



ACT
Government

Chief Minister, Treasury and
Economic Development

Freedom of Information Publication Coversheet

The following information is provided pursuant to section 28 of the *Freedom of Information Act 2016*.

FOI Reference: CMTEDDFOI 2018-0343

Information to be published	Status
1. Access application	Published
2. Decision notice	Published
3. Documents and schedule	Published
4. Additional information identified	No
5. Fees	N/A
6. Processing time (in working days)	9
7. Decision made by Ombudsman	N/A
8. Additional information identified by Ombudsman	N/A
9. Decision made by ACAT	N/A
10. Additional information identified by ACAT	N/A

From: [REDACTED]
To: [CMTEDD FOI](#)
Cc: [REDACTED]
Subject: FOI Request - Final briefing packs Annual Reports - Berry
Date: Wednesday, 5 December 2018 12:50:35 PM

Good afternoon

I write to request under the *Freedom of Information Act 2016* final briefing packs prepared for Ms Yvette Berry MLA for the 2017-18 Annual Reports hearings in her capacity as Minister for Sport and Recreation.

Should you require any further information or clarification about my request, please contact [REDACTED]
[REDACTED]

Kind regards,

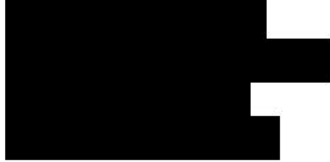





ACT
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Chief Minister, Treasury and
Economic Development

Our ref: CMTEDDFOI 2018-0343



via email 

Dear 

FREEDOM OF INFORMATION REQUEST

I refer to your application under section 30 of the *Freedom of Information Act 2016* (the Act), received by the Chief Minister, Treasury and Economic Development Directorate (CMTEDD) on 5 December 2018.

Specifically, you are seeking:

- Final briefing packs prepared for Ms Yvette Berry MLA for the 2017-18 Annual Reports hearings in her capacity as Minister for Sport and Recreation

Authority

I am an Information Officer appointed by the Director-General of CMTEDD under section 18 of the Act to deal with access applications made under Part 5 of the Act.

Timeframes

In accordance of section 40 of the Act, CMTEDD is required to provide a decision on your access application by 7 January 2019.

On 6 December 2018 you agreed to a 10-working day extension bringing the due date to 21 January 2019.

Decision on access

Searches were completed for relevant documents and 1 document was identified that falls within the scope of your request.

I have decided to grant partial access to the document. The information redacted in the document is, I consider, information that would, on balance, be contrary to the public interest to disclose under the test set out in section 17 of the Act.

I have included as Attachment A to this decision the schedule of relevant documents. This provides a description of the document that falls within the scope of your request and the access decision for that document.

My access decision is detailed further in the following statement of reasons and the document released to you is provided as Attachment B to this letter.

In accordance with section 54(2) of the Act a statement of reasons outlining my decision is below.

Statement of Reasons

In reaching my access decision, I have taken the following into account:

- the Act;
- the content of the document that falls within the scope of your request;

Exemption claimed

My reason for deciding to not grant full access to the identified document is as follows:

Public Interest

The Act has a presumption in favour of disclosure. As a decision maker I am required to decide where, on balance, public interests lies. As part of this process I must consider factors favouring disclosure and non-disclosure.

In *Hogan v Hinch* (2011) 243 CLR 506, [31] French CJ stated that when ‘used in a statute, the term [public interest] derives its content from “the subject matter and the scope and purpose” of the enactment in which it appears’. Section 17(1) of the Act sets out the test, to be applied to determine whether disclosure of information would be contrary to the public interest. These factors are found in subsection 17(2) and Schedule 2 of the Act.

Taking into consideration the information contained in the document found to be within the scope of your request, I have identified that the following public interest factor is relevant to determine if release of the information contained within this document is within the ‘public interest’.

Factor favouring disclosure (Schedule 2.1)

- Sch 2.1(a)(i) - Promote open discussion of public affairs and enhance the government’s accountability

Factor favouring non-disclosure (Schedule 2.2)

- Sch 2.2(a)(xi) - Prejudice trade secrets, business affairs or research of an agency or person.

Having considered the factors identified as relevant in this matter, I consider that release of information contained in this document may promote open discussion of public affairs and enhance the government’s accountability by allowing you to have a complete record of the interactions between the Annual Reports Hearing Committee and the ACT Government and the steps taken to report on the portfolio responsibilities of Minister Berry.

I have considered the business affairs of the Australian Institute of Sport (AIS) contained within the document. I consider it unreasonable to disclose the costs of the Facilities Agreement as this information could be expected to prejudice the business affairs of the AIS.

I therefore weight the factor for non-disclosure more highly than the factor in favour of release in this instance. As a result, I have decided that release of this information could prejudice their business affairs.

Noting the pro-disclosure intent of the Act, I am satisfied that redacting only the information that I believe is not in the public interest to release will ensure the intent of the Act is met and will provide you with access to the majority of the information held by CMTEDD within the scope of your request.

Folio 27 of the identified documents contain information that I consider, on balance, to be contrary to the public interest to disclose under the test set out in section 17 of the Act.

Charges

Pursuant to the *Freedom of Information (Fees) Determination 2017 (No 2)* processing charges are not applicable for this request because the total number of pages to be released to you is below the charging threshold of 50 pages.

Online publishing – Disclosure Log

Under section 28 of the Act, CMTEDD maintains an online record of access applications called a disclosure log. Your original access application, my decision and documents released to you in response to your access application will be published in the CMTEDD disclosure log after 21 December 2018. Your personal contact details will not be published.

You may view CMTEDD disclosure log at:

<https://www.cmtedd.act.gov.au/functions/foi/disclosure-log>.

Ombudsman Review

My decision on your access request is a reviewable decision as identified in Schedule 3 of the Act. You have the right to seek Ombudsman review of this outcome under section 73 of the Act within 20 working days from the day that my decision is published in CMTEDD disclosure log, or a longer period allowed by the Ombudsman.

If you wish to request a review of my decision you may write to the Ombudsman at:

The ACT Ombudsman
GPO Box 442
CANBERRA ACT 2601
Via email: actfoi@ombudsman.gov.au

ACT Civil and Administrative Tribunal (ACAT) Review

Under section 84 of the Act, if a decision is made under section 82(1) on an Ombudsman review, you may apply to the ACAT for review of the Ombudsman decision. Further information may be obtained from the ACAT at:

ACT Civil and Administrative Tribunal
Level 4, 1 Moore St
GPO Box 370
Canberra City ACT 2601
Telephone: (02) 6207 1740
<http://www.acat.act.gov.au/>

Should you have any queries in relation to your request please contact me by telephone on 6207 7754 or email CMTEDDFOI@act.gov.au.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'SMcB', with a stylized flourish at the end.

Sarah McBurney
Information Officer
Information Access Team
Chief Minister, Treasury and Economic Development Directorate
18 December 2018



ACT
Government

Chief Minister, Treasury and
Economic Development

FREEDOM OF INFORMATION REQUEST SCHEDULE

NAME		WHAT ARE THE PARAMETERS OF THE REQUEST				Reference NO.
		Final briefing packs prepared for Ms Yvette Berry MLA for the 2017-18 Annual Reports hearings in her capacity as Minister for Sport and Recreation				2018-0343
Ref No	Page number	Description	Date	Status	Reason for Exemption	Online Release Status
1	1-38	Annual Report briefing pack	6-Nov-2018	Partial release	Sch 2 s2.2 (a)(xi)	Yes
Total No of Docs						
1						

2017-18 ANNUAL REPORT HEARINGS
STANDING COMMITTEE ON ENVIRONMENT AND TRANSPORT AND CITY SERVICES

MINISTER FOR SPORT AND RECREATION

Tuesday 13 November 2018

2:00pm – 2:45pm

Ms Suzanne Orr MLA, Chair

Miss Candice Burch MLA, Deputy Chair

Mr James Milligan MLA

<u>No</u>	Title	Executive/Officer responding at Hearing
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Sport and Recreation

Output 3.3

1.	Indigenous Advancement Strategy (IAS)	Rebecca Kelley Ext: 74389
2.	Boomanulla Oval	Rebecca Kelley Ext: 74389
3.	Indoor Sports Facilities - Implementation of Government Recommendations in 2016, including current study	Rebecca Kelley Ext: 74389
4.	Ice Sports	Rebecca Kelley Ext: 74389
5.	Combat Sports	Rebecca Kelley Ext: 74389
6.	Sport and Recreation Grants	Rebecca Kelley Ext: 74389
7.	Elite Sport Performance Fee Agreements (Including Potential A-League)	Rebecca Kelley Ext: 74389
8.	CBR Sports Awards	Rebecca Kelley Ext: 74389
9.	ACT Academy of Sport	Rebecca Kelley Ext: 74389
10.	Nature Play Attachment A	Rebecca Kelley Ext: 74389
11.	Accountability and Strategic Indicators	Rebecca Kelley Ext: 74389

<u>No</u>	Title	Executive/Officer responding at Hearing
12.	Support PE in Schools including Physical Activity Foundation and PE Pulse	Rebecca Kelley Ext: 74389
13.	Throsby District Playing Fields	Rebecca Kelley Ext: 74389
14.	mPowerdome	Rebecca Kelley Ext: 74389

ANNUAL REPORT HEARING BRIEF

Vol: 1 Page No: 73

Portfolio/s: Sport and Recreation**ISSUE: INDIGENOUS ADVANCEMENT STRATEGY (IAS)****Talking points:**

- In March 2015 Sport and Recreation was successful in its application to the Commonwealth for IAS funding and received \$264,396. In 2016-17 and 2017-18 Sport and Recreation received additional support of \$155,000 and \$177,000 for Partnered Programs and Small Grants.
- The Small Grants component provided direct participation support (up to \$200) to Indigenous people in the ACT and surrounding region – from early 2018 we refined this process to work with major local sports to better promote the funding opportunity and reduce administration (for the individual and the activity provider).
- To 30 June 2018, around 230 people had received direct support (on top of the 288 supported across 2015-16 and 2016-17).
- In June 2018 we received advice from the Commonwealth that no further funding would be made available – in the absence of new funding we do have agreement in place that residual Small Grant funds will continue to be made available in 2018-19 (until funds are exhausted).
- At a recent meeting of Sports Ministers I sought detail of the Commonwealth's continued intention, if any, to support Indigenous sports participation. It is noted that the importance of sport had never been clearly reflected in the IAS, while the new National Sports Plan (Sport 2030) does highlight a continued interest/investment from the Commonwealth without any detail.

Key Information

- The IAS has been the Australian Government's approach to funding and delivering a range of programs targeting Aboriginal and Torres Strait Islander peoples with three clear target areas including getting children to school, adults into work and building safe communities.
- In 2018 Sport and Recreation refined delivery of the Small Grants to work with local sports that had proven the most popular activity providers in previous years – these organisations are Canberra Region Rugby League, Basketball ACT, Netball ACT,

Cleared as complete and accurate: 06/11/2018
Cleared by: Deputy Director-General Ext: 75564
Information Officer name: Kareena Arthy
Contact Officer name: Wayne Lacey Ext: 72080
Lead Directorate: Chief Minister, Treasury and Economic Development

ANNUAL REPORT HEARING BRIEF

Softball ACT, ACT Little Athletics, Capital Football, Touch ACT, AFL Canberra and Brumbies Rugby. Each sport has independently promoted the opportunity, while establishing an internal administrative process that best aligns to its existing practices.

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ANNUAL REPORT HEARING BRIEF

Vol: 1 Page No: 72

Portfolio/s: Sport and Recreation

ISSUE: BOOMANULLA OVAL

Talking points:

- The ACT Government understands and respects the significance of Boomanulla Oval to the local Aboriginal and Torres Strait Islander community and has been committed to seeing the facility reopen as soon as possible.
- In response to community feedback, the ACT Government undertook interim restorative works to enable the facility to reopen for recreation and community activities. The facility will be available for these activities shortly.
- The interim works were undertaken in close consultation with the Aboriginal and Torres Strait Islander Elected Body and other key stakeholders to ensure any cultural sensitivities are well understood and respected.
- The interim works, completed in mid-October included:
 - upgrading the main building to provide a multi-purpose function room
 - enhancing the community areas (Yunggabili Place of Corroboree) at the rear of the main building
 - pruning trees, restoring gardens and fixing retaining walls
 - restoring the Garden of Achievement (traditional Indigenous garden)
 - updating the playing fields so they are suitable for informal recreation use
 - fixing the perimeter fencing where necessary to make the site secure
 - creating artworks to enhance the overall appearance of the site

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- The ACT Government is discussing options for the governance, management and development of the facility with the Elected Body, as well as planning for the long-term future of the site.
- Further restorative work, in consultation with the Elected Body, is also being considered to renovate the turf surface of the oval to support formal sporting use.

Key Information

- Boomanulla Oval in Narrabundah has, for more than three decades, been the primary community and sporting hub for Aboriginal and Torres Strait Islander people in Canberra.
- It has a history rich in stories of Aboriginal and Torres Strait Islander sporting success, personal achievement, community gatherings and youth support.
- It is a place that also has a positive history in the wider community as one of Canberra's earlier premier cricket grounds.
- Until mid 2015, the Aboriginal Corporation for Sport and Recreation Activities (ACSRA) was the Crown lessee of Boomanulla. The lease was concessional (less than market value) and for a 50 year term.

Background Information

- Due to financial difficulties, ACSRA made the decision to close Boomanulla Oval in late 2014. For insurance reasons and because the facility needed significant repairs and maintenance to make it safe and fit for any form of use, Boomanulla Oval remained closed until recent interim restorative works were completed and community access will be made available shortly.
- A process of special administration conducted by the Office of the Registrar of Indigenous Corporations (ORIC) was unable to resolve ACSRA's solvency issues.
- ACSRA was subsequently wound up in mid 2015 and as part of the process the Crown lease was surrendered to the Territory. ACT Property Group (ACTPG) is the current land custodian and continues to have interim responsibility for the site.
- A property risk review undertaken by RSM Bird Cameron in 2015 highlighted a significant number of issues that required attention, including various repair and maintenance work required before the facility would be at a standard that is safe and fit-for-use as a sport and recreation and community facility.
- Since ACSRA closed the gates of the facility in late 2014, the ACT Government has worked in collaboration with the Aboriginal and Torres Strait Islander Elected Body (the Elected Body), including through the establishment of an Interim Advisory

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Group (IAG), with the objective of returning Boomanulla Oval to sustainable Indigenous management.

- This objective underpinned the Request for Tender (RFT) process, which commenced in June 2016 following an initial Request for Expression of Interest (REOI) issued in March 2016. The REOI and RFT processes were established in consultation with the IAG.
- Winnunga Nimmityjah (Winnunga) was invited to respond to the RFT after being the only successful respondent to the REOI. Winnunga is an Aboriginal community controlled primary health care service operated by the Aboriginal and Torres Strait Islander community of the ACT.
- In March 2017, Winnunga was successful in securing \$49,500 from Indigenous Advancement Strategy funding via Sport and Recreation to assist in the development of a guiding strategy for Boomanulla Oval. Winnunga submitted its package of preliminary review documents as part of the tender process in September 2017.
- In light of its importance and complexities, the ACT Government took time to ensure close attention was paid to every possibility that might enable Winnunga's proposal work, but in the end, it wasn't possible.
- This is regrettable and the ACT Government acknowledges that the tender process for Boomanulla has had its challenges, and is committed to working in partnership with Aboriginal and Torres Strait Islander Canberrans to improve future processes.

Future works

- CMTEDD has submitted a grant application to the Sport Australia Community Infrastructure Program for funding for the restoration of the oval surface and surrounds, an upgrade to the irrigation system and reactivation of the sportsground lighting.

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ANNUAL REPORT HEARING BRIEF

Vol: 1 Page No: 72

Portfolio/s: Sport and Recreation

ISSUE: INDOOR SPORTS FACILITIES – IMPLEMENTATION OF GOVERNMENT RECOMMENDATIONS IN 2016, INCLUDING CURRENT STUDY

Talking points:

- The ACT Government continues to implement its response to the recommendations of the Indoor Sports Facility Study (released in January 2016).
- Key projects undertaken in 2017-18 include improvements to the change rooms at Campbell High School (including making them more female friendly) and investment in a pilot project which allows for online booking of indoor sport facilities at ACT Government schools.
- Further to the \$100,000 provided by the Education Directorate in 2017-18 for these projects, an additional \$200,000 has been committed (\$100,000 each from the Education Directorate and Sport and Recreation) to support improvements to identified sport facilities at ACT Government Schools (both indoor and outdoor) in 2018-19. A number of proposals are currently being considered by the Territory.
- Additionally, the ACT Government committed \$160,000 in the 2017/18 budget to further investigate feasible options for providing indoor sporting facilities in Woden, Gungahlin and Belconnen.
- The subsequent Future Indoor Sports Facility Provision Feasibility Study commenced in November 2017 and will determine the preferred facility mix for further indoor sports provision in the ACT. Consultation has been undertaken with the larger participation indoor sports – Basketball ACT, Capital Football (futsal) and Gymnastics ACT as well as the Woden, Gungahlin and Belconnen Community Council's as part of the Feasibility Study.
- The study should be finalised by the end of this year, which will then support the ACT Government to formally consider any recommendations.

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Lead Directorate:	Chief Minister, Treasury and Economic Development	

ANNUAL REPORT HEARING BRIEF

Key Information

- Otium Planning Group was engaged to undertake the Indoor Sports Facility Provision Feasibility Study.
- Pending support for the projects identified in the Feasibility Study, further work would be required, including:
 - Site identification;
 - Concept design;
 - High level cost planning;
 - Operational and ownership modelling;
 - Partnership opportunities; and
 - Investigation of potential financial models.
- This work would be undertaken using remaining funds available from the election commitment (approximately \$135,000).

Background Information

- Following release of the Indoor Facility Study in January 2016, Government committed \$100,000 to improvements at ACT Government schools (\$50,000 from both Sport and Recreation and the Education Directorate) to improve access to indoor facilities for community sporting groups.
- A government working group involving Education Directorate and Sport and Recreation was established in March 2016 to identify, prioritise and progress opportunities for improved access arrangements to ACT Government schools.
- Prioritisation of further improvements to ACT Government schools considered the cost of improvements, the level of additional access created and the demand for facilities in that region. The results of a survey undertaken to identify the specific facility needs of targeted indoor sports organisations (for example, basketball, gymnastics, volleyball, badminton, and martial arts) also informed priorities.
- When considering further expenditure to upgrade ACT Government school facilities, the working group is also considering how any improvements will increase opportunities for other community groups. To help facilitate this, the working group includes a representative from Community Services Directorate.

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ANNUAL REPORT HEARING BRIEF

Vol: 1 Page No: 73

Portfolio/s: Sport and Recreation**ISSUE: ICE SPORTS****Talking points:**

- The ACT Government committed \$75,000 in the lead up to the ACT election in 2016 to undertake a scoping study for the future provision of an ice sport facility in the ACT.
- The ACT Ice Sports Facility Options Analysis Report (the Report) was completed in October 2018. The objectives of this Report was to:
 - Determine the size and functional layout of a twin rink and single rink ice sports facility;
 - Determine the capital cost for each option; and
 - Determine the likely operating performance for each option.
- The Report included significant consultation with key stakeholders including the ACT Ice Sports Federation, which represents the interests of the local ice sports groups (i.e. ACT Ice Skating, ACT Ice Hockey, CBR Brave);
- **IF ASKED** – It is anticipated the Report will be made publicly available later this year once the ACT Government has had an opportunity to fully consider its content.

Key Information

- The cost to undertake the work commissioned to date is approximately \$55,000. The use of any residual funding will be subject to any future government decisions once the Report has been fully considered.
- The consultant and a representative from Sport and Recreation undertook site visits to the Cockburn Ice Arena in Perth and the O'Brien Group Arena in Melbourne. The purpose of the site visits was to better understand operational models for each facility and how they might be applied to a new facility in the ACT.

Background Information

- **The following dot points may not be suitable for public disclosure**

Cleared as complete and accurate: 18/01/2018
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Information Officer name: Rebecca Kelley
Contact Officer name: David Jeffrey Ext: 75815
Lead Directorate: Chief Minister, Treasury and Economic Development

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- There are number of complex issues and interdependencies to be carefully considered as part of this project, such as the Territory's capacity to sustain two ice facilities and Territory Plan requirements on the existing site.
- Any new ice facility, should government funding be provided, will need to appropriately consider the impact on the current ice skating facility in Phillip.
- The Territory has not consulted the owner/operator of Phillip Swimming and Ice Skating Centre as part of this work – recognising that the work commissioned to date is looking to provide advice in response to some high level threshold questions (i.e. how much would a new ice sports facility cost to construct).

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ANNUAL REPORT HEARING BRIEF

Vol: 1 Page No: 36, 38-40

Portfolio/s: Sport and Recreation

Chief Minister

ISSUE: COMBAT SPORTS

Talking points:

- Combat sports legislation is currently under development. It is known as the Controlled Sports Bill 2018.
- The Controlled Sports Bill will initially include only combat sports events, but would allow for other types of high-risk activities to be regulated for at a future date if needed.
- On 31 July 2018, the Government released a draft of the Controlled Sports Bill 2018 for targeted community consultation until 31 August. Feedback from this process is being considered.
- Sport and Recreation, Economic Development has consulted with industry stakeholders, ACT Policing, medical and sporting industry specialists. Stakeholders will be further consulted during the development of subordinate legislation, including the development of a Code of Practice and medical requirements.
- Due to complexity, reform was delayed from the Government's initial commitment to deliver by the end of 2017. This includes matters such as techniques included, medical protocols and management, and the establishment of an inspectorate function within the ACT. It was therefore considered best to take additional time to settle these matters properly before introducing legislation.
- In the interim, a number of measures were introduced under the existing Boxing Control Act 1993 to ensure that safety and integrity were at the forefront for events being held in the ACT. This included an updated Code of Practice and the Boxing Control Regulation which defines what is not a 'boxing contest'. These instruments commenced on 13 March 2018.

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Information Officer name:	Kareena Arthy	
Contact Officer name:	Tina Connor	Ext: 59312
Lead Directorate:	Chief Minister, Treasury and Economic Development	

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- In the 2017-18 Budget, the ACT Government made an ongoing funding commitment of \$150,000 per annum (increasing yearly in line with CPI) for improving safety and integrity in combat sports.
- To date this funding has paid for a Senior Officer Grade B to lead the legislative reform process, as well as a number of small research pieces (for instance, reviewing the gambling activity on ACT combat sports events).
- The Controlled Sports Bill 2018 is scheduled for introduction to Cabinet on 27 November 2018.

Key Information

- A total of 93 combat sports gyms, organisations and promoters were invited to provide feedback, in addition to experts and special interest groups. Stakeholders were predominantly contacted via email or letter.
- The following information was made publicly available on the Sport and Recreation website:
 - the draft Controlled Sports Bill;
 - draft Explanatory Statement;
 - draft Regulation Impact Statement;
 - a stakeholder information paper providing a short overview of changes; and
 - a summary of changes (changes at a glance) compared to existing legislation.
- Two industry stakeholder sessions were conducted on 14 and 16 August 2018 respectively. Ten industry stakeholders attended in total. Representatives included existing promoters, and sporting organisations from the industry (both those covered by existing legislation, and those that will be covered by the Bill).
- In addition to this, Sport and Recreation held individual meetings with stakeholders that did not attend the sessions.
- Eighteen industry stakeholders provided feedback on the Bill, making the total number of stakeholders engaged in the process 35, including special interest organisations and specialists.
 - Feedback from industry stakeholders followed a number of key themes:
 - Defining what is meant by commercial purpose and if this would cover an entry fee that covers cost and returns money back into the sport (it does not, and a more detailed definition is being explored);

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ANNUAL REPORT HEARING BRIEF

- Definition of full-contact combat sports – some felt this was either ambiguous or inaccurate;
 - Questions around notification requirements and administration;
 - Questions about how this would work and what information would be provided – these concerns were managed during the sessions or through individual discussions; and
 - Support for the introduction of inspectorate functions and integrity provisions that were being introduced.
- Overall, 95 per cent of people engaged in the August consultations were supportive of the legislation with some amendments.
 - Medical specialists were particularly concerned with the impact of concussions and head injuries for contestants, such as long term cognitive impairments, potential for disability and fatal consequences when the brain has suffered multiple or significant injuries
 - The ACT Government has included a provision in the Bill for setting a minimum age for competing in combat sports events.
 - The Government has outlined a proposal in the Explanatory Statement for the Bill for a risk-based approach to serology testing.
 - With advice from the ACT Health Directorate and research on the transmission of blood borne viruses, the Government has formed the view that the risk of transmission in a sporting context, even in a sport where there is blood spill, is very low.
 - We are working with local community organisations specialising in HIV/ AIDS and Hepatitis to ensure that the legislation will not stigmatise and recommended testing meets international best practice recommendations.

Background Information

- The ACT Government has drafted new legislation to update regulations on combat sports events operating in the ACT to improve safety for contestants and promote integrity in the industry.
- The new framework will take account of recent and ongoing reforms in other jurisdictions, including NSW, who are currently undertaking a legislative review following the death of boxer David Browne in 2015 and the subsequent NSW Coronial inquest and recommendations.
- Australian jurisdictions, with the exception of the Northern Territory and Queensland, regulate the conduct of professional combat sports. NSW, Western Australia, and Tasmania

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ANNUAL REPORT HEARING BRIEF

also regulate amateur contests to differing degrees. South Australia includes regulation of 'public events'.

- The ACT Government moved to a broader interpretation of the ACT's Boxing Control Act 1993 in late 2016, which now applies to a wider range of combat sports, including Mixed Martial Arts, Muay Thai (as well as boxing and kickboxing), in line with the current statutory link to NSW legislation. The reforms will expand the scope of sports covered to those with a similar risk profile, such as judo, taekwondo and kung fu.
- By defining combat sports through techniques used, rather than sporting style, the Government is ensuring that there is a fairer coverage of regulated combat sports based on medical evidence and research on the safety risks for contestants.

Status of Combat Sports in other Jurisdictions

- The ACT Government is continually monitoring the approach to combat sports in other regulating jurisdictions. Officials meet on a regular basis to discuss various matters impacting on their jurisdiction and to understand possible approaches.
- In March 2018, NSW announced a review of the NSW Combat sport regulations following a coronial inquest into the death of David Browne. Mr Browne died as a result of injuries sustained during the final round of a professional boxing contest in NSW in September 2015. On 18 October 2018, the NSW Government released the Combat Sports Authority's review of the Combat Sports Act 2013 and the Government response. The NSW Government agreed to a number of recommendations, and postponed others for further consideration. Matters to be implemented in phase one include:
 - A requirement for promoters, referees and medical practitioners to attend a pre-contest briefing with inspectors to confirm the rules that apply to the contest;
 - That an injured combatant evacuation plan be submitted as part of permit documentation and that this information is communicated in the pre-meeting listed above;
 - Minimum medical equipment that must be available in the contest area; and
 - Further clarification on when a referee must stop a contest.
- *ACT Government actions:* The coronial recommendations have been included in the ACT Bill, and further particulars will be included in the Code of Practice and medical requirements to be developed as part of subordinate legislation.
- On 10 November 2017, a Perth teenager Jessica Lindsay (aged 18 years) died of severe dehydration whilst training for an amateur Muay Thai event. Ms Lindsay was due to attend her weigh-in a few hours after she collapsed whilst running, suffering multiple organ failure. The WA coroner is investigating.
- *ACT Government actions:* Sport and Recreation is working with the WA Combat Sports Commission to consider best practice approaches to addressing the dangers of weight cutting in the industry. This includes consideration of the efficacy of hydration testing during weigh-ins.

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ANNUAL REPORT HEARING BRIEF

Vol: 1 Page No: 73

Vol: 2.1 Page No: 192

Portfolio/s: Sport and Recreation**ISSUE: SPORT AND RECREATION GRANTS****Talking points:**

- The 2018 the Sport and Recreation Grant Program (SRGP) budget (\$2,402,484) included a 2.5% CPI increase from 2017 plus an additional \$25,000 in new monies (2017-18 Budget appropriation) for the Motor Sport Training and Education Program. Successful receipts were announced on 28 February 2018.
- A total of 81 applications representing 60 sporting organisations and clubs received funding support from the 2018 SRGP.
- Applications for the 2019 SRGP closed on 12 October. This funding round (\$2.4m) will continue to deliver on Government's election commitments including the Women's Sport and Recreation Participation and Leadership Program (\$100,000) and \$25,000 for Motorsports Training and Education.
- The Nature Play Grants Program (\$25,000) will also be supported through the 2019 SRGP, with applications to open early next year.

Key Information

- Projects supported through the 2018 SRGP include:
 - Athletics ACT to purchase pole vault landing bags, cover and base for use at the Woden Park Athletics Facility (\$20,886)
 - Canberra BMX Club to upgrade the track's lighting system at Melba to improve rider safety (\$23,968)
 - Capital Lake Rowing Club to purchase a number of sculls for light weight female rowers (\$26,000)
 - ACT Tenpin Bowling Club to implement a junior program targeting inactive children (\$20,000)

Background Information

- The SRGP is an annual grants program coordinated by Sport and Recreation that supports physical activity opportunities for the ACT community. While notionally to support activities within the calendar year, funding is able to be released at any time throughout the financial year subject to Ministerial approval.
- Main round applications in the past have focused on the following categories - Sport and Recreation Operational Program (Triennial and Annual), Capital Assistance

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Program, Community Sport and Recreation Development Program and Inclusive Participation Funding Program.

- In 2018 there were two new categories - the Women's Sport and Recreation Participation and Leadership Program and Motor Sport Education and Training Program. Both of these categories reflect Government's 2016 Election commitments.
- Additional election commitments relating to female friendly infrastructure and storage are supported within the pre-existing Capital Assistance Program, with particular emphasis placed on these priority outcomes within the program guidelines for 2018.
- A separate Nature Play Grants Program will open for applications later in the financial year, with a budget of \$25,000.
- A staged assessment of applications under the SRGP considers a number of factors, including:
 - general eligibility (incorporated entity, ABN, public liability insurance);
 - capacity of the application to increase participation;
 - project alignment with relevant strategies, including *Active 2020*; and
 - capacity for the project to be delivered within the grants period (calendar year).

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Vol: 1 Page No: 73, 74

Vol: 3 Page No: 120, 121

Portfolio/s: Sport and Recreation

ISSUE: ELITE SPORT PERFORMANCE FEE AGREEMENTS (Including Potential A-League)

Talking points:

- The Territory provides various means of support for the Raiders, Brumbies, Giants, Canberra Capitals and Canberra United under multi-year formalised agreements. This support recognises the important contribution these teams make to the ACT community, including sports promotion and development, sponsorship return and match day visitation.
- The playing of matches by the Raiders, Brumbies and Giants at Territory-owned venues provides valuable revenues to support facility sustainability.
- Each team receives a different level of support based on a number of variable factors including: seasonal structure, sponsor returns and importantly, the potential revenue capacity of the respective playing venues.
- In 2017/18, Raiders matches attracted 169,167 attendees over 12 games (average of 14,097 per game), Brumbies matches attracted 69,122 attendees over 7 games to GIO Stadium (average of 9874 per game) and Giants matches attracted 37,506 attendees over 3 games (average of 12,502 per game).
- In mid-October 2018, the Canberra and Capital Region A-League Bid team received confirmation from the Football Federation Australia (FFA) Board that it is one of six remaining bids vying for two new competition licences in an expanded A-League. A final decision is expected from the new FFA Board due to be in place mid 2019.

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Key Information

- The agreements require the delivery to the Territory of annual research that provides data in these key areas. [Attachment A](#) provides an overview of each Agreement for 2017-18.

Background Information

- In late 2017, the ACT Government instigated a review of all Performance Fee Agreements to ensure they are being delivered in an optimal and consistent manner, maximising returns to the Territory. This review was conducted by Bastion EBA. Overall, the report found the ACT Government operated one of the most comprehensive investment programs to support elite sporting teams in Australia and that the Government is, comparatively, paying a reasonable level for elite match content.
- The report provides further findings that will inform the future structure of such agreements, and the way in which we engage with and manage other elite sporting partnerships. A more strategic and coordinated approach is currently being considered with a new structure to be agreed upon in the next few months. A dedicated resource has also been engaged to manage the funding programs into the future.
- With the above in mind, Sport and Recreation will continue to work with each of the teams to provide a level of recurrent funding, optimising returns on the Territory's investment, and also supporting strategic commitments such as facility or stadia investment to support their ongoing sustainability, and community engagement and social priorities including gender equity.
- In relation to the A-League bid, the Government considered information provided by the bid team and has agreed to provide support of up to \$1.2m per annum towards a team – this includes a cash component and pay-roll tax waiver. This support is contingent on the bid being successful and confirmation of a significant, long-term third party investment which is critical to the team's financial sustainability. Government has also made clear that this offer of support is not transferrable to any subsequent process.
- The National League Team Program (NLTP) budget for 2017/18 of \$427,500 supported 12 teams across eight sports. [Attachment B](#) provides an overview of funding for 2017/18.

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Attachment A

Performance Fee Agreement - Funding and Overview

ELITE TEAM	FUNDING TYPE AND VALUE - \$\$ AND PAYROLL TAX EXEMPTION	TERM (commencing on)	KEY DEFINING TERMS OF THE AGREEMENT	COMPARATIVE ANALYSIS – KEY POINTS OF DIFFERENCE, WHERE RELEVANT, TO THE OTHER ELITE TEAM AGREEMENTS
ACT Brumbies Rugby Union	Performance Funding Agreement \$1,288,827 ex GST in 17/18 (2017 season) \$600,000 Payroll Tax waiver	1 Jan 2016 to 31 Dec 2020	<ul style="list-style-type: none"> All home game and home finals in Canberra. No application to preseason fixtures. Community activities requirements/sport development. Reporting – economic and sponsor recognition/value. ACT Govt sponsor opportunities. Requirement to enter Hire Agreement with Stadium. 	<p>Payroll tax provision.</p> <p>Outside agreement, Govt support provided through Griffith Redevelopment (waivers), player recruitment (Pocock, Giteau) and development of UC sports commons.</p>
Canberra Raiders Rugby League	Performance Funding Agreement \$1,672,667 ex GST in 17/18 (2017 season) \$500,000 Payroll Tax waiver	Executed Mar 2010 to 31 Dec 2019	<ul style="list-style-type: none"> All home game and home finals in Canberra. No application to preseason fixture. Penalty clause for moving game (\$150,000 per game). Community activities requirements/sport development. Reporting – economic and sponsor recognition/value. ACT Govt sponsor opportunities. Requirement to enter Hire Agreement with Stadium. 	<p>Payroll tax provisions - Raiders Payroll Tax provision extends to Canberra District Rugby League also as only the senior squad (top 25) is directly employed by the Raiders.</p> <p>Outside agreement, Govt support for Centre of Excellence and Community Hub at Northbourne Oval (\$5m) and previously Raiders HQ at Bruce (\$1m).</p>
GWS Giants AFL	Partnership Agreement \$2,392,170 ex GST in 17/18 (2017 season)	Executed Feb 2012 to 31 Dec 2021	<ul style="list-style-type: none"> Requirement to play 3 Premiership Games (of 11 total home games) in Canberra + preseason fixture. Community engagement role. ACT rep within club's founding brand and governance. ACT Government sponsorship/hospitality/activation opps in Canberra and Sydney. ACT Govt sponsor recognition requirements. Reporting – economic and sponsor recognition/value. Establish of local pathway academy. 	<p>Agreement involves two separate payments – “Partnership Fee” (\$1,282,170 in 17/18) and the “Match Return Fee” (\$1,110,000 in 17/18).</p> <p>Match return fee linked to venue revenue limitations at Manuka Oval (eg seating, corporate). Scope for Match Return Fee to decrease as venue redevelopment, or stages of, are conducted.</p> <p>Venue revenues to Territory as flat hire fee and venue coordination costs.</p>
ELITE TEAM	FUNDING TYPE AND VALUE - \$\$ AND PAYROLL TAX EXEMPTION	TERM (commencing on)	KEY DEFINING TERMS OF THE AGREEMENT	COMPARATIVE ANALYSIS – KEY POINTS OF DIFFERENCE, WHERE RELEVANT, TO THE OTHER ELITE TEAM AGREEMENTS

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Canberra Capitals	Performance Funding Agreement \$250,000 ex GST in 17/18 (2017/18 season)	Executed 4 Dec 2017 to 30 June 2021	<ul style="list-style-type: none"> All home games in Canberra – split between NCC and AIS. Community activities requirements/sport development. Reporting – economic and sponsor recognition/value. ACT Govt sponsor opportunities. 	<p>No payroll tax component.</p> <p>No venue returns to the Territory (games at NCC and AIS).</p>
Canberra United	Performance Funding Agreement \$125,000 ex GST in 17/18 (for 2017/18 season)	Executed 20 Dec 2017 to 30 June 2021	<ul style="list-style-type: none"> All home games in Canberra. Community activities requirements/sport development. Reporting – economic and sponsor recognition/value. ACT Govt sponsor opportunities. 	<p>No payroll tax component.</p> <p>No venue returns to the Territory (games at McKellar Park).</p>
GIANTS Netball	Performance Funding Agreement \$130,000 ex GST in 17/18 (for the 2018 season)	Executed 4 April 2018 to 31 Dec 2020	<ul style="list-style-type: none"> One home game played in Canberra (remaining 7 played in Sydney). Community activities requirements/sport development. Reporting – economic and sponsor recognition/value. ACT Govt sponsor opportunities. 	<p>No payroll tax component.</p> <p>No venue returns to the Territory (game at AIS).</p>

Performance Fee Agreement – 2017 Key Metrics (+/- with 2016)

TEAM	Number of Games (in CBR)*	Average Regular Season Crowd	Cumulative Aust. Broadcast Audience for CBR games (Free to Air & Pay)	Match total Economic Impact (\$m)	Total number of Bed Nights	Media value (\$m)	Key community outcomes/engagements
ACT Brumbies Rugby Union	7 (-1)	9,875 (-19%)	607,719 (avg 86,817)	\$1.9m (-1.43) (avg \$271,428)	8,542 (-46%) (avg 1,220)	\$3.72m (+12%) (avg \$531,428)	<ul style="list-style-type: none"> School activities (more than 30 schools – 7000 students) Support for more than 40 other community organisations and charitable events Development of Reconciliation Action Plan
Canberra Raiders Rugby League	12 (-2)	14,097 (+5%)	4,924,953 (avg 410,412)	\$8.48m (-2.37) (avg \$706,666)	45,013 (-2%) (avg 3,751)	\$1.0m (-9%) (avg \$83,333)	<ul style="list-style-type: none"> 157 media appearances 425 registered community appearances (938 hours) \$60,000 in charity fundraising Raiders/Menslink “Silence is Deadly” program 788,000 social platform views
TEAM	Number of Games (in CBR)*	Average Regular Season Crowd	Cumulative Aust. Broadcast Audience for CBR	Match total Economic Impact (\$m)	Total number of Bed Nights	Media value (\$m)	Key community outcomes/engagements

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			games (Free to Air & Pay)				
GIANTS Australian Football League (AFL)	3 (no change)	12,502 (-6%)	2,059,381 (avg 686,460)	\$2.23m (+.01) (avg \$743,333)	9,892 (-6%) (avg 3,297)	\$2.07m (+26%) (avg \$690,000)	<ul style="list-style-type: none"> Talent testing (1000 youth) Driving increased participation – female club +103% 2017 Community Camp – 24 school visits (5,000 students) and 7 local club visits (1,000 participants) Annual fan day AFLW – more than 6000 attendees
UC Canberra Capitals * (Basketball)	11	641 (-17%)	31,000	#	#	Media Qi (\$) not done	<ul style="list-style-type: none"> Regional coaching clinics x 2 (8 hours) School holiday clinic x 2 (8 hours) Aussies Hoops support x 2 (2 hours)

* Includes any finals (where relevant) and excludes pre-season/practice matches

#Visitation data was collected by Nielsen as part of the UC Canberra Capitals research however the sample and its value was so limited as to have no accuracy.

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Attachment B

National League Team Program funding overview 2017-18

Male team	Funding amount	Female team	Funding amount
1. Canberra Cavalry	\$49,500	1. Canberra United	\$93,000 (a)
2. CBR Brave	\$49,500	2. ACT Meteors	\$32,000
3. Canberra Gunners	\$41,000	3. Suncorp Netball Giants	\$32,000 (b)
4. ACT Comets	\$32,000	4. Canberra Heat	\$21,000
5. Canberra Heat	\$21,000	5. Canberra Cockatoos	\$15,000
6. Canberra Cockatoos	\$15,000	6. Canberra Pirates	\$15,000 (c)
Total (6 Teams)	\$208,000	Total (6 Teams)	\$208,000
Surplus Funds			\$11,500 (d)
Total			\$427,500

- a) Canberra United – This funding is going towards the new PFA (\$125,000)
- b) Suncorp Netball Giants – Contribution towards overall agreement with Netball NSW to bring Giants Netball games to the ACT (\$130,000 per year from 2018-2020)
- c) Canberra Pirates – A new women’s ice hockey team which meets the guidelines – NEW Team
- d) Surplus funds were attributed to the new PFA for Canberra United.

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ANNUAL REPORT HEARING BRIEF

Vol: 1 Page No: 72

Portfolio/s: Sport and Recreation

ISSUE: CBR SPORTS AWARDS

Following the success of the 2017 Awards, the 2018 Awards will take place on 30 November at the National Aboretum.

Talking points:

- The CBR Sport Awards honour our high performing athletes, celebrate our sporting teams and provide greater, collective recognition of the people and organisations that make sport a central part of the Canberra community.
- Awards nominations for 2018 closed on the 5 October with a 50% increase in the number of nominations - 96 nominations received. Public voting for the “People’s Sporting Champion” opened on 31 August (closing 5 November).
- For 2018, sponsor partners have been secured including Canberra Milk, Konica Minolta, WIN TV and Every Chance To Play will be the event community partner.

Key Information

- Earlybird Events delivered the 2016 Awards. Following a formal procurement process (seeking three quotes) Sport and Recreation engaged Earlybird Events to manage the CBR Sport Awards for 2017-2019 (three years) – this agreement is \$56,681 (+GST) in 2018, increasing by CPI in the out years.
- As part of this contract, Earlybird manage event delivery, nominations, judging, sponsorship and marketing/promotions (with support from Sport and Recreation).
- The Minister’s Awards winners (Inclusion, Innovation and Event Excellence) each receive \$3000 – this is provided through the Sport and Recreation Grants Program

Background Information

- Following ACTSPORT’s decision to wind-up from June 2015, the Territory committed to continuing the legacy of ACTSPORT’s flagship events, the Hall of Fame and Sports Star.
- Notwithstanding this commitment, it was recognised that future event delivery required considerable review to identify the most appropriate format for delivery in a sustainable manner and one that would maximise sector engagement.

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- Following an extensive review in consultation with the local sporting sector the revised format for this event was devised including event categories, sponsorship, branding, pricing and alignment with existing sport-based awards.

- Winners of the 2017 CBR Sport Awards were:

Athlete of the Year – Men’s Sport:	Michael Matthews (Cycling)
Athlete of the Year – Women’s Sport:	Caroline Buchanan (BMX)
Athlete of the Year – Para Sport:	Jayden Sawyer (athletes)
Team of the Year:	ACT Schoolboys Rugby Union
Outstanding Service to Sport:	Carmel Weatherburn (netball)
Minister’s Award for Inclusion:	Canberra Region Rugby League
Minister’s Award for Innovation:	Canberra/Broulee Nippers Surf Club
Minister’s Award for Event Excellence:	Capital Football for Kanga Cup
ACT Sport Hall of Fame (Full Member):	Peta McKinnon (Hockey) Ben Hardy (Volleyball)
ACT Sport Hall of Fame (Associate):	Paul Thompson (Rowing) Phil Brown (Basketball)
People’s Sporting Champion:	Cameron Crombie (athletics)

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ANNUAL REPORT HEARING BRIEF

Vol: 1 Page No: 73

Vol: 2.1 Page No: 192

Portfolio/s: Sport and Recreation

ISSUE: ACT ACADEMY OF SPORT

Talking points:

- The ACT Academy of Sport (ACTAS) target is to support a minimum of 100 nationally identified ACT athletes from Olympic, Paralympic and Commonwealth Games sports.
- ACTAS high performance programs are partnerships between the National Sporting Organisation, the State Sporting Organisation, and the ACT Government (via ACTAS).
- Being located on the Australian Institute of Sport (AIS) campus since June 2017 continues to unlock opportunities for ACTAS and the AIS to work together to maximise efficiencies through a combination of stand-alone and shared/common services and facilities.

Key Information

- In 2017-2018 ACTAS provided performance service support for **103 nationally identified athletes** from Olympic, Paralympic and Commonwealth Games sports.
- Performance services include: coaching, strength and conditioning, psychology, nutrition, sport science, physiotherapy, soft tissue therapy, athlete wellness and engagement, and sports medicine coordination.
- This support was provided via partnered high performance programs for: **netball, football (women), hockey, rowing, and athletics.**
- ACTAS also provided an Individual Athlete Program for 13 nationally identified ACT athletes in Olympic, Paralympic and Commonwealth Games sports that didn't have a partnered program, including: badminton, basketball, BMX, cycling, gymnastics, mountain bike, para-triathlon, shooting, softball, and weightlifting.
- Four ACTAS athletes, 16 graduate athletes, and one staff member were part of the Australian Team for the 2018 Gold Coast Commonwealth Games.

Background Information

- A five year Facilities Agreement between the Territory and the AIS was executed in November 2016, delivering savings of around \$100,000 per annum to the Territory.

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- The rental fee is fixed for the term of the Facilities Agreement and includes a Gross Floor Area of 885m² Sch 2.2(a)(xi)
- In 2018-2019 ACTAS will have partnered programs with: netball, football (women), hockey, rowing, athletics, swimming, and rugby 7's (women).
- In 2018-2019 the Individual Athlete Program will also support 14 athletes from: para-triathlon, softball, wheelchair basketball, mountain bike, cycling, shooting, badminton, weightlifting, and baseball.
- In accordance with the new AIS strategy and operating model, one or more of the seven sports operating Centres of Excellence at the AIS Canberra campus may decide to request service delivery from ACTAS from 2019. Additional service providers/FTEs would be required and their engagement would be funded by performance support funding the sports receive from the AIS.
- Any expanded servicing role for ACTAS is capable of progression separate to how other potential opportunities regarding the AIS campus for the Territory play out.

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ANNUAL REPORT HEARING BRIEF

Vol: 1 Page No: 72, 73

Vol: 3 Page No: 119, 120

Portfolio/s: Sport and Recreation

ISSUE: NATURE PLAY

Talking points:

- Nature Play CBR is an initiative developed to reconnect children to unstructured play outdoors and in nature.
- It works to elevate the value of nature play in the minds of families, educators and community organisations through advocacy and facilitating opportunities (play ideas, places to go, events etc) for the Canberra community to discover the benefits of nature play first-hand.
- The 2018 Nature Play Grants Program, funded within the Sport and Recreation Grants Program, provided \$25,000 in financial assistance to 9 local organisations for the delivery of quality nature-based programs, services and events (see Attachment A).
- In August 2018 Nature Play CBR engaged WA based education consultants *Educated by Nature* to run a series of free professional learning workshops for ACT based teachers and organisations. Workshops enabled teachers to explore the possibilities of using outdoor spaces in their school as learning spaces. All three workshops were filled with 30 people in each.
- Nature Play CBR supported the delivery of the global Outdoor Classroom Day campaign. The campaign aims to build awareness of the importance of outside play in children's development and to encourage more teachers to incorporate outdoor play and learning into school settings.
- Outdoor Classroom Day, held on 1 November 2018 had over 5,000 ACT children involved (37 ACT schools/early learning centres had registered a week before the day). The day demonstrates that schools can look beyond physical education and teach academic content outdoors to stimulate a broader range of their student's senses and learning styles and increase physical activity and reduce sedentary behaviours.

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Key Information

- There has been a dramatic shift in childhood activity from outdoors to indoors driven by a number of factors including the advent of new screen-based technologies and the emergence of a risk-averse culture which is contributing to our inactivity crisis.
- Nature play is an activity that gets children active or thinking actively outdoors, with the end goal of building skills and ability to play without too much parental/adult coaching. Nature play includes any unstructured play outdoors such as riding a bike, climbing a tree, catching bugs, making cubbies or playing backyard games.

Background Information

- Nature Play CBR launched in July 2016 following the purchase of a licence agreement with foundation program Nature Play WA. The initiative is also conducted in Queensland and South Australia and through the structure of the licensing agreement, all entities form “Nature Play Australia” and share resources and ideas.
- The total ‘one off’ license cost to access the intellectual property to support the establishment of Nature Play CBR was \$63,200 (GST Inc) and was accounted for in the 2014/15 Sport and Recreation operational budget.
- The launch of Nature Play CBR was one of the key activators in the ACT Government’s recreation strategy, *Connecting and Building Recreation: a vision for the Territory*. This vision was launched in July 2015, and is about improving the health and wellbeing of Canberrans by supporting more people to see recreation as a fun and easy way to engage in active living.

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2018 Nature Play Grants Program - Successful Applicants

Application ID	Organisation Name	Project Title/ Items requested	Total Amount Requested	Recommended Amount
2018NPGP0001	Canberra Mathematical Association	Maths in Nature: Funding to design, publish & distribute 'maths in nature' resource booklet. Funding to develop & deliver 10 corresponding professional learning workshops to ACT ELCs and preschools.	\$5,000.00	\$5,000.00
2018NPGP0009	Gungahlin Defence Families Playgroup Incorporated <i>Auspiced by ACT Playgroups Assoc.</i>	Playgroup Nature Play Sessions and equipment for nature based play: includes wet weather suits, gardening equipment, soil, sand, mulch for play based learning, magnifying glass kits, as well as funding for 2 sessions at Mulligans Flat/Jerrabomberra Wetlands.	\$1,875.00	\$1,875.00
2018NPGP0011	Woden Valley Child Care Association Inc	Bogong Dreaming Play Space: to build a platform/tree house around the existent large tree. Access to platform through ropes, climbing wall/ladder and ramps.	\$5,000.00	\$5,000.00
2018NPGP0015	Sticks and Stones Nature Playgroup	Exploring, Adventuring & Mud: Equipment for a pop-up low ropes course, magnifying equipment for exploration and soil for an International Mud Day public event.	\$1,108.00	\$1,108.00
2018NPGP0016	Holy Spirit Early Learning Centre	Active Play: Equipment to support open ended nature play (Fantasy Fort kit, netting bridge, outdoor easel). <i>Application part funded as some items requested were not in line with nature play objective.</i>	\$3,548.00	\$1,977.00
2018NPGP0021	ACT Playgroups Association Inc	Nature play at playgroup: Equipment to transform Playgroup's Lanyon shopping centre space into nature play area (tan bark, mud kitchen, sand pit). Install baby friendly space at Cook Community Centre (decking for ground).	\$2,050.00	\$2,050.00
2018NPGP0022	Community Services #1 Incorporated	Binara Nature Program: materials to upcycle from The Green Shed, equipment for herb/vegetable garden (soil, seeds, wheelbarrow & tool play), and 3x Indigenous culture workshops.	\$2,500.00	\$1,990.00
2018NPGP0023	Young Women's Christian Association Ltd of Canberra <i>Conder Early Childhood Service</i>	Construction of Nature Garden: Construction of pallet furniture - 2x sand pit tables, 2x water tables, 2x mud kitchens, 2x tee pee's, 1x climbing frame as well as 4x garden beds.	\$5,000.00	\$5,000.00
2018NPGP0024	GIRL GUIDES ASSN NSW ACT REGION	Nature Play for Girl Guides -fitting nature play into weekly meetings: Funding for training workshop for 15 leaders and resource development to go to the 16 regions.	\$1,000.00	\$1,000.00
			\$27,081.00	\$25,000.00

ANNUAL REPORT HEARING BRIEF

Vol: 1 Page No: 73

Vol: 2.1 Page No: 192

Portfolio/s: Sport and Recreation

ISSUE: ACCOUNTABILITY AND STRATEGIC INDICATORS

Talking points:

- Sport and Recreation data in 2017/18 reported that the ACT continued to exceed the national average for adult participation (*Source: Ausplay Survey, Australian Sports Commission, April 2018*).
- The indicator relating to ACT Academy of Sport athletes (100 nationally identified priority athletes from Olympic, Paralympic and Commonwealth Games sports) was exceeded with 103 scholarship holders supported in 2017/18.
- The indicator relating to funded organisations was met (target of 80 organisations) with 80 organisations funded to support participation opportunities in sport and recreation.
- Responsibility for Accountability Indicators relating to sportsgrounds and pools management transitioned in 2017/18 to Transport Canberra and City Services and ACT Property Group respectively.

Key Information

- For January 2017 to December 2017 AusPlay (released at 30 April 2018) key participation data findings for all adults (15 years and over) in the ACT include:
 - 84.5 per cent participate in a sport or physical activity at least once a week (- 0.6 per cent on the previous reporting period)
 - 66.1 per cent participate at least three times a week (- 0.3 per cent). For females participating 3 or more times per week, the percentage is higher than that of males (66.4% compared to 65.8%)
- Key findings for children (0 – 14 years) in the ACT show that 73.1 per cent participated in ORGANISED sport or physical activity outside of school hours in the last 12 months (against the national average of 74 per cent). 30.7% of children in the ACT participated 3 or more time per week (against the national average of 25%).

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Background Information

- Data reported for 2016-17 was sourced from the AusPlay survey results October 2015 – September 2016 (released on 23 January 2017). For this period, the children’s participation figure for the last 12 months was 74.1% - the published figure for 3 or more times per week (12.5%) was noted as having a relative margin of error between 50% and 100%.

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ANNUAL REPORT HEARING BRIEF

Vol: 1 Page No: 72

Portfolio/s: Sport and Recreation**ISSUE: SUPPORTING PE IN SCHOOLS INCLUDING PHYSICAL ACTIVITY
FOUNDATION AND PE PULSE****Talking points:**

- In the interest of enhancing the opportunity for regular delivery of PE in primary schools, the Physical Activity Foundation (PAF) was appointed in September 2016 to provide management services for the PE Pulse Network.
- A two year funding agreement, valued at \$165,000, was executed with PAF (with an option for a further two years) for the delivery of the service. The option of a third year was executed under the same agreement with PAF receiving a third instalment of \$80,000 in July 2018.
- The PE Pulse Network is a collaboration involving the sport, recreation and education sectors, which aims to build teacher capacity to deliver PE in the ACT. It seeks to support greater connections between all organisations with similar objectives in the development of physical literacy and the delivery of structured local PE programs.
- PAF is working with schools (government and non-government), with an important focus on building teacher capacity, encouraging the use of PE Pulse resources and development opportunities through PE Pulse. PAF is also driving the activation of the PE Pulse website.
- Key deliverables for the PE Pulse Network currently include curriculum alignment workshops for sporting organisations and teacher professional development initiatives on “Quality PE” in alliance with the Australian Council for Health, Physical Education and Recreation (ACHPER).

Key Information

- Funding to support PE Pulse is being offset through the Sport and Recreation Grant Program from 2018-19.
- Under PAF’s funding agreement for PE Pulse, evaluation of the program is a critical element to enable activation of the extension option.

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- At this time any extension of support for PE Pulse beyond 30 June 2019 remains subject to evaluation findings.

Background Information

- The PE Pulse website was launched in August 2015.
- Over 30 sporting organisations are members of the Network to promote their services to teachers and schools.
- To date over 170 individuals, primarily teachers, are subscribed to the Network through the website.

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ANNUAL REPORT HEARING BRIEF

Vol: 1 Page No: 74

Portfolio/s: Sport and Recreation

ISSUE: THROSBY DISTRICT PLAYING FIELDS

Talking points:

- In the lead up to the 2016 ACT Election, ACT Labor committed \$21.295 million towards the construction of the Throsby District Playing Fields.
- Through recent discussions with the ACT Government, Capital Football have expressed interest in the Throsby District Playing Fields being developed as a purpose built football facility, referred to as the 'Home of Football'.
- The ACT Government is in ongoing discussion with Capital Football regarding the 'Home of Football' concept.
- **IF ASKED** - Sport and Recreation has consulted with the other sporting codes (ruby league, rugby union, cricket, tennis, AFL) detailed in the 2016 election commitment regarding the Home of Football concept.
 - The above sports broadly supported the aspiration of Capital Football to develop a Home of Football in Throsby.
 - Subject to the Home of Football project being supported by the ACT Government, a regional provision strategy has been developed, in consultation with the above sports, which identifies potential sites for new sporting facilities to be provided in Gungahlin for each of the codes.

Key Information

- Sport and Recreation has \$179,000 available to progress a range of preliminary planning and design requirements for the Throsby District Playing Fields.
- Preliminary planning activities for the future Throsby District Playing Fields have commenced.

Background Information

- The election commitment specifically detailed that *"this major investment will become a hub for the football codes and cricket and improve access for training and match play at all levels. Labor will also engage with Tennis ACT around the feasibility of incorporating Tennis ACT into the project"*.

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- The development of a 'Home of Football' would help realise a long-held ambition for Capital Football, consistent with an infrastructure football audit completed in 2016, to develop a dedicated competition and training facility capable of centralising a significant proportion of its operations and moving towards a model of greater independence for the sport, inclusive of indoor (futsal) and outdoor football facilities that it directly owns and maintains

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ANNUAL REPORT HEARING BRIEF

Vol: 1 Page No: 72

Portfolio/s: Sport and Recreation**ISSUE:** mPOWERDOME**Talking points:**

- Mpowerdome is a privately owned and managed facility which operated under a commercial lease. Since its closure in April 2016, the facility and lease have been for sale.
- While the ACT Government is progressing work to supplement the supply of indoor facility space for community sporting groups (the Future Indoor Sports Facility Provision Feasibility Study) , there is also a commercial market for indoor facilities, which is responsive to new and emerging demand.
- The market has shown it will play a part in correcting supply where there are commercial facility shortages, as demonstrated by the recent reopening of an indoor sports facility at Kambah (Action Indoor Sports).

Key Information

- A request for a scoping document for a Territory Plan Variation was submitted on behalf of the mpowerdome facility owners in July 2018. The request is to change the mpowerdomes's land zoning from PRZ2 (Restricted Access Recreation) to RZ3 or RZ4 to permit medium density residential development.
- PRZ2 land, suitable for accommodating indoor recreation facilities, is in short supply in Tuggeranong and while the Territory Plan Variation process is yet to play out, it is not likely that the Government will support a change in zoning for the site.
- A separate approach was made to the ACT Government by a real estate agent (Luton Properties) engaged by the owners offering to sell the facility to the Territory.
- Noting that historically, stand-alone indoor sports court facilities are owned/operated by the private sector (i.e. incorporated sporting organisations, commercial businesses), any intervention by the ACT Government would be unfair to other private sector indoor sports facilities that are required to earn a profit on their investment.

Background Information

- Mpowerdome closed its doors on Saturday 9 April 2016 with the current owners saying that insufficient parking provision at the site impacted on its viability.

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- Transport Canberra and City Services (TCCS), the agency with responsibility for managing the public unleased land, has offered mpowerdome a long term license of the area, including a flexible rental arrangement to facilitate the development of the car park and offset the cost of works.
- Over several years, the ACT Government has provided consistent advice to the owner/operator of the facility about its options for the site. This has included advice regarding uses permitted under the current lease, uses that would require a lease variation and uses that would require a variation to the Territory Plan, including appropriate community engagement and consultation.
- Significant guidance and support has also been provided to mpowerdome over the years, including funding support in the order of \$11,000 to develop a parking plan, to assist in formalising the use of adjacent unleased land for overflow car parking by mpowerdome patrons.
- TCCS confirms site remediation is necessary to ensure public safety given the degradation resulting directly from the effect of parking. The operators have not taken any formal action to progress the license and site remediation option – not in the lead up to its decision to close the facility in April 2016 or since the facility closure.

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