, in 2003 and 2015; and
 - (d) the processes currently being undertaken in the Federal Parliament to affirm the eligibility of current Members and Senators;
- (2) refers Continuing Resolution 9 to the Legislative Assembly Standing Committee on Administration and Procedure to examine:
- (a) what role the Legislative Assembly has in ensuring the eligibility of persons seeking to fill casual vacancies;
 - (b) the processes undertaken in other jurisdictions;
 - (c) whether the previous appointments made by the Assembly might be considered in hindsight to be unsound;
 - (d) whether the Legislative Assembly needs to adopt any new practices; and
 - (e) any other relevant matters; and
- (3) the Committee shall report to the Assembly by the last sitting day in March 2018.”.

Debate continued.

Amendment agreed to.

Question—That the motion, as amended, viz:

“That this Assembly:

- “(1) notes:
- (a) the recent High Court decision that led to the disqualification and resignations of a number of Senators and Members of the Australian Parliament due to ineligibility to serve under clause 44 of the Australian Constitution;
 - (b) the provision of Continuing Resolution 9 of the Legislative Assembly relating to the procedure for electing a Senator for the ACT to fill a casual vacancy in the Senate;
 - (c) that the Legislative Assembly has acted under Continuing Resolution 9 on two separate occasions to fill casual vacancies, in 2003 and 2015; and
 - (d) the processes currently being undertaken in the Federal Parliament to affirm the eligibility of current Members and Senators;

- (2) refers Continuing Resolution 9 to the Legislative Assembly Standing Committee on Administration and Procedure to examine:
 - (a) what role the Legislative Assembly has in ensuring the eligibility of persons seeking to fill casual vacancies;
 - (b) the processes undertaken in other jurisdictions;
 - (c) whether the previous appointments made by the Assembly might be considered in hindsight to be unsound;
 - (d) whether the Legislative Assembly needs to adopt any new practices; and
 - (e) any other relevant matters; and
- (3) the Committee shall report to the Assembly by the last sitting day in March 2018.”—

be agreed to—put and passed.

12 CONTINUING RESOLUTION 6—DECLARATION OF PRIVATE INTERESTS OF MEMBERS—AMENDMENT

Ms Burch (Speaker), pursuant to notice, moved—That continuing resolution 6 entitled *Declaration of Private Interests of Members* be amended by omitting all words after “That—” and substituting:

- “(1) within 28 days of the making and subscribing of an oath or affirmation as a Member of the Legislative Assembly for the Australian Capital Territory each Member of the Legislative Assembly shall provide to the Clerk of the Legislative Assembly a declaration of the private interests of themselves and their immediate family in the form as presented to the Assembly on 30 November 2017 and shall notify any alteration of those interests to the Clerk within 60 days of that alteration occurring;
- (2) under the general direction of the Speaker, and in accordance with section 11 of the form, the Clerk shall store the declarations of private interests made by each Member and arrange for the declarations and updates for that Assembly to be placed on the Legislative Assembly website on the internet. When a Member vacates his or her seat or is not re-elected at the next general election for the Assembly, the Clerk shall retain those declarations for seven years, after which the Clerk shall destroy all declarations made by that Member in his/her custody and remove those declarations from the Legislative Assembly website on the internet;
- (3) any declaration stored by the Clerk be made available for perusal to any person on request; and
- (4) this resolution has effect from the commencement of the Second Assembly and continues in force unless and until amended or repealed by this or a subsequent Assembly.”.

Question—put and passed.

13 END OF LIFE CHOICES IN THE A.C.T.—SELECT COMMITTEE—ESTABLISHMENT

Mr Barr (Chief Minister), pursuant to notice, moved—That:

- (1) a select committee be established to inquire into end of life choices in the ACT, including:
 - (a) current practices utilised in the medical community to assist a person to exercise their preference in managing the end of their life, including palliative care;
 - (b) ACT community views on the desirability of voluntary assisted dying being legislated in the ACT;
 - (c) risks to individuals and the community associated with voluntary assisted dying and whether and how these can be managed;
 - (d) the applicability of voluntary assisted dying schemes operating in other jurisdictions to the ACT, particularly the Victorian scheme;
 - (e) the impact of Federal legislation on the ACT determining its own policy on voluntary assisted dying and the process for achieving change; and
 - (f) any other relevant matter;
- (2) the select committee shall consist of the following number of members, composed of:
 - (a) two Members to be nominated by the Government;
 - (b) two Members to be nominated by the Opposition;
 - (c) one Member to be nominated by the Crossbench; and
 - (d) the Chair shall be a Government Member;
- (3) the select committee be provided with necessary staff, facilities and resources;
- (4) the select committee is to report by the last sitting day in 2019;
- (5) 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, who is authorised to give directions for its printing, publishing and circulation;
- (6) the foregoing provisions of this resolution, so far as they are inconsistent with the standing orders, have effect notwithstanding anything contained in the standing orders; and
- (7) nominations for membership of the committee be notified in writing to the Speaker within two hours following conclusion of the debate on the matter.

Mr Coe (Leader of the Opposition), by leave, moved the following amendments together:

- (1) Omit paragraph (2)(d).

(2) Omit paragraph (4), substitute:

“(4) the select committee is to report by the last sitting day in 2018;”.

Debate continued.

Question—That the amendments be agreed to—put.

The Assembly voted—

AYES, 12		NOES, 11	
Mr Coe	Ms Le Couteur	Mr Barr	Ms Orr
Mrs Dunne	Ms Lee	Ms Burch	Mr Pettersson
Mr Hanson	Mr Milligan	Ms Cheyne	Mr Ramsay
Mrs Jones	Mr Parton	Ms Cody	Mr Steel
Mrs Kikkert	Mr Rattenbury	Ms Fitzharris	Ms Stephen-Smith
Ms Lawder	Mr Wall	Mr Gentleman	

And so it was resolved in the affirmative.

Question—That the motion, as amended, viz:

“That:

- (1) a select committee be established to inquire into end of life choices in the ACT, including:
 - (a) current practices utilised in the medical community to assist a person to exercise their preference in managing the end of their life, including palliative care;
 - (b) ACT community views on the desirability of voluntary assisted dying being legislated in the ACT;
 - (c) risks to individuals and the community associated with voluntary assisted dying and whether and how these can be managed;
 - (d) the applicability of voluntary assisted dying schemes operating in other jurisdictions to the ACT, particularly the Victorian scheme;
 - (e) the impact of Federal legislation on the ACT determining its own policy on voluntary assisted dying and the process for achieving change; and
 - (f) any other relevant matter;
- (2) the select committee shall consist of the following number of members, composed of:
 - (a) two Members to be nominated by the Government;
 - (b) two Members to be nominated by the Opposition; and
 - (c) one Member to be nominated by the Crossbench;
- (3) the select committee be provided with necessary staff, facilities and resources;
- (4) the select committee is to report by the last sitting day in 2018;

- (5) 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, who is authorised to give directions for its printing, publishing and circulation;
- (6) the foregoing provisions of this resolution, so far as they are inconsistent with the standing orders, have effect notwithstanding anything contained in the standing orders; and
- (7) nominations for membership of the committee be notified in writing to the Speaker within two hours following conclusion of the debate on the matter.”—

be agreed to—put and passed.

14 QUESTIONS

Questions without notice were asked.

15 MAX KIERMAIER—RETIREMENT—STATEMENT BY SPEAKER

The Speaker made a statement concerning the forthcoming retirement of the Deputy Clerk and Serjeant-at-Arms, Max Kiermaier.

Mr Coe (Leader of the Opposition), Mrs Dunne and Mr Rattenbury, by leave, also made statements.

16 PRESENTATION OF PAPERS

The Speaker presented the following papers:

Statement of Registrable Interests form—Revised November 2017, pursuant to the resolution of the Assembly of 30 November 2017.

Parliamentary Triangle—Proposed sale of East Block and West Block Buildings—Letter from the Chief Minister to the Speaker, dated 28 November 2017, enclosing a copy of the Chief Minister’s letter to the Acting Federal Minister for Local Government and Territories, in relation to the resolution of the Assembly of 21 September 2017.

17 EDUCATION AND CARE SERVICES NATIONAL LAW—EDUCATION AND CARE SERVICES NATIONAL AMENDMENT REGULATIONS 2017—PAPER AND STATEMENT BY MINISTER

Ms Berry (Minister for Education and Early Childhood Development) presented the following paper:

Education and Care Services National Law as applied by the law of the States and Territories, pursuant to sections 301 and 324—Education and Care Services National Amendment Regulations 2017, dated 15 September 2017, together with an explanatory statement—

and, by leave, made a statement in relation to the paper.

18 QUESTION ON NOTICE NO 662—ANSWER—EXPLANATION

Mrs Jones, pursuant to standing order 118A, asked Mr Gentleman (Minister for Police and Emergency Services) for an explanation concerning the answer to question on notice No 662.

Mr Gentleman gave an explanation.

19 PRESENTATION OF PAPERS

Mr Ramsay (Attorney-General) presented the following papers:

Annual Reports (Government Agencies) Act, pursuant to section 13—Annual Report 2016-2017—Justice and Community Safety Directorate—Corrigendum.

Director of Public Prosecutions—Funding, pursuant to the resolution of the Assembly of 23 August 2017.

20 PROPERTY CRIME PREVENTION STRATEGY 2016-2020—PROGRESS REPORT—2016-2017—PAPER AND STATEMENT BY MINISTER

Mr Rattenbury (Minister for Justice, Consumer Affairs and Road Safety) presented the following paper:

Property Crime Prevention Strategy 2016-2020—Progress report—2016-2017—
and, by leave, made a statement in relation to the paper.

21 CLIMATE CHANGE AND GREENHOUSE GAS REDUCTION ACT—ANNUAL REPORT BY INDEPENDENT ENTITY—A.C.T. GREENHOUSE GAS INVENTORY 2016-17—PAPER AND STATEMENT BY MINISTER

Mr Rattenbury (Minister for Climate Change and Sustainability) presented the following paper:

Climate Change and Greenhouse Gas Reduction Act, pursuant to subsection 12(4)—Annual report by independent entity—ACT Greenhouse Gas Inventory 2016-17, dated 31 October 2017, prepared by Dr Hugh Saddler—

and, by leave, made a statement in relation to the paper.

22 CLIMATE CHANGE AND GREENHOUSE GAS REDUCTION ACT—MINISTER'S ANNUAL REPORT 2016-17—PAPER AND STATEMENT BY MINISTER

Mr Rattenbury (Minister for Climate Change and Sustainability) presented the following paper:

Climate Change and Greenhouse Gas Reduction Act, pursuant to subsection 15(3)—Minister's annual report 2016-17—

and, by leave, made a statement in relation to the paper.

23 PRESENTATION OF PAPER

Ms Stephen-Smith (Minister for Disability, Children and Youth) presented the following paper:

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

24 HEALTH, AGEING AND COMMUNITY SERVICES—STANDING COMMITTEE—REPORT 2—INQUIRY INTO THE EMPLOYMENT OF PEOPLE WITH DISABILITIES—GOVERNMENT RESPONSE—PAPER NOTED

Ms Stephen-Smith (Minister for Disability, Children and Youth) presented the following paper:

Health, Ageing and Community Services—Standing Committee—Report 2—*Inquiry into the Employment of People with Disabilities*—Government response—

and moved—That the Assembly take note of the paper.

Question—put and passed.

25 QUESTION ON NOTICE NO 662—EXPLANATION—STATEMENT BY MINISTER

Mr Gentleman (Minister for Police and Emergency Services), by leave, made a statement in relation to the answer to question on notice No 662.

26 JUSTICE AND COMMUNITY SAFETY—STANDING COMMITTEE—REPORT 1—REPORT ON ANNUAL AND FINANCIAL REPORTS 2015-2016—RECOMMENDATIONS 11 AND 12—GOVERNMENT RESPONSE—POSTPONEMENT—STATEMENT BY MINISTER

Ms Stephen-Smith (Minister for Disability, Children and Youth), by leave, made a statement advising Members of the postponement of the Government's response to Recommendations 11 and 12 of Report 1 of the Standing Committee on Justice and Community Safety until early 2018.

27 ABORIGINAL AND TORRES STRAIT ISLANDER AGREEMENT 2015-2018—ANNUAL REPORT 2017—MINISTERIAL STATEMENT AND PAPER—PAPER NOTED

Ms Stephen-Smith (Minister for Aboriginal and Torres Strait Islander Affairs) made a ministerial statement concerning the 2017 Annual Report for the Aboriginal and Torres Strait Islander Agreement 2015-2018 and presented the following papers:

Aboriginal and Torres Strait Islander Agreement 2015-2018—Annual Report 2017—Ministerial statement, 30 November 2017.

Aboriginal and Torres Strait Islander Agreement 2015-2018—Annual Report 2017.

Ms Stephen-Smith moved—That the Assembly take note of the Ministerial statement.

Question—put and passed.

28 END OF LIFE CHOICES IN THE A.C.T.—SELECT COMMITTEE—MEMBERSHIP

The Speaker, pursuant to the Assembly's resolution of this day, informed the Assembly that she had been notified, in writing, of the nominations of Ms Cheyne, Ms Cody, Mrs Dunne, Mrs Kikkert and Ms Le Couteur to be members of the Select Committee on End of Life Choices in the ACT.

Mr Gentleman (Manager of Government Business) moved—That the Members so nominated be appointed as members of the Select Committee on End of Life Choices in the ACT.

Question—put and passed.

29 ENVIRONMENT AND TRANSPORT AND CITY SERVICES—STANDING COMMITTEE—REFERENCE—MAMMAL EMBLEM FOR THE A.C.T.

Mr Barr, pursuant to notice, moved—That this Assembly:

- (1) notes:
 - (a) that the current emblems for the ACT are the floral emblem, the *Wahlenbergia gloriosa* (Royal Bluebell) adopted in 1982 and the faunal emblem, *Callocephalon fimbriatum* (Gang-gang Cockatoo) adopted in 1997;
 - (b) that all other Australian States and Territories have a mammal emblem, distinct from their bird emblem;
 - (c) that Tasmania was the last State or Territory to adopt a mammal emblem, with the Tasmanian Devil formally proclaimed in May 2015;
 - (d) that other emblems adopted by other States and Territories are the Southern Hairy-Nosed Wombat (South Australia), Numbat (Western Australia), Red Kangaroo (Northern Territory), Koala (Queensland), Platypus (New South Wales) and the Leadbeater's Possum (Victoria); and
 - (e) that there has been an increase in local interest of the fact that the ACT does not have a mammal emblem;
- (2) further notes that the ACT Government does not place legislative requirements around the use of the existing faunal and floral emblems, meaning they can be used by anyone on publications, uniforms or websites; and
- (3) resolves that the Standing Committee on Environment and Transport and City Services shall report back to the Assembly on whether the ACT should have a mammal emblem and a recommendation on what that should be by September 2018.

Debate ensued.

Ms Lee addressing the Assembly—

It being 45 minutes after the commencement of Assembly business—

Ordered—That the time allotted to Assembly business be extended by 30 minutes.

Debate continued.

Question—put and passed.

30 ENVIRONMENT AND TRANSPORT AND CITY SERVICES—STANDING COMMITTEE—INQUIRY—MAMMAL EMBLEM FOR THE A.C.T.—STATEMENT BY CHAIR

Ms Orr (Chair), pursuant to standing order 246A, made a statement concerning the Standing Committee on Environment and Transport and City Services' inquiry into, and reporting on, a mammal emblem for the ACT.

31 EXECUTIVE MEMBERS' BUSINESS—PRECEDENCE

Ordered—That Executive Members' business be called on forthwith.

32 PILL TESTING

Mr Rattenbury, pursuant to notice, moved—That this Assembly:

- (1) notes that:
 - (a) Australian ecstasy pills are amongst the most dangerous in the world, as found in a review of nearly 27 000 pills conducted in five countries over 10 years. They are highest in “unknown” ingredients and highest in the toxic and potentially fatal substance para-methoxyamphetamine (PMA);
 - (b) six Australians died after taking drugs at music festivals in 2015, with purity or toxicity believed to be important contributing factors;
 - (c) Australian drug policy rests on three pillars: supply reduction, demand reduction and harm reduction. The National Drug Strategy attributes equal importance to all pillars, but in 2013 law enforcement spending was at 64 percent, treatment was at 22 percent, prevention was at 9.6 percent, while harm reduction represented only 2.2 percent of spending; and
 - (d) the war on drugs has been ineffective at quelling the demand and supply of illicit drugs and instead it has pushed drug manufacture and trade underground, contributing to the increase in use of emerging psychoactive substances;
- (2) further notes that:
 - (a) in September 2017, the ACT Government announced it would allow pill testing services to be provided as a harm reduction measure to keep people safe at the Spilt Milk music festival;
 - (b) a number of studies have provided positive indications that pill testing minimises risky drug consumption, including:
 - (i) in Austria, two-thirds of drug users who were informed by a government-funded pill testing service of potential toxic harms decided not to consume their drugs, and told their friends not to either;
 - (ii) trials at recent festivals in the United Kingdom found that one-fifth of people handed over all drugs for disposal and an additional fifth said they would dispose of the drugs themselves when they were informed they did not have the drug they thought they had; and
 - (iii) in Australia, 76 percent of participants in a hypothetical study reported they would not take a pill with “unknown” substances in it; and

- (c) in the absence of an officially endorsed pill testing trial, festival-goers are increasingly turning to reagent testing kits which are significantly less reliable and do not provide an opportunity to give information to consumers or collect data about what drugs are in the market;
- (3) expresses its disappointment that the opportunity to trial pill testing at Spilt Milk was missed despite the best efforts of the STA-SAFE consortium to provide all necessary documentation and paperwork as requested; and
- (4) reaffirms the ACT Government's commitment to:
 - (a) support pill testing as an evidence-based strategy to minimise drug-related harm and keep young people safe;
 - (b) explore further opportunities to trial pill testing in the ACT; and
 - (c) actively promote harm minimisation approaches through public messaging and community education materials.

Debate ensued.

Question—put.

The Assembly voted—

AYES, 11		NOES, 8	
Mr Barr	Ms Le Couteur	Mr Coe	Ms Lee
Ms Berry	Ms Orr	Mrs Dunne	Mr Parton
Ms Burch	Mr Pettersson	Mr Hanson	
Ms Cheyne	Mr Rattenbury	Mrs Jones	
Ms Cody	Mr Steel	Mrs Kikkert	
Ms Fitzharris		Ms Lawder	

And so it was resolved in the affirmative.

33 ENVIRONMENT AND TRANSPORT AND CITY SERVICES—STANDING COMMITTEE—REPORT 3—DRAFT LOWER COTTER CATCHMENT RESERVE MANAGEMENT PLAN 2017—REPORT NOTED

Ms Orr (Chair) presented the following report:

Environment and Transport and City Services—Standing Committee—Report 3—Draft Lower Cotter Catchment Reserve Management Plan 2017, dated 28 November 2017, together with a copy of the extracts of the relevant minutes of proceedings—
and moved—That the report be noted.

Question—put and passed.

34 ENVIRONMENT AND TRANSPORT AND CITY SERVICES—STANDING COMMITTEE—REPORT 4—MANAGEMENT OF A.C.T. CEMETERIES—REPORT NOTED

Ms Orr (Chair) presented the following report:

Environment and Transport and City Services—Standing Committee—Report 4—*Management of ACT Cemeteries*, dated 30 November 2017, together with a copy of the extracts of the relevant minutes of proceedings—

and moved—That the report be noted.

Question—put and passed.

**35 HEALTH, AGEING AND COMMUNITY SERVICES—STANDING COMMITTEE—
INQUIRY—FUTURE SUSTAINABILITY OF HEALTH FUNDING IN THE A.C.T.—
STATEMENT BY CHAIR**

Mr Steel (Chair), pursuant to standing order 246A, informed the Assembly that the Standing Committee on Health, Ageing and Community Services had resolved to conduct an inquiry into, and report on, the future sustainability of health funding in the ACT.

**36 HEALTH, AGEING AND COMMUNITY SERVICES—STANDING COMMITTEE—
INQUIRY—IMPLEMENTATION, PERFORMANCE AND GOVERNANCE OF THE
NATIONAL DISABILITY INSURANCE SCHEME IN THE A.C.T.—STATEMENT BY CHAIR**

Mr Steel (Chair), pursuant to standing order 246A, informed the Assembly that the Standing Committee on Health, Ageing and Community Services had resolved to conduct an inquiry into, and report on, the implementation, performance and governance of the National Disability Insurance Scheme in the ACT.

37 INSPECTOR OF CORRECTIONAL SERVICES BILL 2017

The order of the day having been read for the resumption of the debate on the question—That this Bill be agreed to in principle—

Debate resumed.

Ms Stephen-Smith (Minister for Disability, Children and Youth) addressing the Assembly—

Adjournment negatived: It being 6 pm—The question was proposed—That the Assembly do now adjourn.

Mr Barr (Chief Minister) requiring the question to be put forthwith without debate—

Question—put and negatived.

Debate continued.

Question—That this Bill be agreed to in principle—put and passed.

Detail Stage

Bill, by leave, taken as a whole—

Mrs Jones moved her amendment No 1 (see [Schedule 1](#)).

Debate continued.

Question—put.

The Assembly voted—

AYES, 8		NOES, 11	
Mr Coe	Mr Milligan	Mr Barr	Ms Le Couteur
Mrs Dunne	Mr Parton	Ms Berry	Ms Orr
Mrs Jones		Ms Burch	Mr Pettersson
Mrs Kikkert		Ms Cheyne	Mr Rattenbury
Ms Lawder		Ms Cody	Mr Steel
Ms Lee		Ms Fitzharris	

And so it was negatived.

Bill, as a whole, agreed to.

Question—That this Bill be agreed to—put and passed.

38 REPORTABLE CONDUCT AND INFORMATION SHARING LEGISLATION AMENDMENT BILL 2017

The order of the day having been read for the resumption of the debate on the question—That this Bill be agreed to in principle—

Debate resumed.

Question—That this Bill be agreed to in principle—put and passed.

Leave granted to dispense with the detail stage.

Question—That this Bill be agreed to—put and passed.

39 WORKERS COMPENSATION AMENDMENT BILL 2017

The order of the day having been read for the resumption of the debate on the question—That this Bill be agreed to in principle—

Debate resumed.

Question—That this Bill be agreed to in principle—put and passed.

Leave granted to dispense with the detail stage.

Question—That this Bill be agreed to—put and passed.

40 ADJOURNMENT

Ms Berry (Deputy Chief Minister) moved—That the Assembly do now adjourn.

Debate ensued.

Question—put and passed.

And then the Assembly, at 7.22 pm, adjourned until Tuesday, 13 February 2018 at 10 am, in accordance with the resolution agreed to on 26 October 2017.

MEMBERS' ATTENDANCE: All Members were present at some time during the sitting.

Tom Duncan
Clerk of the Legislative Assembly

SCHEDULE OF AMENDMENTS

Schedule 1

INSPECTOR OF CORRECTIONAL SERVICES BILL 2017

Amendment circulated by Mrs Jones

1

Clause 9 (2) and (3)

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omit clause 9 (2) and (3), substitute

- (2) The appointment must be made—
 - (a) in consultation with—
 - (i) a standing committee of the Legislative Assembly nominated by the Speaker for the purpose; or
 - (ii) if no nomination under subparagraph (i) is in force—the standing committee of the Legislative Assembly responsible for the scrutiny of public accounts; and
 - (b) in accordance with an open and accountable selection process.
 - (2A) The committee may make a recommendation to the Executive about the proposed appointment.
 - (3) The Executive must not appoint a person as the inspector unless—
 - (a) the Executive is satisfied that the person has the experience or expertise necessary to exercise the inspector's functions; and
 - (b) the Legislative Assembly has approved the appointment, by resolution passed by a majority of at least $\frac{2}{3}$ of the members.
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