



# Debates

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Legislative Assembly for the ACT

**NINTH ASSEMBLY**

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**Thursday, 30 March 2017**

**MADAM SPEAKER** (Ms Burch) took the chair at 10 am and asked members to stand in silence and pray or reflect on their responsibilities to the people of the Australian Capital Territory.

**Justice and Community Safety—Standing Committee  
Statement by chair**

**MRS JONES** (Murrumbidgee) (10.01): Pursuant to standing order 246A, I wish to make a statement on behalf of the Standing Committee on Justice and Community Safety. Pursuant to standing order 216, the committee recently resolved to inquire into domestic and family violence as it relates to policy approaches and responses. As the inquiry coverage has the potential to cross over with the resolution of the establishment of the standing committees on education, employment and youth, and health, ageing and community services, as a courtesy the committee is presently consulting these committees.

The committee acknowledges that in a small jurisdiction such as the ACT there can be the potential for crossover between committee resolutions and inquiry coverage, and accordingly the accepted practice is for such matters to be considered via courtesy correspondence between the respective committees. The committee will therefore advise the Assembly, at its next meeting, of the terms of reference for this inquiry.

**Planning and Urban Renewal—Standing Committee  
Statement by chair**

**MS LE COUTEUR** (Murrumbidgee) (10.03): Pursuant to standing order 246A, I wish to make a statement on behalf of the Standing Committee on Planning and Urban Renewal. I rise today to make a statement under standing order 246A, advising the Assembly that the Standing Committee on Planning and Urban Renewal resolved, at its private meeting of 15 March 2017, to conduct two new inquiries: one into housing and the other into billboards. The committee's resolution for its inquiry into housing is as follows:

The Committee resolves to inquire into housing in the ACT, in particular into the interaction of population growth, housing affordability, housing diversity and design, consumer behaviour, and suburban and environmental impact of residential development in the present—Ninth—Assembly, including into:

1. Existing housing diversity;
2. Actual, perceived and projected demand for different housing types;
3. The effects and implications of suburban infill, housing in centres, land release and greenfield developments, including in relation to:
  - a. housing affordability;
  - b. diversity of housing stock;

- c. the environment;
  - d. suburban amenity and aesthetic;
  - e. cumulative impact;
  - f. infrastructure and service delivery costs;
4. The effectiveness of existing regulation and zoning in encouraging, and any barriers to achieving:
    - a. sustainable, high quality housing design sympathetic with the environment, site and broader amenity;
    - b. development that accords with community expectation and needs;
    - c. housing affordability;
    - d. diversity of housing stock;
  5. Best practice in managing this interaction in other jurisdictions; and
  6. Any other relevant matter.

The Committee will report to the Assembly by the last sitting day of 2018.

The committee's resolution for its inquiry into billboards is as follows:

The Committee resolves to inquire into billboards for outdoor advertising in the present—Ninth—Assembly, including into:

1. Current rules and practices concerning billboard advertising, including:
  - a. the rationale for existing regulations in the ACT;
  - b. the terms of the existing regulations in the ACT;
  - c. the effectiveness of the existing regulations and enforcement measures in the ACT;
  - d. a comparative analysis of billboard regulation in other jurisdictions; and
  - e. the definition of 'billboard' when compared with definitions for other signage;
2. Community views on placement and construction of billboards;
3. Merits and challenges of establishing designated areas for billboard advertising, including:
  - a. impact on business and community organisations;

- b. use of new billboard technology; and
  - c. potential to enliven urban areas;
4. Ways in which elements of billboard advertising could be regulated in the ACT to limit environmental or aesthetic impact, including number, size, location, advertising periods and content; and
  5. Any other relevant matter.

The committee will report to the Assembly by the last sitting day of October 2017.

I seek leave to make some brief comments on my own behalf, not as a chair's statement.

Leave granted.

**MS LE COUTEUR:** I very briefly want to comment on these two inquiries, both very different but both having merit. The billboards inquiry is going to be covering signage as well. This morning I was told that a deal had been done such that Manuka Oval is now going to be called University of Canberra Oval, which, I must say, is one of the stupidest deals I have ever heard of, there being 20 kilometres between the two. This was probably relevant, I thought, in that this inquiry will look into signage as well. We do have issues with things like that. All it will do is confuse the community—me, for one. The billboards inquiry, we all hope, will be a comparatively brief inquiry and we intend to report by the last sitting day of October.

The first inquiry, though, as every member of the committee is well aware, is a significant inquiry. That is why we have a date at the end of next year to report. The issues to be dealt with in this inquiry, I am sure every member knows, are of considerable concern to all of our constituents, all the residents of Canberra. Personally, one of the things that I would like to achieve out of my presence in this place for this term is that Canberra develops in a more long-term, sustainable manner—sustainable economically, socially and environmentally. I am sure this is what we all want, and I look forward to the opportunity for the planning committee and the people of Canberra to have a forum to discuss some of these issues and hopefully get better resolution to some of them.

## **City Renewal Authority and Suburban Land Agency Bill 2017**

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

Title read by Clerk.

**MR BARR** (Kurrajong—Chief Minister, Treasurer, Minister for Economic Development and Minister for Tourism and Major Events) (10.08): I move:

That this bill be agreed to in principle.

The City Renewal Authority and Suburban Land Agency Bill 2017 will set the territory on a path of cohesive, accessible development across the city, with two new entities delivering an expanded city renewal and suburban land development program. The bill includes robust governance arrangements and clear roles for both entities, with significant government oversight and direction. The bill will encourage greater public and private sector investment and make sure that social inclusion and better neighbourhoods are reflected in development. This bill also ensures the two new entities will partner with builders, neighbours, businesses and the wider community to deliver the government's priorities in both the city and the suburbs to build Canberra's future.

Over the last decade Canberra has changed considerably. In 2007 our city's population was just over 330,000. Works had yet to commence to develop Crace, Lawson and the Molonglo Valley, which now includes the suburbs of Wright and Coombs. The Molonglo Valley was still recovering from the devastation of the 2003 Canberra fires. Construction of the Kingston foreshore development had just started. Lonsdale Street in Braddon was still largely semi-industrial, home to mechanical, auto-electrical and tyre workshops. The gateway to our city, Northbourne Avenue, was dated, tired and difficult to navigate in anything but a car. New Acton was just plain old Acton.

Today our population has reached 400,000. We will grow by more than 5,000 people each and every year so that by 2020, the end of this parliamentary term, Canberra's population will be over 420,000. Today new suburbs such as Moncrieff in Gungahlin, Denman Prospect in the Molonglo Valley and new developments in the city accommodate the growing number of people who are calling Canberra home. People are moving into our new suburbs, and they are moving back closer to our town centres. As this growth continues, our economy is diversifying as businesses, both old and new, recognise Canberra's potential.

To further promote social inclusion, equity, affordable housing and economic growth, a business-as-usual approach is not enough. In anticipation of our population reaching half a million people, the ACT government recognises the different challenges and opportunities of growing both our suburbs and our city centre and the need to have dedicated entities for addressing those challenges but, importantly, promoting these opportunities.

In the statement of ambition I released last year I said:

While our aim is the urban renewal and economic diversification of Canberra, at the core of our vision is a city that is an inclusive, welcoming society, open to diverse talents and determined to help everyone reach their fullest potential. Canberra is open to change, to talent, to business, to diversity and to innovation.

We have every reason to be optimistic and ambitious. And that is why the government is taking the steps now to deliver the benefits Canberrans need over the next 20 years. Canberra is undoubtedly a great place to live, but we should always be exploring ways

to make the city we love even better. It can have a more vibrant urban heart and it can provide more choices for the people that choose to live and work here.

It is the right time now for government to provide the focus, resources and expertise to lead this necessary transformation of our city. We will not let the negative urban changes that are sweeping through other Australian cities shape us. Together Canberrans will shape the change and build the city we want for ourselves and our children.

Over coming decades our city will be defined by the construction of a modern transport network, by creating a more economically self-reliant Canberra that drives job creation in emerging industries and by conceiving of Canberra as a true knowledge capital, where our world-class universities have structural advantages over their Australian and international competitors.

Canberra will be winning the global contest for investment and talent, in part through better metropolitan infrastructure and integrated smart city initiatives. The very buildings in which people live and work in Canberra will help drive each of these ambitions. Through this bill we have the opportunity to get the balance right between a dynamic city centre and flourishing suburbs, keeping the Canberra we love and making it better by preparing for the future.

This bill creates two new entities: the City Renewal Authority, the CRA, and the Suburban Land Agency, the SLA, to replace and build on the work of the Land Development Agency, which was tasked with developing and selling land on behalf of the ACT government. At the core of the bill are the following principles: clarity of role and responsibilities; engagement, consultation and collaboration with stakeholders; robust governance arrangements; and social inclusion, community involvement and affordable housing.

The bill establishes the City Renewal Authority. The CRA will be responsible for urban renewal within declared urban renewal precincts. The CRA will focus on encouraging and promoting a vibrant city through the delivery of design-led, people-focused urban renewal and encouraging and promoting social and environmental sustainability.

As I set out in my statement to the Assembly in December last year when I outlined the policy rationale for this reform, living in our city affects us socially, practically, economically and psychologically, and defines our existence. We must, therefore, pursue this next stage in Canberra's development from a people-focused perspective founded on principles of good design and place making.

The challenge I outlined in December last year is to not let ourselves become a museum of the early 20th century's conception of city life but to aim to show how the people of this time want to live and work. The path to this Canberra requires transformational urban renewal and innovation, underpinned by the light rail network and the city to the lake project, with a strong design foundation.

This must not be a city of bland and boring building of boxes. It has to be about creating buildings that make statements about this city and excite interest in those living and working in them or simply walking past them. They should be destinations as well as useful and modern spaces. They should be able to stand the test of time and have people still talking about them in 50 years. Through these reforms we will foster a culture and set a challenge, a challenge for our developers to aim to win national and international awards for their work.

While Canberra continues to grow, luckily we are not having to deal with unsustainable and choking population growth. We are not having to rehabilitate or repurpose industrial land or buildings. Our task is to transform the heart of our city, in partnership with our community, and on a footprint that allows interesting and exciting building design. It is, in the simplest possible terms, about creating better places for people. It will also have a commercial operation: buying and selling land and undertaking urban renewal within urban renewal precincts.

Supporting the objects of the CRA, the bill provides for including the community and relevant entities in the planning and delivery of urban renewal, growing and diversifying the economy and creating opportunities for private sector investment in urban renewal.

The CRA's first precinct will incorporate either side of Northbourne Avenue from Flemington Road, incorporating the Dickson centre and Haig Park, and moving through the city to the lake's edge. It is important to note that while the CRA's first precinct captures all of Haig Park this is to ensure improvements to the park are coordinated and implemented in partnership with surrounding residents and park users. It will not entail any residential development, units or houses, in the park.

It should be noted that the bill does not directly task the CRA to exercise the responsibilities of other statutory bodies, including the Planning and Land Authority, which will continue to exercise its functions relating to the territory plan and development assessment.

The bill establishes the Suburban Land Agency. The SLA will be responsible for delivering new greenfield residential estates and more affordable housing. Its focus will be on land release, housing supply, better suburbs and associated urban renewal projects outside declared urban renewal precincts. The objects of the SLA are to encourage and promote inclusive communities through the delivery of people-focused neighbourhoods, suburbs that support affordable housing, a safe and healthy population, social inclusion and housing choice, urban renewal outside of declared urban renewal precincts and the growth and diversification of the territory's economy.

The bill provides for genuine engagement, consultation and collaboration. One of the Suburban Land Agency's functions is to support cooperation between it, the community and relevant entities; for example, industry groups. In addition, I draw members' attention to clauses 10 and 39 of the bill, which require the CRA and the SLA respectively to work with any entity that has an interest in land, to encourage cohesive urban renewal and suburban development.

The CRA and the SLA may require other entities to consult and work with others, including the public, in relation to urban renewal and new suburbs. This demonstrates the important partnership between government, the community and business to solve problems and make the most of opportunities. Canberrans have made it clear that they want to be involved in building Canberra's future and we welcome that.

The bill makes provision for the CRA and the SLA boards, their CEOs and staff. It also provides robust governance arrangements and strong accountability to ministers, the government and the community.

Territory land is the ACT's most valuable physical asset. The government and the community need to be sure that these entities exercise their functions in an open, accountable and transparent way, always acting in the public interest. To this end, the minister will each year make a statement of expectations for an urban renewal precinct. The statement of expectations will set out the government's requirements and priorities for an urban renewal precinct. Such a statement will be a notifiable instrument and available on the legislation register.

In response to the statement of expectations the CRA board must prepare a draft statement of operational intent setting out how it will give effect to the statement of expectations for the minister's approval. Following the minister's approval, the statement of operational intent is a notifiable instrument; so all can see how the CRA will operate to achieve the government's priorities. Further, the CRA board may only exercise its functions consistent with the approved statement of operational intent.

The bill provides that the SLA must exercise its functions with the approval of the minister. This provision provides a strong, robust link between government priorities and the agency's functions.

Both the CRA and the SLA are subject to explicit power of ministerial direction. That power provides ultimate control to direct a board to act or not act in a particular way. Such directions would be notifiable instruments, providing openness and transparency for the public.

The Financial Management Act 1996 applies to territory authorities, their governing boards and members of boards, including governance and accountability. This bill supplements the obligations placed on territory authority governing boards and their members by expressly providing that members of the board have a duty to the minister to act in good faith, not to pursue personal interests at the expense of the CRA, not to use board membership to gain personal advantage and to not cause detriment to the CRA or undermine the reputation of the authority.

The governance structures in the bill provide the following hierarchy: CEOs are responsible to their respective board, the boards have a duty to the minister and the minister, via the Assembly, is responsible to the people of Canberra.

When I formally announced on 8 March that the government would be bringing forward legislation to create new agencies to build Canberra's future, I stated the new

authorities would be statutory authorities with their own boards and strong corporate governance. This bill delivers on that commitment.

This bill will also assist the government to maximise the economic and social benefits of a growing city while maintaining affordability and housing options for all incomes. The SLA is tasked specifically with ensuring a mixture of public and private housing in new suburbs and increasing the supply of affordable and community housing.

The ACT government is committed to an equitable society, sharing the benefits of our success across the community. Appropriate and dignified public and community housing, in which residents are connected with their wider community and supported to reach their full potential, has been a hallmark of Canberra from its earliest days, something that is fundamental to this government. The SLA will ensure that mandate continues for decades to come so that no-one shall feel stigmatised, disconnected from or unwelcome in their community just because they live in social housing.

The ACT Labor government is setting up two key entities to encourage, facilitate and promote city renewal and better suburbs to meet the community's needs and interests. Their respective roles are clear and include strong governance and accountability frameworks.

Government is taking action now to ensure that we grow our potential as a city whilst protecting the things we love about Canberra. I commend the bill to the Assembly.

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

## **Gene Technology Amendment Bill 2017**

**Ms Fitzharris**, pursuant to notice, presented the bill, its explanatory statement and a Human Rights Act compatibility statement.

Title read by Clerk.

**MS FITZHARRIS** (Yerrabi—Minister for Health, Minister for Transport and City Services and Minister for Higher Education, Training and Research) (10.26): I move:

That this bill be agreed to in principle.

I am pleased today to be able to introduce the Gene Technology Amendment Bill 2017. The ACT government is a signatory to the intergovernmental gene technology agreement. The agreement affirms the commitment of the commonwealth and all state and territory governments to a nationally consistent regulatory system for gene technology.

The legislative basis for the nationally consistent regulatory system for gene technology comprises the commonwealth Gene Technology Act 2000 and Gene Technology Regulations 2001, and corresponding state and territory legislation. In the ACT the relevant legislation is the Gene Technology Act 2003.

The act is being amended to ensure alignment with the 2015 amendments to the commonwealth Gene Technology Act 2000. In order to comply with the provisions of the agreement, all jurisdictions should introduce appropriate amendments to their legislation to ensure a nationally consistent scheme. The amendments to the act are relatively minor and draw upon the practical experiences of the Gene Technology Regulator and are designed to improve the efficiency of the gene technology regulatory scheme.

In summary, the amendments include: discontinuing quarterly reporting to the minister—annual reporting will continue; clarifying which dealings may be authorised by inadvertent dealings licences; updating advertising requirements for public consultations; removing information about genetically modified products authorised by other agencies from the record of GMO and GM product dealings maintained by the Gene Technology Regulator; changing licence variation requirements to provide greater flexibility for licence holders; updating the considerations required before dealings may be scheduled as notifiable low risk dealings; and clarifying ambiguous wording.

These amendments will ensure that the ACT government meets its obligations under the agreement and enhance the administrative efficiency of the gene technology scheme. I commend the bill to the Assembly.

Debate (on motion by **Mrs Dunne**) adjourned to the next sitting.

## **Firearms Amendment Bill 2017**

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

Title read by Clerk.

**MR GENTLEMAN** (Brindabella—Minister for Police and Emergency Services, Minister for the Environment and Heritage, Minister for Planning and Land Management and Minister for Urban Renewal) (10.29): I move:

That this bill be agreed to in principle.

The Firearms Amendment Bill 2017 amends the Firearms Act 1996 to reclassify lever action shotguns. Currently, lever action shotguns are category A firearms. The amendments in the bill change lever action shotguns with a magazine capacity of up to five rounds to category B, and those with magazine capacity of more than five rounds to category D.

These changes affirm the fundamental principles supporting the regulation of firearms in Australia—widely accepted by the community—that firearm possession and use is a privilege that is conditional on the overriding need to ensure public safety. Under our regulatory scheme, public safety is improved by the safe and responsible possession, carriage, use, registration, storage and transfer of firearms.

This understanding is embedded in the objects and principles of our Firearms Act. These principles arose in the late 1990s when Australia underwent an extensive national firearm law reform process, primarily in response to the Port Arthur shootings in Tasmania in 1996, where 35 people, including children, were killed and 23 were wounded.

Following these events and other subsequent incidents involving firearms, the Australian, state and territory governments have entered into the three national agreements that have shaped contemporary Australian firearm laws: the national firearms agreement or NFA; the national firearm trafficking policy agreement; and the national handgun control agreement. Importantly, the NFA resulted in restricted legal possession of automatic and semi-automatic firearms.

Today we see the devastating effects these firearms can have in societies where strong controls on keeping these firearms out of the wrong hands are not in place. Almost 20 years later a review of the technical elements of the NFA was recommended, following the Martin Place siege in 2014.

As part of the review of the NFA, at the Council of Australian Governments meeting on 9 December 2016, first ministers agreed to re-classify lever action shotguns. This bill implements a change that is supported by all Australian governments. The revised NFA was released publicly in February this year. The bill meets the government's commitments made at COAG and aligns with the revised NFA.

In 2015 the Australian government temporarily prohibited the importation of lever action shotguns with a magazine capacity greater than five rounds. This was in response to the imminent arrival in Australia of a significant number of lever action shotguns with a magazine capacity of seven rounds, in particular, the Adler A110. The Australian government has extended the import prohibition on lever action shotguns to allow all jurisdictions to give effect to COAG's December 2016 decision.

Lever action shotguns are not a new development. However, the concern of commonwealth, state, and territory law enforcement agencies is that the Adler A110 has a significant rate of fire, combined with a magazine capacity greater than the majority of lever action shotguns currently in Australia. As technology evolves, lever action shotguns of any brand will become more sophisticated and potentially more dangerous when in the wrong hands. It is important that our legislation keeps up with technology and correctly regulates firearms as innovations occur.

The ACT is the first jurisdiction to introduce legislative amendments to the treatment of lever action shotguns to align with the updated NFA. In taking the lead to progress these changes, the ACT is showing a proactive commitment to upholding its commitment to the NFA.

The government recognises that the regulation of firearms is an important issue to many people in the community and undertook consultation with justice stakeholders, including ACT Policing, on the form of the bill. We also discussed the content of this bill, and our reasons for it, with the ACT Firearms Consultative Committee. The

ACT government understands the ACT firearms registry's concerns with the bill and acknowledges their views on the importance of safety. However, the views of the Australian and Canberra community are important as well.

Unlike significant changes to firearms laws over the last 20 years, the bill we are introducing today will have no financial impact on the ACT. No ACT firearms owners will be required to surrender their firearms. Following a review of lever action shotguns in the ACT, the ACT firearms registry reported that there were four firearms licensees with lever action shotguns held under a category A licence only. All four licensees met the criteria for a category B licence and, after discussion with the firearms registry, they have had their licences changed to category A-B. The registry also confirmed there are no registered lever action shotguns in the ACT with a magazine capacity of over five rounds.

The government respects the needs of firearms licensees in the ACT and aims to ensure that those who have access to and use firearms do so for reasonable and legitimate purposes. The new category for lever action shotguns with a magazine capacity of greater than five rounds will bring the treatment of these firearms into line with the restrictions on magazine capacities already in place. Pump action shotguns and self-loading shotguns with a magazine capacity of more than five rounds are already category D.

Category D firearms are subject to the highest level of control and only accessible to professional shooters and primary producers who can establish that they have a genuine need that cannot be met by another firearm. The changes in the bill strike an appropriate balance between the right of the community to live safely and securely and the interests of licensed firearm users. I commend the bill to the Assembly.

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

## **Justice and Community Safety Legislation Amendment Bill 2017**

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

Title read by Clerk.

**MR RAMSAY** (Ginninderra—Attorney-General, Minister for Regulatory Services, Minister for the Arts and Community Events and Minister for Veterans and Seniors) (10.37): I move:

That this bill be agreed to in principle.

I am pleased to present the Justice and Community Safety Legislation Amendment Bill 2017. This is a comprehensive bill which makes amendments to several acts and one regulation and repeals two directions. The amendments in this bill are designed to improve the operation of legislation and to make positive changes for the ACT community. This is the second Justice and Community Safety bill introduced in

the Ninth Assembly. It is the product of ideas from legal professionals, service providers, the public service and the broader community.

This bill is a demonstration of how the government maintains a program of continual improvement. Experience with different regulatory schemes and legislation over time naturally yields opportunities for improvement. Efficiencies, legislative fixes to address gaps or unintended consequences and overall inclusion of moderate suggestions mean that our statute book stays healthy.

The program of JACS bills requires government to undertake routine check-ups of its legislation and regulations. These bills are an opportunity to introduce the improvements and fixes we identify over time in an efficient manner. Today's bill has changes that protect important legal rights, that improve the operation of legislation in relation to a number of regulatory systems and that recognise the government's ongoing work to implement new and improved systems.

A key set of amendments in this bill recognise the rights of victims of child sex abuse to seek compensation. The bill amends the Limitation Act and the Civil Law (Wrongs) Act 2002 to remove limitation periods for personal injury claims resulting from child sex abuse. These amendments build on reforms introduced last year to remove limitation periods for child sex abuse claims in institutional contexts.

This bill will mean that all lawsuits seeking compensation for abuse, whether against an institution or an individual, will be treated equally. These changes recognise the length of time that it can take for survivors of child sex abuse to disclose abuse and remove barriers to justice for these people, no matter the context of the abuse.

Community assistance for those people who are problem gamblers will also receive a boost from this legislation. Amendments to the Gaming Machine Act 2004 increase the problem gambling assistance fund levy from 0.6 per cent to 0.75 per cent of gross gaming machine revenue. This fund supports projects and services such as the ACT Gambling Counselling and Support Service. The increase will help target problem gambling and alleviate the impact it has on our community.

This change, which is included in the parliamentary agreement for the Ninth Assembly, is part of the government's harm minimisation approach to gaming. It means that those who operate gaming machines in the territory pay a greater share of revenue from those machines to help address problem gambling.

This bill also contains a number of amendments to improve regulation and legislation more broadly. The diverse groups who will benefit include property owners with shared fences, lawyers who work in house for a corporation and people who apply for legal aid.

There is an amendment in this bill to help with shared fences. Robert Frost raised the question of whether good fences make good neighbours, but it is the case that bad fences sometimes make litigants out of neighbours. Because neighbours will not always be able to agree on the condition of their fences, we have legislation that provides a framework for dispute resolution. The amendments to the Common

Boundaries Act in this bill deal with the extreme circumstance where a fence is in such poor condition that it presents a safety risk.

Ordinarily, fence repair disputes must be determined by the ACAT before either neighbour can undertake work. There are two limited exceptions. If a fence must be repaired to protect people living at one of the properties, or to protect animals, emergency repairs can then be undertaken. The amendments recognise that there will be situations where Canberrans will need to urgently repair fences to protect other people who might be at the property, for example, visitors. The same risks that apply to residents of a property can also apply to visitors. This amendment will mean that if there is any need to protect people as a result of a damaged fence, emergency repairs can be undertaken.

The changes to the Legal Profession Act in this bill remove red tape for Canberra's in-house lawyers. In-house lawyers are those who work for a corporation and provide advice as an employee as opposed to lawyers who work in a separate practice. The amendments in this bill were suggested by the ACT Law Society to help clarify the laws that apply in particular to corporate lawyers. These amendments provide that lawyers should be allowed to provide services to related bodies corporate, not just the corporation that directly employs them. This makes sense when you consider the wide variety of corporate structures in Canberra, where a single company might own or otherwise participate in a number of related entities. While this is a technical amendment, it shows the government is willing to respond to good suggestions.

This bill also contains measures to improve the efficient operation of government and community services. The amendments to the Legal Aid Act are an example. These amendments will first and foremost help Legal Aid to undertake reviews of its decisions by increasing the number of panel members available for a review committee. A legal aid review committee is a body set up with a member from the Bar Association, a member from the Law Society and a community member. The committee reviews decisions by Legal Aid about whether to grant assistance to a person.

Currently, only nine people can be eligible for appointment from each group at any given time. This bill will increase that number to 14. This means that more people will be available for Legal Aid to call on to help with a review of its decisions. These amendments assist the effective and efficient operation of the ACT's largest provider of legal assistance to vulnerable Canberrans.

The bill also makes amendments to line up the timing of legislation with implementation work in government. The bill makes amendments to the default application date of the Criminal Code 2002 so that it becomes an application date declared by the minister via notifiable instrument. The Criminal Code contains a particularly wide-ranging series of changes to the principles of criminal responsibility in our statutes. The code had been due to commence on 1 July. However, more work needs to be done in preparation.

The commencement of the new Freedom of Information Act 2016 will be delayed, from 1 July 2017 to 1 January 2018. This will ensure the effective administration of

this act by allowing the government to properly prepare for its implementation prior to its commencement. In anticipation of the new FOI scheme, the bill also makes some other minor amendments to the act.

The bill will also clarify that the open access information scheme, which requires government to publish some information, applies to documents that come into existence from the date of commencement. It will also clarify that, where people take advantage of the new option to ask the Ombudsman to mediate an FOI dispute, the government pays for mediators but not lawyers' fees.

As in previous JACS bills, there is a suite of reforms in this bill today that removes inconsistencies, ensures legislation operates smoothly and removes obsolete provisions. In anticipation of the commencement of updates to the Australian Road Rules in the ACT and to ensure consistency with those rules, the bill makes consequential amendments to a range of road transport legislation.

The bill will make small amendments to the Magistrates Court (Sale of Motor Vehicles Infringement Notices) Regulation 2005, the Evidence Act 2011 and the Judicial Commissions Act 1994 to update definitions and cross-references. The amendments in this bill, taken as a whole, represent continual improvement in the ACT's legislation. This package has improvements to help people access compensation for abuse. It will boost funding to address problem gambling and it will offer a wide range of improvements to make our legislation better serve the community. I commend the bill to the Assembly.

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

## **Red Tape Reduction Legislation Amendment Bill 2017**

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

Title read by Clerk.

**MR RAMSAY** (Ginninderra—Attorney-General, Minister for Regulatory Services, Minister for the Arts and Community Events and Minister for Veterans and Seniors) (10.47): I move:

That this bill be agreed to in principle.

Today I introduce the Red Tape Reduction Legislation Amendment Bill 2017. To ensure our economy is able to grow and diversify, we must ensure that our regulatory framework is amended so that it is efficient and relevant. Reducing red tape is a part of this process and it is a priority for this government. It is about making it easier for Canberrans to do business and to go about their daily lives. That is why we remove or amend legislation that is inefficient or no longer fit for purpose. The government continues to carry out significant regulatory reform across key policy areas. This bill is supplementary to these larger reforms and amends various pieces of legislation to address an assortment of issues that would otherwise require separate bills.

We want to make sure that charities in the ACT have more time and resources to focus on delivering services to the community and spend less time worrying about unnecessary paperwork. The Australian Charities and Not-for-profits Commission, the ACNC, was established in 2013 under commonwealth legislation to be the national regulator of charities. It has a clear role to promote public trust and confidence in the sector through increased accountability and transparency.

Currently, charities that are registered with the ACNC and incorporated in the ACT or licensed to undertake charitable collections in the ACT are subject to similar requirements under both national and ACT legislation. This bill addresses this duplication, saving charities time and money, and making it clear for the public that the ACNC is the primary regulator for these charities now that the federal government has finally committed to continuing funding of the ACNC to undertake this important role. Charities often rely on volunteers and public support to do great things for this community. This bill reduces the administrative burden for those charities registered with the ACNC by removing the requirement that they are licensed in the ACT and report to two bodies.

As part of this bill, firewood merchants in the ACT will no longer have to apply for an authorisation to carry out their work and will be regulated more appropriately through existing regulations. The only practical difference will be a reduction in the paperwork and the removal of fees for those entities carrying out activities related to the preparation, sale and supply of firewood in the ACT.

This bill also reduces paperwork and fees by removing the unnecessary duplication involved in obtaining a waterway works licence for entities that already have an authorisation or agreement to carry out the work under the Environment Protection Act. This removes the need for the applicant to fill in two applications for the same work and in no way increases the risk to our waterways.

The bill makes amendments to the ACT energy industry levy that will improve transparency in the energy industry sector and remove barriers to competition. These amendments result from the government's investigation of the levy, which found that small providers were being disadvantaged and competition in the energy sector was being stifled. The energy industry levy is directly levied on energy utility companies, including all gas and electricity distributors and retailers, supplying energy in the ACT. Currently, the levy is not fairly distributed among the suppliers and this amendment seeks to rectify this. The result of this change will be a decrease in the levy charged on smaller firms. This will, in turn, encourage smaller firms to enter the industry, which is a good thing for the ACT. Increased competition has been shown to be a key contributor to lower energy prices. Furthermore, the bill removes ambiguity, corrects errors and increases transparency by now requiring the levy administrator to publish guidelines and annual accounts.

The bill enhances the integrity of the legislation that we administer concerning licensed agents, including in the real estate industry, and the regulator's ability to address issues of noncompliance when it comes to the auditing of trust money. The legislation is clear—and licensed agents will know this—that the onus is on the agent

to comply with specific requirements. One of these requirements concerns the auditing of trust money that the agent may hold. I am introducing a new offence provision for noncompliant agents, which will ultimately save time and money for both the agent and the regulator and will ensure that those few agents who are found to be noncompliant can be penalised in an appropriate and expeditious manner.

This is not to say that all noncompliant agents will necessarily be fined; the regulator will determine the most appropriate resolution based on the facts of the case. This can include taking the agent to ACAT for an occupational discipline order in extreme circumstances. This change provides added reassurance to the community that the regulator is able to take appropriate and proportionate action when needed.

The bill removes breed-specific provisions concerning greyhounds, which were carried over from repealed legislation. As a result of these amendments, greyhounds will no longer need to be muzzled in public places and the prohibition on having control over no more than four greyhounds at a time in a public place is removed. The Transport Canberra and City Services Directorate advises that there is no evidence to suggest that greyhounds are any more dangerous than any other breed of dog and, as such, it makes no sense specifically to regulate for them in this way. Dangerous dogs of any breed are dealt with through other provisions in the legislation. There is broad support from animal welfare bodies, and the RSPCA in particular is a firm supporter of the removal of breed-specific legislation.

The government is reducing unnecessary barriers to those in the ACT wishing to apply for a security employee licence in low risk activities such as selling, inspecting, installing, maintaining and repairing security equipment. Currently, those wishing to obtain these licences, even just to sell equipment, are required to obtain certificate level courses. Most other jurisdictions do not prescribe training requirements or even require licences for these activities. The ACT will now follow suit, based on this government's commitment to appropriate risk-based regulation, after careful consideration of the evidence.

Currently, there are no registered training providers in the ACT which offer the prescribed technical security training courses for some of these activities, and applicants are currently forced to travel interstate at considerable time and expense as part of their licence application. There is no increased risk to the public by implementing these changes. Compliance checks and security licence applications will continue unchanged for ACT applicants. The Australian Consumer Law also provides safeguards to ensure goods and services remain of a quality that is fit for purpose.

The bill also tightens up the statute book by repealing the Public Bathing Act 1956, which is redundant and serves no purpose in protecting the ACT community. All of the provisions in this act are now duplicated in other existing legislation, such as the Lakes Act 1976.

This bill will deliver tangible benefits to businesses and to the community. It removes unnecessary fees, it reduces paperwork, it removes duplicative processes and it provides the structure for policies that are risk based and proportionate, allowing

businesses more time to do what they do best—provide goods and services to the people of the ACT.

Red tape reduction, as part of larger regulatory reform, is an essential part of our ongoing strategy for economic growth and prosperity in the ACT. These amendments help small businesses and charities by cutting down on unnecessary paperwork. Because of this I am very happy to present this bill to the Assembly today.

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

## **Aboriginal and Torres Strait Islander Elected Body Amendment Bill 2017**

**Ms Stephen-Smith**, pursuant to notice, presented the bill, its explanatory statement and a Human Rights Act compatibility statement.

Title read by Clerk.

**MS STEPHEN-SMITH** (Kurrajong—Minister for Community Services and Social Inclusion, Minister for Disability, Children and Youth, Minister for Aboriginal and Torres Strait Islander Affairs, Minister for Multicultural Affairs and Minister for Workplace Safety and Industrial Relations) (10.57): I move:

That this bill be agreed to in principle.

I rise to present the Aboriginal and Torres Strait Islander Elected Body Amendment Bill 2017 to the Assembly. During the second term of the Aboriginal and Torres Strait Islander Elected Body, both the elected body and the government considered that it would be timely to review the Aboriginal and Torres Strait Islander Elected Body Act 2008.

Following considerable community consultation in 2015 and further consultation on the outcomes of the review in 2016, the review and government response were tabled in the Assembly on 2 August 2016. The government response at the time accepted all of the recommendations of the review, subject to further consultation with the elected body. I received the elected body's formal response on 22 December last year.

I would like to thank the elected body and the many members of the Aboriginal and Torres Strait Islander community, as well as a number of other stakeholders, for their engagement in this process. I would also like to take this opportunity again to acknowledge the important work that the Aboriginal and Torres Strait Islander Elected Body does.

The elected body, unique to the ACT, plays a critical role in passing on the views of Aboriginal and Torres Strait Islander people in the ACT to the government. When the elected body was introduced in 2008 it was described as watershed legislation, not only for the ACT but for the rest of Australia. This important legislation followed on from another important milestone in our nation's history—the national apology to

Aboriginal and Torres Strait Islander people, with particular emphasis on the stolen generation.

One of the key recommendations from the review was that the functions of the elected body should be clarified to: improve community and stakeholder understanding of the role of the elected body; allow for more effective community and stakeholder consultation; and formally enshrine the elected body hearing process within the legislation.

Madam Speaker, the amendment bill removes the deficit language in the objects of the act to a strengths-based approach. This is consistent with the language in the United Nations Declaration on the Rights of Indigenous Peoples and the shared vision expressed in the ACT Aboriginal and Torres Strait Islander agreement.

The amendment bill strengthens the functions of the elected body to consult and provide advice on systemic or whole-of-government issues. It clarifies the delineation of responsibility between the elected body and the ACT government in the management of operational aspects of Aboriginal and Torres Strait Islander policy and service provision.

The bill will also enshrine the elected body's ability to hold public hearings to evaluate government service provision. In addition, it requires the elected body to report to the minister following the hearings and includes a requirement for the minister to table this report in the Legislative Assembly and respond to the report. The bill also harmonises the Aboriginal and Torres Strait Islander Elected Body Act 2008 with the Heritage Act 2004 in relation to how it consults on cultural heritage.

This bill removes the prescriptive way in which the elected body is currently required to consult on the broad range of issues of interest and relevance to Aboriginal and Torres Strait Islander Canberrans. Each incoming elected body will be required to develop a consultation plan aimed at maximising the participation of Aboriginal and Torres Strait Islander people living in the ACT.

This year we will be holding the fourth Aboriginal and Torres Strait Islander Elected Body election, and this bill both clarifies and strengthens the role of the incoming elected body as a representative voice for Aboriginal and Torres Strait Islander Canberrans.

As was the case in the previous election, a caretaker period and convention will be in place for the Aboriginal and Torres Strait Islander Elected Body. The caretaker period will commence on 15 May 2017, 47 days prior to the commencement of polling, which is scheduled to begin on 1 July.

This bill will provide greater clarity for the Aboriginal and Torres Strait Islander Elected Body and will enable it to be even more effective in exercising its duties. I commend the bill to the Assembly.

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

## Orders of the day—discharge

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

That orders of the day Nos 3 and 4, Assembly business, relating to proposed inquiries into greater housing affordability, and evidence and best practice around prevention and early intervention programs in the prevention of domestic and family violence, respectively, be discharged from the *Notice Paper*.

## Executive business—precedence

*Ordered that executive business be called on.*

## Family and Personal Violence Legislation Amendment Bill 2017

### Detail stage

Clause 1.

Debate resumed from 28 March 2017.

**MRS DUNNE** (Ginninderra) (11.03): The Canberra Liberals will be supporting clause 1 and the majority of the bill. We believe that clause 1 is very laudable and that the intentions of the bill are, generally speaking, very laudable. We understand, as Mrs Kikkert identified the other day, that she has some amendments, but we will be agreeing to clause 1.

Clause 1 agreed to.

Remainder of bill, by leave, taken as a whole.

**MRS KIKKERT** (Ginninderra) (11.04), by leave: I move amendments Nos 1 and 2 circulated in my name together [*see schedule 1 at page 1394*].

I stand today to move two small but quite significant amendments to the bill under debate. I and the rest of the Canberra Liberals have agreed with this proposed legislation in principle. We want to have good laws in this territory that protect victims of family and personal violence. For this reason, both the Family Violence Act and the Personal Violence Act were unanimously approved last year by the Eighth Assembly.

I understand the desire for these two acts to be improved through amendment before they come into effect on 1 May this year. The amendments that I am proposing deal specifically with the process of amending protection orders. A protection order can be amended by the court to make it stricter by adding further conditions, prohibitions or restrictions and/or by extending the period for which the order remains in force.

A protection order can also be amended to make it less strict by deleting conditions, prohibitions or restrictions and/or reducing the period for which the order remains in force. Both pieces of legislation that were approved in 2016 allow the Magistrates Court to amend a protection order only if three conditions are met. Two of those three conditions deal with guaranteeing that the protected person and any children involved are not put at risk as a consequence of an amendment.

The bill that we are debating today would introduce a significant exception to this process, namely, that if the parties to a protection order all agree that the order should be amended, the Magistrates Court must amend the order regardless of whether or not these three conditions have been met or the court has even considered them.

This means that if a woman, for example, has a protection order against her partner, but then later she and the partner both apply for the protection order to be made less strict, the Magistrates Court is required to grant the amendment no matter what. Consent of the parties is enough to compel the court's decision.

The Attorney-General's office has explained that the purpose behind this change is "To make it simpler to amend a protection order where everyone agrees it should be amended," in order to "facilitate amicable resolution of protection order disputes, something which is, under current legislation, unnecessarily difficult".

I understand this rationale and certainly agree that legislation should generally avoid creating unnecessarily difficult burdens. Nevertheless, I have had multiple stakeholders contact my office with concerns over the government's proposed amendment. Those expressing concerns have included academics whose research deals with issues of child protection, those involved in community organisations and lawyers who have worked specifically with domestic violence victims.

As the head of one community organisation explained, there are simply too many cases where the alleged perpetrator has successfully coerced or sweet-talked the other party into consenting to an amendment, and then the offender has sought to take revenge or has simply got out of control again.

In these circumstances, the bill before us would force the Magistrates Court to amend the order regardless. When I raised this concern with the Attorney-General's office, I was told that two processes are already in place to protect children and to protect the parties in these instances. First, "Deputy registrars will question the orders in cases where it looks like there might be duress or threats."

This sounds good in theory, but it presumes that deputy registrars will somehow always detect coercion, and it may ignore the possibility that a protected party may genuinely wish to amend an order despite good evidence that doing so will put that party and/or innocent children at risk.

The second process that the Attorney-General's office suggested as a safeguard is that "If there is any indication on the facts that a child's safety is in issue, the magistrate or

registrar will make an immediate child protection report to Child and Youth Protection Services.”

Think about this for a minute. In fact, Madam Assistant Speaker, I ask the members of this Assembly to put themselves in the place of the magistrate or registrar in this case. An application to amend a protection order comes before you. Both parties to the order have consented to its amendment. At the same time, you have every reason to believe that amending the order will put a child at risk. What must you do? Amend the order anyway. But do not worry too much about that, because you can then immediately file a child protection report with care and protection, let an already overworked government department handle the problem and hope, of course, that they are actually able to do so before anything serious happens to the child in question.

Put yourself in the shoes of the child. Could you reach any conclusion other than that the court has failed you? Why are we requiring magistrates and other officers of the courts, good men and women who we employ specifically to exercise their judgement, to surrender their judgement on these matters? If tying such officers' hands is not enough, we then burden them by telling them that it is okay—as long as they then wash those tired hands of the problem by taking the extra step of filing a report explaining that they have just compromised a child's safety.

Even if these two processes somehow worked flawlessly—I have serious reservations that they ever could—it seems far better both to me and to the stakeholders that have shared their concerns with me that these processes be reflected and supported in the law itself. That way, the law could at least advocate and protect the processes, as well as provide for child protection when needed, by enabling the Magistrates Court to amend as requested by the parties, to amend in some other way or not to amend a protection order at all in the event that these processes have been compromised.

My proposed amendments address these issues in two ways: first, by changing the language so that the Magistrates Court may, rather than “must”, amend an order regardless of whether the three conditions have been proven and considered. This change restores to the court its mandated role of exercising responsible judicial oversight in these matters. In addition, a new subsection has been added which states that the Magistrates Court must not amend the order if it can be reasonably foreseen that the amendment will place a protected child of a protected person at risk of harm by the respondent.

These small but very important changes will permit the Magistrates Court to amend protection orders effectively and less onerously when there is genuinely no safety risk, and the amendment is to the benefit of all parties and in the best interest of the child, without requiring any additional investigation or consideration.

On the other hand, the new subsection places a protection for cases where the safety of children and multiple parties may be at risk, stipulating that the Magistrates Court must not amend the order in these cases, even if all parties have consented.

As is often the case in legislation, the tension here is between the desire to simplify the process of amending a protection order in straightforward cases and the desire to

protect children and other vulnerable persons in cases where poor judgement or coercion may compromise the process. This is often a recurring tension between convenience and safety.

Where the current acts seem to favour safety, the bill under debate appears to err on the side of convenience. The proposed amendments to this bill seek to establish a point of balance between these two competing desires. Madam Assistant Speaker, I commend these amendments to the Assembly.

**MR RAMSAY** (Ginninderra—Attorney-General, Minister for Regulatory Services, Minister for the Arts and Community Events and Minister for Veterans and Seniors) (11.13): In opening, I want to note that while the amendments are clearly well motivated, the outcome will be that they will defeat one of the purposes of the bill. The government will not be supporting the amendments, but I appreciate Mrs Kikkert's engagement and consideration of the provisions in this important bill, because placing vulnerable people at the centre is obviously something that we share.

One of the purposes of changing legislation around amending protection orders is to make it efficient to change an order by agreement. The existing legislation, on its face, sets requirements for amending an order that in practice make changes very difficult to implement, even when everyone agrees on what the change should be. For that reason, the government will be opposing the amendments.

It is absolutely important to ensure that our legislation protects vulnerable people in the process. It is also important to remember that people who seek protection play an active role in the process and that they do and should have a say in the outcome.

Mrs Kikkert's amendments deal with the procedure for amending a protection order by consent. This amendment deals only with the situation where an order has already been made and, at some stage after that, both the person protected and the person restrained by the order have come back to court to seek a change.

It is important to note at the outset that if two people come to court with an agreed order the court can make it without undertaking the inquiries that would be required in Mrs Kikkert's amendment. I refer members to section 33 of the Family Violence Act and section 25 of the Personal Violence Act. There is no in-principle reason why an order should be granted initially by consent, but then the parties cannot by consent change the terms later. Part of the purpose of this bill is to facilitate a process that is flexible enough to serve the needs of people who seek orders.

It is also important to remember that, at the end of the day, a protection order comes from a civil hearing, meaning that the court relies on the parties for information. This is not the right place for an investigation of all the particulars of a case to occur. If there are indicators of risk to children, in any proceeding and at any stage, a child protection report is the right response. Magistrates and the court staff in the registry who hear these matters can and do make child protection reports. That is the appropriate mechanism for dealing with risks to children's safety under the circumstances. If there is some indication that a person before the court is being

coerced, the process for hearing from these people offers opportunities for court staff to identify the duress and to respond.

The amendments in this bill were drafted to ensure that the protection order process works for people who need protection. Being able to amend an order to account for changed circumstances or changed needs is an important feature of the new legislation.

In considering the amendments proposed, I have consulted with professionals in the court registry, with Legal Aid ACT, with the Victims of Crime Commissioner and with the Domestic Violence Crisis Service. As the government did in crafting the bill, I have listened to their views about how the legislation would work in practice. On the basis of feedback on how protection orders should work in practice, I believe the government's bill is a better outcome for the community.

I want to emphasise that I think Mrs Kikkert's amendment is in the right spirit. She has brought attention to a difficult and very important part of this process. It is critical to make sure that we support people who are at risk of coercion and intimidation to get help. I cannot disagree in the least that this warrants careful examination and attention.

As this new legislation is implemented, I am always open to engagement on ways to improve it. There can be no question that, on this topic, we are committed to the principle of helping vulnerable people. Although on this specific amendment stakeholder consultation shows that the government's legislation is preferable, I welcome further engagement on how the system can be improved.

On the basis of this government's engagement with the process, and on the basis of its consultation on this specific proposal, the government will be opposing the amendments. The original legislation in the bill meets its target of improving the process for people who need protection, and it contains a range of measures that enhance protections for the most vulnerable people in the process.

**MS LE COUTEUR** (Murrumbidgee) (11.18): I rise to speak to the proposed amendments made by Mrs Kikkert. Thank you for the opportunity to respond to what is, I am sure, a well-intentioned amendment to the Family and Personal Violence Legislation Amendment Bill 2017. I can understand why Mrs Kikkert would wish that protection orders not be amended if it could be foreseen that the protected person could remain at risk of harm, particularly if a person is under duress or coercion to apply to make such an amendment or their child remains at risk.

We all know that the issue of family violence is all too common, often underestimated in its extent and not always reported. Mrs Kikkert, I was very moved by your speech on Tuesday relating to this, and I totally honour your intentions in this regard. But this is why this legislation amendment bill is so important: it makes the system a little easier to navigate, and hopefully more victims will engage with both the civil and criminal justice systems to seek the protection and resolution that they deserve.

The point of this clause, from the government's perspective and to my understanding, is that the parties consent. If the parties do not genuinely consent, the application for

amendment will not proceed. From my reading, my understanding is that Mrs Kikkert has no objections to this. The existing clause allows the parties to tailor an order to suit their needs and requirements, if all parties consent. I believe that one can safely assume that a victim of family violence would not genuinely consent—genuinely consent—to any variation of a protection order if they felt that they or their child might still be at risk of harm.

The issue at hand is one of risk of harm to a protected person and/or their child in the event of an amendment to a protection order. Section 83 of the Personal Violence Act specifies the following:

A party to a proceeding for a protection order may apply to the Magistrates Court for a review of a consent order ... only on the ground that the making of the original order was induced or affected by fraud or duress, other than fraud of the party or duress applied by the party.

That indicates that the court is aware that this can occur in some instances and has the power to intervene.

The same argument exists for the proposed amendment in the Personal Violence Act at clause 96, which in effect is the same wording and has the same intention.

It is my understanding that there are existing provisions and protections that will deal with the matter of coercion of a protected person to amend an order or if a child remains at risk. The court can and has the means to inquire into these matters to assess the facts if there is doubt about the consent. The court can already join a proceeding on behalf of a child's interest, as was discussed on Tuesday.

Division 3.6 of the Family Violence Act specifically states that the safety of the affected person and children are paramount and that, in deciding the conditions to be included in a family violence order, a court must give paramount consideration to the safety and protection of the affected person and any child directly or indirectly affected by the respondent's alleged conduct.

In relation to the Family Violence Act, particularly with the new residential behaviour change program for men, I can foresee or hope that in the future more applications will be made to amend a protection order because the perpetrator's views and attitudes have changed or are changing and the victim is feeling safer. Again, this would have to occur with consent from both parties, and this is another reason why we are supporting the government's amendments.

I do understand, I hope, why Mrs Kikkert is concerned that the safety of a child or protected person may be at risk if the court can proceed, regardless of whether amending the order will not adversely affect the safety of the protected person or child or if the amendment would reduce the protection of a child who is 15 years or younger, which are some of the grounds mentioned in subsection (1) of section 5. However, I understand that the current legislation as it sits and is amended in this bill will provide the protections that are required. I would also like to assure

Mrs Kikkert that if the protections are found lacking or there are new concerns raised on these important issues, the Greens are open to supporting future amendments.

We know that domestic and family violence is a systematic and repeated act of power and control of a perpetrator over a victim. The victim will feel helpless and powerless as a result. A key aspect of her—or his, but normally her—recovery is being able to give her some sense of power back. This includes the ability for her to make decisions in regard to the protection orders for herself and any children or whatever actions she may wish to take. It is an important aspect of any response to a victim.

It is for these reasons that I do not support the amendments proposed by Mrs Kikkert. But, as I said, I am very appreciative of the motivations, and my office and I are happy to discuss further amendments in the future if the need for them occurs.

**MRS DUNNE** (Ginninderra) (11.24): Firstly, I would like to congratulate Mrs Kikkert on this very important pick-up of the problem in the legislation. I also condemn the government and the opposition for not recognising that this is an important hole in the legislation and for failing to do anything about it when it was pointed out to them.

Ms Le Couteur's presentation here today was nothing short of patronising. She said that she really appreciated Mrs Kikkert's point of view and then, towards the end, she went on to talk about how domestic violence is a systematic process of undermining people. She still failed to see that what needs to be done is what Mrs Kikkert has proposed. She then came back and said, "Well, after the horse has bolted, if we find that some child has been gravely disadvantaged or some child has died as a result of this government's failure to close this gate then we will reconsider the matter."

This is a shameful matter. Ms Le Couteur made some of the most astonishing admissions. She said that Mrs Kikkert was correct and then she did a complete and utter backflip. She actually said, "One can safely assume that people who turn up at court and ask for an order to be changed are acting of their own volition." That is essentially what she said. But at the same time she talked about the coercive nature of the domestic violence relationship.

We in this place, the privileged people like me who have never experienced domestic violence, sometimes scratch our heads and say, "How can people put up with these things?" People put up with these things because they are coerced into a position where they cannot do anything else. Financially and socially, they do not want to admit that they live in an abusive relationship.

Quite frankly, we all know of circumstances where people are coerced financially, socially, sexually—in all sorts of ways—and there is no safeguard because this government will not take the advice of a junior opposition backbencher. It is too galling for them to realise that a newbie has made this pick-up. It is too galling for them to recognise that they have not got it perfectly right. We see it all the time. Every time we come in here with a motion on the subject they have to amend it. They have to make it their own. They have to put their own stamp on it because it cannot be something that comes from the Liberal opposition, no matter how correct we are.

On this occasion Mrs Kikkert is absolutely and completely correct. She is actually saying that she wants judicial officers in this territory to exercise their judgment. She is not saying they cannot change the order. She is saying that they may change the order, unlike this government, which is forcing a judicial officer, occasionally against their better judgment, to change an order when their instinct is that maybe this is not right: maybe this woman or this man is being coerced; maybe this woman is doing this because she is broke and if the husband comes home or has more contact maybe he will pay his way more and support the kids.

There is a whole multitude of ways in which women, especially in domestic violence circumstances, can be coerced. There is a whole multitude of ways where women in domestic violence circumstances might consent, against their better judgment, to a change in an order. A judicial officer is someone we pay a princely sum to and someone we put on a pedestal. We cannot take their jobs away from them—that is how much we value them—on a whim. And there is now no mechanism where they can exercise their judgment on something as vital as this.

I congratulate Mrs Kikkert on the work that she has done on this. I condemn the government and the Greens for their failure to act when the bald facts of the case are put before them, because they are too proud.

**MS BERRY** (Ginninderra—Deputy Chief Minister, Minister for Education and Early Childhood Development, Minister for Housing and Suburban Development, Minister for the Prevention of Domestic and Family Violence, Minister for Women and Minister for Sport and Recreation) (11.29): I also want to make a few quick remarks about the amendments. Firstly, I want to acknowledge Mrs Kikkert and thank her for bringing forward the amendments to this important legislation and for sharing her own story about the effects of domestic and family violence on her and her family.

Unfortunately, many of us have been touched by our own lived experience with domestic and family violence, either ourselves or within our families. It is up to all of us to end it. It will take a concerted effort by all of us in this place and also within our community to do so. By bringing the amendments forward it means that there is a clear willingness from across the spectrum and across the chamber to engage on this issue and to seek to ensure that things are better for women and families who are impacted by domestic and family violence.

As the Attorney-General noted, the amendments are well intentioned. But the last thing we want to do in amending this important legislation is to make it harder or less accessible for women or families to take control of their lives and to move forward. The purpose of the family and personal violence acts—and it is what this amendment bill seeks to do—is to streamline the processes set out in the acts to make them easier and clearer for victims of family and personal violence who are seeking access to protection orders. We do not want to create more vulnerabilities or obstacles—whether they are financial or administrative—for women which make it more difficult to control their lives.

The amendments in this bill will enable those parties who have already entered into an order or who have been through a court process already to come back and seek a change to that order. This acknowledges that there will be families involved who will be directly impacted. The hope is that the parties to the order actually come to some sort of resolution together on the way forward; that they are looking to the future or that they seek to make arrangements for changed circumstances. We do not want to make this any harder than it has to be.

I support the moves by the Attorney-General in seeking feedback from important experts on this issue. That is quite the opposite of Mrs Dunne's assertion that the government has ignored Mrs Kikkert's amendments. The Attorney-General and his office spent the day yesterday speaking to legal practitioners, including the Law Society, the Bar Association, the courts, the Domestic Violence Crisis Service, Legal Aid and the Victims of Crime Commissioner, who all confirmed to the Attorney-General that they did not support Mrs Kikkert's amendments.

For me, to be able to get our whole system working as best it can is the best outcome for supporting and protecting our community. As I said earlier this week, the reforms contained in the family violence amendment bill being debated today represent a best-practice approach to responding to domestic and family violence and sexual violence within our legal system.

**MRS KIKKERT** (Ginninderra) (11.33): I thank those in this Assembly who have stood today to speak on behalf of protecting children. In my role as shadow minister for families, youth and community services, I likewise pledged to be relentless in making sure that this happens when the wellbeing of children and their lives, in many cases, is at risk. It is essential that we get the legislation right. That is certainly the case when dealing with issues of personal and family violence.

In raising these issues I have also discharged my duty as an elected representative of the people of the ACT to bring their voice into this chamber. The concerns are not only my own but also theirs. As I mentioned before, the many stakeholders we have spoken to have all agreed to my amendments and wish that they would be here to voice their opinion, but they cannot because of the government's intimidation and bullying.

By permission, I have brought with me into this chamber today an image of Jakob Oakey. Jakob was a young victim of domestic and personal violence who took his own life in February last year after the system that was supposed to protect him failed. I hope that Jakob's image will remind all of us how important it is to get things right. I merely ask that in this case we be certain that we are getting things right.

Question put:

That the amendments be agreed to.

The Assembly voted—

Ayes 9

Noes 11

Mr Doszpot	Mr Milligan	Mr Barr	Ms Le Couteur
Mrs Dunne	Mr Parton	Ms Berry	Ms Orr
Mr Hanson	Mr Wall	Ms Burch	Mr Pettersson
Mrs Jones		Ms Cheyne	Mr Ramsay
Mrs Kikkert		Ms Cody	Mr Steel
Ms Lee		Mr Gentleman	

Question resolved in the negative.

Amendments negatived.

**MRS KIKKERT** (Ginninderra) (11.39), by leave: I have just a few words to say. In short, I am disappointed. Today we had an opportunity to take a step that would better protect children from the cycle of family and domestic violence, and we did not take it. Today we had an opportunity to let officers of the court fulfil their roles to protect children, and we did not take it. I appreciate that those opposite have validated the concerns that I have raised today and have pledged to pursue them. I am glad for that, and I want the government to understand that I will hold them to account on this matter forever.

As I have discussed before, I know personally what it is like to grow up in a home plagued by domestic violence. I am familiar with the whole cycle: the angry words and beatings, followed by the accepted apologies and temporary reconciliation only to start all over again, and then again. I know from personal experience that most of the time children in these situations have no voice. Today I have tried to advocate for those voiceless children, and I will continue to do so by closely monitoring the impacts of this legislation.

Here is a little poem:

Do you hear the children weeping, O my brothers,  
Ere the sorrow comes with years? ...  
They are weeping in the playtime of the others,  
In the country of the free.

*In the country of the free*, Madam Assistant Speaker. To a child in the midst of domestic violence, it is not a free country. This is not a free nation when you have compelled judges to make choices that they may, in effect, disagree with. It is not a free nation when the innocence of children's lives is at risk because you have not protected them by the written law. Without the written law to protect children, innocence is betrayed. To use this politically for selfish purposes is foolish, frightful and irresponsible. You have just allowed innocent children to be victims of domestic violence, and shame on each one of you.

Remainder of bill, as a whole, agreed to.

Bill agreed to.

## Vocational education and training

**MS FITZHARRIS** (Yerrabi—Minister for Health, Minister for Transport and City Services and Minister for Higher Education, Training and Research) (11.41): I move:

That this Assembly:

(1) notes:

- (a) the importance of the vocational education and training (VET) sector to the ACT as a driver of jobs, economic growth and innovation;
- (b) that in 2015, a total of 66 214 ACT residents participated in VET programs across Australia and a total of 9696 VET programs were undertaken by ACT residents with 1420 Aboriginal and Torres Strait Islander ACT residents studying VET programs in that year;
- (c) the achievements of the Canberra Institute of Technology, including the delivery of over 600 000 teaching hours to more than 2000 apprentices in 2016;
- (d) the important contribution played by industry in training apprentices, the exceptional performance of ACT apprentices at the last Australian Training Awards held in Darwin last November with ACT apprentice, Shane Dealy, named the 2016 Australian Apprentice of the Year, and ACT Australian School-based Apprentice, Madeline Wallace, named as runner-up in the schools' category;
- (e) that through the National Partnership Agreement (NPA) on Skills Reform, the Australian Government has committed \$1.75 billion over five years (2012-17) to work with States and Territories to drive reform of the national training system;
- (f) the ACT training sector has received \$28 million of funding through this NPA since 2012;
- (g) that Commonwealth funding for the NPA on Skills Reform expires in June 2017;
- (h) that the Commonwealth has refused to schedule a meeting of Skills and Training Ministers to discuss any future agreement or funding for continuing Commonwealth funding for this essential education program; and
- (i) demands made by business groups, including the Australian Chamber of Commerce and Industry, AI Group and Business Council of Australia, for the Commonwealth Government to recommit to full funding of a new NPA on Skills Reform; and

(2) calls for:

- (a) the ACT Government to again write to the Federal Government to urgently recommit to a new NPA on Skills to take effect from July 2017 with funding levels at least maintained at current levels; and

- (b) continued efforts by the ACT Government, in conjunction with all jurisdictions, to ensure a properly funded, well-regulated and high quality vocational, education and training system.

I am pleased today to speak to this motion which brings to the Assembly's attention the importance of a properly funded vocational education and training system that can attract a wide range of students. I think we can all agree that the ability to choose from a wide range of vocational education and training options is a crucial factor in enabling the VET system to meet the diverse needs of individuals and, thereby, attract a wider range of students.

I would add that choice is a central consideration in improving equity of opportunity in the VET system. Choice is also crucial if the VET system is to meet the needs of employers seeking to diversify their workforce such as in the case of disability support services and the allied health workforce.

Today I want to focus on some of the important reforms to the ACT VET system that are maximising choice and increasing access to the VET system for a wider range of students. Such reforms have been brought about by the introduction of the skilled capital program and changes to the Australian apprenticeships program. I would also like to mention how these changes align with the ACT government's election commitment to improve employment pathways for disadvantaged groups, in particular refugees and asylum seekers.

The ACT government's skilled capital program introduced a new model designed to deliver improved access to and equity in training that is likely to contribute to improved employment outcomes. Before skilled capital, VET funding programs targeting improved access and equity outcomes used grant-based approaches. These approaches were labour intensive. RTOs submitted applications once or twice per year which were judged by a panel.

This all sounds reasonable. However participants within these grants-based programs had far fewer choices of RTO, qualification, qualification level and commencement and completion dates. The demand-driven design of skilled capital has improved the range of choices available for job seekers and existing workers without compromising the access and equity objectives of the previous funding models.

Further, unlike the previous approach, skilled capital incentivises the completion of qualifications rather than enrolments. RTOs are now paid the bulk of their funding when a student completes their studies, not when they enrol. This has changed the emphasis of RTOs from enrolling mass numbers of students to better supporting students to complete their course.

The commencement of skilled capital also coincided with the implementation of the ACT quality framework. This comprehensive framework was developed to promote excellence, transparency and above all quality in the VET sector in the ACT and seeks to ensure that only quality RTOs are able to access ACT government funding.

I am also pleased to inform the Assembly that the skilled capital and Australian apprenticeships programs have recently made changes designed to attract students from a wider range of refugee and asylum seeker groups. Permanent humanitarian visa holders have been able to access apprenticeships, traineeships and skilled capital courses since 1 January last year, and from 1 January this year eligibility has been extended to refugees and asylum seekers who hold temporary or bridging visas which also grant working rights.

The newly increased access to training and employment opportunities also applies to the ACT's additional humanitarian intake from Syria and Iraq. By providing newcomers to our country and our city with the training, learning support and skills recognition they need to help them gain and retain a job or build a business, these new measures will also have a flow-on economic benefit for Canberra by helping meet workforce shortages in a range of vital local industries. Importantly, the new measure aligns with the ACT government's commitments from last year to support refugee and asylum seekers looking for employment and to maintain Canberra's reputation as a refugee welcome zone.

The ACT has made significant structural reforms to the VET sector in Canberra, including the development of best-practice, sustainable models to deliver and administer apprenticeships training. These reforms, which were developed under the current national partnership on skills reform, will expire on 30 June this year.

As the minister responsible for this sector I would like to see a commitment from the federal government that further VET funding will be available from 1 July 2017. It is disappointing that the federal government has yet to provide any commitment, any process, any time frame and indeed any assurance of any future funding to the VET sector across all jurisdictions. They have failed to outline what they plan to do to continue supporting the VET sector in Australia.

It is not unusual for national partnership funding to be the subject of intense scrutiny in the lead-up to each federal budget but normally the process also includes the commonwealth indicating to the states and territories at least a pathway for continuing discussion on the funding of key national funding arrangements. But in this case, as is noted in my motion, the current national partnership on skills reform from 2012 to 2017 committed \$1.75 billion to vocational education and training across the states and territories.

The states and territories are left in a position where they do not know from 1 July this year whether that funding will continue in any way, shape or form. Given the absolute silence from the commonwealth on this, despite letters from all jurisdictions including the ACT, a couple of weeks ago a coalition of business groups including the Australian Chamber of Commerce and Industry, the Australian Industry Group and the Business Council of Australia joined the states and territories to urge the commonwealth government to recommit to full funding of a new national partnership agreement focused on apprenticeships and enabling all governments to work together to deliver a national apprenticeships system that meets the needs of industry, young people and workers wanting to change industries.

These key leading business sectors in Australia know what the states and territories know and what the commonwealth seems either to have forgotten about or is choosing to ignore: that continuity in VET funding is essential for industries across the country, in growing industries across the country, in industries where there are skills shortages—not even skills shortages now but skills shortages we can see coming in the future. For the commonwealth to have failed to have given any indication of continued funding for this essential national partnership focused on skills, focused on apprentices, beggars belief.

But, like my state and territory counterparts of all political persuasions, I will continue to work towards this goal of seeking additional funding and contribution, which has always been part of the commonwealth's contribution to VET funding, because our VET sector deserves this certainty, because the industries relying on our VET sector deserve this certainty and, most importantly, for students who see this as an exciting opportunity for them to lead fulfilling professional lives, this is such a critical sector.

Labor will always support a well-funded VET sector that supports a wide range of students, whether it is refugees looking to contribute to our community, women looking to get into trades, or mature age Canberrans looking to reskill. We will support them through our VET sector and through our range of RTOs here in Canberra. We are also supporting young people to get into a trade.

Just a couple of weeks ago I was at the first CIT apprentice link event, which saw more than 120 young people meet with around 30 local employers eager to connect with staff. Tomorrow I will be attending the VET forum at EPIC with a number of RTOs and people interested in the VET sector to talk with them about how the VET sector in Canberra can improve, how it can meet opportunities that they see coming in their industry and how it can meet the needs of students.

I really do urge the Assembly to support this motion and, in particular, to stand with the government to ensure that the commonwealth understands the significance of not providing any pathway or any indication of funding beyond 30 June for RTOs, particularly the public providers like the CIT in the sector, but most importantly for those students in years 10, 11 and 12 who see exciting opportunities for them in a trade or in a vocational profession. They see the opportunities for them to study in Canberra, either at the CIT, one of the highest quality public TAFEs in the country, or at one of our many RTOs who deliver training to young builders, young carpenters, young hairdressers, young people or people seeking to reskill or upskill in the disability services sector, in the allied health sector, in the arts sector, across the community sector and across industry including construction, retail and our really important services sector.

Increasingly, we also see programs offered to fill key skills gaps that we know exist not only in Canberra but around the country, whether it is in new, exciting opportunities like the renewable energy sector or in cyber security. The VET sector has so much to contribute beyond what it already contributes to our country, to industries, and I find it surprising and pretty shameful that the commonwealth government has still yet to indicate any funding.

On many other national partnerships they have indicated a pathway. They have indicated where there will be a meeting of ministers. There is no scheduled meeting of skills ministers between now and the federal budget in May. That is five weeks away. Those who know how ministerial meetings work would be gobsmacked if there was a ministerial meeting able to be scheduled between state and territory and commonwealth ministers between now and the federal budget. What that says to me is that the commonwealth is not going to fund vocational education and training and that the commonwealth is going to dip out of funding apprenticeships. The states, the territories, the Chamber of Commerce and Industry, the AI Group and the Business Council of Australia have all combined to say to the commonwealth, “Where are you on vocational education and training? Where are you on supporting apprentices? Where are you on supporting the future of industry in Australia?” Silence! I urge colleagues in the Assembly to support this motion today.

**MR WALL** (Brindabella) (11.53): Before I address the subject matter of Ms Fitzharris’s motion, I will raise a few concerns or disappointment from the opposition about the way that this motion has been brought to the Assembly today. Substantial changes were made at the start of this term to the way motions are brought forward to the Assembly, largely at the request of the executive. The executive demanded that they be given additional time to consider motions, particularly those coming from the opposition on a Wednesday, private members’ day, so that they could have the opportunity to have research compiled within their offices, and, with the great luxury of the largesse of public service departments behind them, they could then come to this place with a considered and thought-out response to the opposition’s motions.

The change to the standing orders now facilitates all motions, and even executive members’ business moved by the pseudo-crossbench Greens members in this place, being submitted by midday on Monday and considered by admin and procedure on a Monday. Ample notice is then given to all members in this place to research, work on, consider and deliberate over the motions, and consider them before they are brought up for discussion and a vote in this Assembly.

Today, though, the higher education minister, at the last minute, has added on to the notice paper a motion—it only appeared on the notice paper today—to debate today a motion on vocational education and training. I have speaking notes and a speech ready to go, but we have been given less than a couple of hours to come into this place to hold a considered debate on that. I will be writing to the admin and procedure committee and the Speaker to ask that this be addressed so that we have some consistency in the way these sorts of matters are brought in here. The cynic in me suspects that it has largely been brought in today simply to filibuster and pad the time out. I notice that there is a bit of sensitivity on the part of those opposite regarding their inability to fill the schedule on Tuesdays and Thursdays in sitting weeks since the last election.

Leaving that aside, I am very happy to speak on behalf of the opposition with regard to Ms Fitzharris’s motion. We on this side all understand and recognise the large importance that vocational education and training—traineeships and apprenticeships

specifically—play in the ACT economy and in developing the skills of young people in Canberra.

It is a topic that is very close to my heart. I think there are only one or two of us in this place who have gone through an apprenticeship. Ms Cody may have gone through an apprenticeship when she did hairdressing, and I did a carpentry apprenticeship. It has been a great delight to have had the opportunity both to be an apprentice and then to hire an apprentice and employ one myself. There is something very special in having the opportunity for skills that have been learned to be passed on to you as an apprentice, and it is just as rewarding to pass on those skills to the next generation as they enter the trade and try to carve out a career in one of the vocational employment fields.

There is certainly no replacement for the hands-on experience that is gained through the myriad vocational education and training courses on offer: anything from hospitality to carpentry, remedial massage therapies and the like. It illustrates how varied the skills training opportunities in this town are.

The opposition will be supporting the passage of this motion today. It begs the question as to why the minister feels the need to bring a motion into this place that calls on her to write to the federal government, urging them to recommit to the skills training package and the national partnership agreement. You would probably think that that was her core job. That is what the people of the ACT would expect the minister to do in this place—to do her job and lobby for the ACT to make sure that funding is brought about.

I do not understand their horrified dismay as to why the funding has been drawn out for this long. Madam Assistant Speaker, you only need to think of the debate that we have had in this place for the past week and a half about an organisation that you have brought into the limelight recently, SHOUT. Almost the same argument was used by those opposite as they are using here today against the commonwealth. They said, “This is an issue that needs to be considered by cabinet. This is an issue that needs to run its course. We can’t offer a commitment prematurely.” Here we are today saying, “The commonwealth’s still working through the cabinet process to decide on what the contribution to vocational education and training is,” but that is simply not good enough.

The minister could well and truly know where things are up to if she did as my office did this morning: pick up the phone and call Assistant Minister Andrews’ office and say, “Where are things up to?” And with respect to where it is up to, at the moment it is subject to the normal cabinet processes. The decision will be made shortly.

For those opposite to paint the commonwealth government as not caring, not being engaged and not recognising the significance of apprenticeships also reeks of hypocrisy. One needs only to look at the track record of the former federal Labor government and their actions when it came to supporting employment-based training when they were last in government to see that the evidence is quite clear. From 2011 to 2013 the federal Labor government cut \$1.2 billion worth of employer incentives. It is all well and good to support training places for young trainees and

apprentices, but if there is no offer of support or no incentive for employers to take them on, the system is still broken. The track record of the federal colleagues of those opposite highlights it: \$1.2 billion cut over three years from employer assistance packages to support apprentices.

What was the result? Madam Assistant Speaker, you might be wondering, “What impact did that have?” Nationally, the number fell by 110,000; 110,000 fewer people entered vocational and training places in federal Labor’s last full year in government. That represented a 22 per cent decrease in the number of training places. That is the largest single annual decline ever recorded in this country, and that is damning in itself.

From the further conversation we have had with the assistant minister’s office this morning, they wanted to reiterate the great work that the coalition has been doing to reverse this decline, get training places established or re-established and young people back into employment opportunities, into apprenticeships, and facilitating opportunities for them to take on additional VET training.

The trade support loans are one such incentive that make it a little bit easier for young people to go through vocational training. There are often a number of fees that need to be paid through the process of training. More importantly, having regard to my background, the experience of purchasing tools is often considerably expensive. The loan scheme allows \$20,000 to be paid over the duration of the apprenticeship. It allows the apprentice to access discounted finance; essentially, a loan that is discounted, depending on the completion of the apprenticeship. That can go, on a graduated scale and on the completion of each year, towards purchasing things like tools, additional training and training materials. It helps them to complete their qualification. So it needs to be recognised that there is work being done at the commonwealth level to ensure that apprenticeships can be continued.

As I indicated, we will let the minister do her job. We will support this motion today and encourage her to write to the federal government and seek some clarification of where the funding is at. I am confident that we will see funding levels under the new agreement in due course, as we always do. The wheels of government do move slowly, and I think all of us in this place are familiar with that. Sometimes it suits our agenda; sometimes it does not. It is clear today that this does not suit the minister’s agenda.

As the shadow minister for education and training, I look forward to continuing to work with employers, and with apprentices and trainees across the territory as they gain the valuable skills that they require to enter the workforce and make a meaningful contribution to the city’s growth and development into the future and, most importantly, get some gratification from the skills that they are learning.

**MR STEEL** (Murrumbidgee) (12.02): I want to respond to some of the comments that Mr Wall has made today. The national partnership agreement on skills reform is not the only national partnership agreement that is in question. Over the past year or so a very important national partnership agreement on TAFE fee waivers for early childhood qualifications has lapsed. So it is not right to simply say that this is analogous to SHOUT.

Another important skills support from the commonwealth government, the HECS-HELP benefit, is also finishing at the end of June in this financial year. So this is an urgent and very important matter, and I thank the minister for bringing it forward today for consideration.

We have a very strong focus on universities in the ACT but we should never overlook vocational education and training and the opportunity it provides for a wide range of trainees to build skills, get qualified and contribute to our growing economy. I am a big supporter of a strong VET sector with a strong public provider presence. Funding the provision of VET through the CIT and other quality private providers is an important element of the ACT government's commitment to assist in training a highly skilled workforce which supports the ACT economy and ensures equitable access to training for all Canberra residents.

In 2015, 66,214 ACT residents participated in 9,696 VET programs across Australia, with 1,420 Aboriginal and Torres Strait Islander people participating in a VET program. Labor went to the election promising that 70 per cent of all VET funding would go to the CIT, our quality government TAFE provider. The ACT government's focus has always been on delivering a VET system that supports every Canberran to make a meaningful contribution to their community regardless of their circumstances. Our system trains recently arrived immigrants to speak English, helps local entrepreneurs to improve their business skills and is the primary source of workers for our critical tourism and hospitality industries.

Vocational education and training is a core part of Labor's vision for maintaining and strengthening an equitable Canberra by training and retraining our workforce to adapt to the skill sets of tomorrow. This government is ensuring that this city does not develop its own group of the "left behind". We do not have to look far to see the effects of federal government cuts in vocational education and training. We can see entire cities economically depressed, with a hollowed-out industrial base that is increasingly not just unemployed but leaving workplace participation entirely unmet. A lack of retraining has meant that many of these often mature age workers have mismatched skill sets that are appropriate for only certain industries requiring a certain skill set in the past.

Our government is looking to the future and therefore making sure our workforce is never vulnerable and is adapting to changing technologies. Labor recognises that we are in an ever-evolving world and retraining and training should never stop throughout a person's life. Funding the provision of VET through CIT and other quality private providers is an important element of the ACT government's commitment to assist training a highly skilled workforce which supports the ACT economy.

Adequate VET funding is a core part of Labor's commitment to advancing the opportunities of the most disadvantaged in our community. The depth of support services available to students in the ACT VET system is extensive, particularly those for students experiencing disadvantage or disengagement. CIT is accomplishing its role as the public provider in supporting students who traditionally experience barriers to further skills development.

Government funding for VET support services is provided through CIT and private registered training organisations, or RTOs, which have demonstrated that they meet the robust quality standards expected by the ACT government and the Canberra community. Both the skilled capital and the Australian apprenticeships programs provide additional funding support to enable the provision of appropriate support services for students with identified needs and fee concessions to address barriers to participation and assist RTOs to support their students.

Both the skilled capital and the user choice funding models provide additional funding automatically to RTOs for students with a disability, Aboriginal and Torres Strait Islander students, youth at risk and the long-term unemployed. Additional support payments of up to \$1,000 for skilled capital students and trainees and up to \$3,000 for apprentices is also available to RTOs to assist students experiencing barriers to learning to complete their qualification.

The ACT government's standards for the delivery of training expect RTOs to complete pre-training assessments of apprentices and trainees and arrange for additional support to be provided. In addition, Skills Canberra's field officers conduct monitoring visits to trainees and apprentices to provide advice and support. Further, students holding a healthcare or pension card or demonstrating genuine financial hardship are eligible for a fee concession under skilled capital and the Australian apprenticeships programs. CIT are providing support for a range of students. Last year they delivered 600,000 teaching hours to more than 2,000 apprentices.

Many members will be aware of the good work of CIT Yurauna Centre in supporting Aboriginal and Torres Strait Islander students. Yurauna's approach is holistic and culturally appropriate. Their general education program seeks to reach out to disengaged Indigenous youth with an initial VET experience. Their foundation studies programs seek to improve reading, writing and comprehension skills and build confidence and pride, and their wraparound support services and pastoral care increase resilience and completion rates.

An extensive range of services is also provided by CIT student support to all students, include counselling, careers advice, disability support, financial assistance, international student support, migrant and refugee support and youth support. CIT caters to over 1,000 students per semester who self-identify as having one or more disabilities as well.

In 2016 two-thirds of students with disability identified with more than one disability, with a notable increase in students with complex disabilities. Catering to the diverse needs of this cohort of students is managed through CIT's dedicated disability support team. Early intervention has proven to provide the best outcomes and increase the likelihood of an enjoyable and successful experience at CIT. In 2016 19 per cent of CIT's 18,000 students were also mature age students aged 45 years or over, demonstrating the importance of CIT's focus on upskilling and reskilling mature age workers, and ensuring that the training needs of Canberrans at all stages of life are met.

Female apprentices in the traditional trades are also well supported at CIT. CIT has some great success stories of women who have graduated in traditional trades such as carpentry, automotive, plumbing and electrical areas. CIT has led a range of initiatives to showcase the career opportunities for women in traditional trades. For example, CIT has the women in trades ambassador program, which celebrates the achievements of female apprentices and tradespeople and encourages women to consider the qualities they have to be successful in a trade.

I would like to speak again on the national partnership on skills reform. The Australian government, through the national partnership agreement, committed \$1.75 billion between 2012 and 2017 to provide a national framework to drive reform of the national training system. The ACT received \$28 million through that national partnership. Funding ends at the end of this financial year, and, as per the minister's motion, I support the call on the ACT government to write to the federal government to urgently get them to recommit to a new national partnership agreement to come into effect following the end of our current arrangements.

Investing in TAFE is an investment in the future. Labor does not view training and skills as a burden to outsource or an efficiency best left to the invisible hand of the free market. It does need government support. Our quality RTOs and our CIT are skills focused and attract a wide range of trainees, and our Labor government will continue to support them because they contribute to the ACT's strength in higher education and our economy.

I support the call for the ACT government to write to the federal government, and I certainly support the call to get them to urgently recommit to this important national partnership. I thank Minister Fitzharris and commend the motion to the Assembly.

**MS CODY** (Murrumbidgee) (12.11): I would also like to thank Minister Fitzharris for bringing on this very important motion. The importance of a properly funded VET system that delivers an adequate workforce is vitally contributing to the ACT's economic future and enables all working age Canberrans to develop the skills they need to participate effectively in the labour market.

As Mr Wall has already mentioned, yes, I am a proud product of the CIT Reid campus, where I did my hairdressing apprenticeship, and I continue to support hairdressers and apprentices across Canberra. Like thousands of Canberrans, I benefit every day from the skills and experiences I gained during my time at CIT.

A well-funded VET system targets funding to training that increases the level of workforce participation. It provides the support individuals experiencing disadvantage or disengagement need so as to gain skills that lead to employment or improved employment conditions. This includes funding strategies that ensure that the needs of people with disabilities, Aboriginal and Torres Strait Islander people, people from culturally and linguistically diverse backgrounds, women returning to work after long absences, mature age and older Canberrans, youth at risk, the unemployed and the underemployed are all addressed.

A properly funded TAFE operates effectively in an environment of greater competition, while at the same time recognising TAFE's important and historical function in delivering improved skills and job outcomes for disadvantaged learners. VET qualifications allow for better employment opportunities, higher wages, and the prospects of achieving higher skills and qualifications. VET programs contribute to many young Canberrans making successful transitions from school to work, further education or training.

One fantastic initiative is the return to work for women program. This program empowers women with the skills to re-enter the paid workforce after an extended absence. The program focuses on affirming women's confidence, professional skills, computing skills and digital literacy abilities. It is a six-week program held at the Tuggeranong campus, and I encourage any interested women to head online to the CIT website for more information.

I had an opportunity to speak to some of the participants in this current six-week block and to the teachers that are engaged in delivering the program. It is a wonderful and worthwhile cause. They are often looking for workplaces. My office here in the Assembly is one such workplace that will be welcoming a student through this course. The return to work for women program, like many at CIT, boasts phenomenal outcomes for graduates. Over 80 per cent of graduates successfully go on to some form of employment or further study.

Often overlooked are the contributions VET can make to economic growth through improved levels of innovation and productivity in local businesses and their workforce. For example, workers with VET qualifications at the certificate III level or above are more able to implement and/or adapt to new, creative work practices and technologies. Importantly, the development of supervision and management skills through upskilling workers with diplomas and advanced diplomas has the potential to improve the utilisation of the labour force and facilitate innovation, efficiency and sustainability in many sectors in the economy.

Publicly funded VET in the ACT takes three main forms: Australian apprenticeships, which we have already talked about; skilled capital, which Minister Fitzharris mentioned; and the Canberra Institute of Technology, the ACT's only TAFE.

Australian apprenticeships combine paid work and study towards a nationally recognised VET qualification. There are approximately 500 different Australian apprenticeship qualifications available, across a wide range of occupations. The funding model for the ACT's Australian apprenticeships program is called user choice. User choice is a model for achieving client-responsive training. Employers and trainees can select their own RTO and negotiate how, when and where the training and assessment is to occur. Employers can work with the RTO to tailor the units of competency delivered over the course of the traineeship to meet their business needs.

Skilled capital subsidises training for adult job seekers and existing workers. All of the qualifications funded by skilled capital are considered to be in shortage by employers in the ACT. Many of these qualifications include a work experience component. Language, literacy and numeracy skills for students who wish to develop their skills in these areas are also funded.

The CIT is the ACT's largest training provider, offering an extensive range of courses, delivery styles, assessment methods, locations and support services. The ACT government recognises the important function of CIT in servicing the training needs of ACT businesses and the Canberra region. This is why we have committed to ensuring that CIT remains the primary provider of high quality vocational education in Canberra.

As has already been mentioned several times today, the uncertainty of commonwealth funding for Canberra's VET sector puts the ACT under more financial stress. We will, of course, continue to urge the commonwealth to maintain funding. I thank Minister Fitzharris for bringing this motion forward and again urging the commonwealth government to commit to funding.

In the past few weeks, I have been visiting CIT campuses. I have mentioned this before, and I am happy to mention it again. It is an exciting opportunity to get to see firsthand the sort of work they do. So far, I have visited CIT Reid, CIT Fyshwick and the new Tuggeranong campus. I am looking forward to visiting Bruce in the coming weeks. During these visits, I have been offered an insight into the incredible work that goes on at these campuses. People at CIT are working hard on many diverse qualifications, whether it is their cert III or an apprenticeship.

At its heart, the ACT government-funded VET system aims to maximise the range of VET options available to ensure that every Canberran has the opportunity to reach their full potential and contribute to the community.

There are many ways we can support and should support CIT and the many people studying, training and working there. We can support CIT by ensuring safe work places and practices, so that apprentices are safe during their training and throughout their future work. We can support students and apprentices by taking them on in our own workplaces, to further enrich their training experiences in our community. We can support students at CIT by regarding technical education as a valid and meaningful life path.

I would encourage everyone to support all apprenticeship students studying at CIT, perhaps through booking your next hair appointment at the CIT Reid campus to provide students with real people and real needs in order for them to build on their existing skills. If you have a car that you no longer need, you may want to donate it to the Fyshwick CIT for the auto-mechanic, bodywork or steel-fixing students to work on. These opportunities will provide only a glimpse of what the CIT has to offer and give you a small insight into the work of the CIT students. But they will equip students with the opportunity to further their skills and experiences.

As I have already indicated in this speech, and others before, a properly funded VET system is integral to Canberra's economic future as well as supporting the future of our community. I commend Minister Fitzharris's motion to the Assembly and, again, I am grateful that she has given me the opportunity to speak on such an important issue.

**MS FITZHARRIS** (Yerrabi—Minister for Health, Minister for Transport and City Services and Minister for Higher Education, Training and Research) (12.20), in reply: Welcome back to the chair, Madam Speaker. I am not sure if you heard, but we have been speaking about skilled capital and significant reforms in the VET sector which were led by you and continue. I know that you share concern about the likely lack of commonwealth funding in this very important space.

I would like to thank members for their contributions. I would like to comment on Mr Wall's opening remarks about the process for this motion coming before this place. I will certainly support him in bringing this to admin and procedure. I have met the requirements of the Assembly in terms of lodging this motion. It was not intended to be late notice; in fact, I could have lodged it on Monday. I lodged it yesterday for today's debate. I would fully support him bringing that forward so that executive motions are brought forward on the Monday and we all have time to prepare.

I thank him, too, for his contribution. Like him and like Ms Cody, I started my post-school career in the VET sector, in tourism and hospitality, which brought me my first ever full-time job, which I did for a number of years. I learnt much from it. I recall what I said last year at the ACT training awards. On the back of a very wet winter, we encountered a number of potholes. As minister for roads, I remembered some of that first training I received in my hospitality and tourism courses: that complaints management and customer service were a key part of anything we may do in our lives. I never at that point intended it to be about how we might manage complaints about potholes after a very wet winter, but it came in very handy. I was reminded of a number of classes and some on-the-ground experience we did throughout my VET training some 25 years ago.

We all have experiences. We all know people that have experiences in the VET sector. We all know how important they are to understanding the opportunities that present for people out there in the community.

I noticed that there was some commentary last week around perhaps an over-focus on higher education. It is very important for us, particularly in a city of immensely important higher education institutions, to continue to recognise our vocational institutions, our RTOs and, of course, the Canberra Institute of Technology, which educates tens of thousands of students every year across our city, students at all stages of their careers, students of many different ages, students looking for an opportunity to upskill, to start their own business, to strengthen their own business or to reskill in a very new area.

As Ms Cody noted, visiting CIT campuses is a real eye-opener. There are the established campuses around the city and the new CIT campus in Tuggeranong which has had such a significant impact. I know that members of this place support it.

I also note Mr Steel's really important contribution around the value of national partnerships. He knows implicitly how important it is for states and territories and the commonwealth to cooperate to ensure funding for important services and important sectors across the country. People are really quite fed up with some of the difficulties with federation.

I note that Mr Wall had a couple of comments to make about why I would not just write to the Minister for Education and Training in my capacity as a minister. I indicated that I had already done that, to little effect. State and territory ministers have done that collectively. The Australian Industry Group has done that. The Business Chamber has done that. The Business Council of Australia has done that. In bringing this motion to the Assembly today, and I wish Mr Wall was here to hear this, I thought that for me to write to the commonwealth ministers expressing the full force of the Assembly's views that the commonwealth should continue to support this very important national partnership carried a bit more oomph.

Obviously, Mr Wall was fobbed off—I am not even sure he realised he was being fobbed off about this, as every state and territory government has been for the past 12 months—when he called the assistant minister's office and was told it is in the normal cabinet process. It is unfortunate that he is being fobbed off just like every other state and territory and every other industry group has been, because, as I also mentioned, national partnerships are many.

There is always a bit of back and forth. There is always a bit of agitation and turbulence around this time of the year in the lead-up to the federal budget. What is unusual about this one is that the commonwealth has been silent since November last year, when the then new minister, Minister Andrews, refused to even put this on the agenda. In contrast, the new health minister, at last week's health ministers meeting, at least had the decency to have national partnerships on the agenda. The commonwealth has not even had the decency to hold a meeting. It has not had the decency to talk to state and territory departments about continuing this funding.

It is unfortunate that Mr Wall did not even seem to realise that he was being completely fobbed off by his Liberal counterpart in the commonwealth parliament, but that fobbing off is what everybody else has got. With the federal budget just five weeks away, with no correspondence from anyone in the commonwealth, with stonewalling silence, it is unfortunate that Mr Wall has also been fobbed off by his counterparts.

Nonetheless, I am very grateful for the support of those opposite in supporting this motion. I will look forward to writing to both Minister Birmingham and Minister Andrews expressing the full force of the Assembly in wishing to see the commonwealth continue to support vocational education and training, and to fully support apprenticeship funding across Australia.

Question resolved in the affirmative.

## **Planning and Urban Renewal—Standing Committee Statement by member**

**MS ORR** (Yerrabi) (12.27), by leave: I would like to note that I am speaking in my capacity as a private member, not as Deputy Chair of the Standing Committee on Planning and Urban Renewal.

I wish to provide an explanation as to why Assembly business order of the day No 3 was discharged from the notice paper. I initially raised housing affordability as an issue in this chamber in December last year, when I referred an inquiry to the Standing Committee on Planning and Urban Renewal.

The ACT government has made great strides in increasing housing affordability for Canberrans, but there are still many improvements to be made. The OECD has found that between the early 1980s and 2015 there was a 78 per cent increase in Australian housing prices. In the ACT, many families in the bottom 40 per cent of household incomes pay more than 30 per cent of their gross income in rent or mortgage payments. Young people, older women and Aboriginal and Torres Strait Islander communities are even further affected, and continue to be locked out of the housing market.

It is vital that government continues to work with these people and community groups to deliver affordable housing for our community. Successive housing affordability action plans have demonstrated the ACT government's commitment to the welfare, security and financial stability of Canberra residents. Under the current affordable housing action plan, and since 2007, the ACT government has provided 2,650 dwelling sites for purchase at specific, affordable prices; provided 2,025 dwelling sites released under land rent; and allocated 523 sites to Community Housing Canberra and 459 sites for new public housing construction.

The ACT's social housing system is among the best in Australia as a result of the ACT government's investment in homelessness services and public housing. We can be proud of the developments that have been made for the people of Canberra, but we should not lose focus or the drive to increase housing affordability across the territory.

The Labor-Greens parliamentary agreement includes several provisions that have enabled the ACT government to make significant progress towards achieving a more equitable social housing system for all. This issue has not lost salience, and an inquiry into housing affordability has been self-referred by the Standing Committee on Planning and Urban Renewal. I look forward to hearing the committee's findings from the inquiry and am confident that the ACT government will continue to lead on progressive policy changes that increase the availability of affordable housing.

**Sitting suspended from 12.29 to 2.30 pm.**

## **Questions without notice**

### **ACT Health—emergency department presentations data**

**MR COE:** This question is for the Minister for Health. On 29 March in the Assembly, yesterday, in your role as minister for transport and community services, you proposed a series of amendments to Mr Doszpot's motion regarding dog attacks. The first clause of Mr Doszpot's motion identified that 155 dog attack victims presented to the ACT hospital emergency department. Your amendment added:

... however, it is unknown how many presentations are ACT residents ...

Minister, why does the government not know where emergency department patients come from; what data is collected at the time of presentation; and can reports easily be generated?

**MS FITZHARRIS:** I thank the Leader of the Opposition for his question. As I indicated in the debate yesterday, it is probably more precise to say that I did not currently know, because I had not yet sought that specific information.

In relation to what I was attempting to convey in the debate, and what I conveyed also to Mr Doszpot in our conversations around yesterday's motion, he was specifically seeking to make a link between TCCS, which is responsible for dog incidents within the borders of the ACT, and presentations to ACT emergency departments. I was seeking to explain to him that there could not be drawn a direct correlation between residents of the ACT and presentations to ACT emergency departments because, as we know, 25 per cent of activity in ACT hospitals is from outside the ACT borders.

Certainly, as to the information specifically relating to that, I will take that on notice and provide further information. There is a range of different ways that you could seek to further analyse the data coming through emergency departments. Where every individual who presents to an emergency department lives and where the incident took place could of course be extracted from emergency department data. If the opposition would like me to do that, I will take that question on notice.

**MR COE:** Firstly, yes, we would appreciate that; thank you. Minister, can reports easily be generated with multiple variables such as residence and reason for the presentation or do those kinds of reports have to be manually collated or compiled?

**MS FITZHARRIS:** I believe that they can be generated. They certainly do not have to be manually done, but you could ask any variety of questions around a very rich source of data, which is around presentations to emergency departments.

**MR DOSZPOT:** My supplementary is: minister, don't you need to know where patients come from under cross-border health arrangements?

**MS FITZHARRIS:** Yes, of course we do. And of course we do know that, as I indicated in my previous answer. As I also indicated yesterday, that particular extraction has not been done because, as I indicated in my previous answer, you could ask a variety of questions—and many people within the health system will ask a variety of questions—the answers to which could be gained by interrogating the health data.

### **Animals—dangerous dogs**

**MR DOSZPOT:** My question is to the Minister for Transport and City Services. Minister, where in the 46 pages of the animal welfare and management strategy that you released yesterday is there mention of dangerous dogs?

**MS FITZHARRIS:** I have not done a specific word search but I think that if you were to read the draft animal welfare and management strategy, which was released for public comment yesterday—and I note that it was developed with the input of the Animal Welfare Advisory Committee, RSPCA ACT, ACT Veterinary Surgeons Board and a number of other stakeholders, including across government as well as the ACT rural leaseholders—you would see that it talks about responsible pet ownership.

Implicit in that also is how we as a community set a vision and have the right regulatory legislative framework for managing animals in the territory. That would implicitly include, of course, dangerous dogs.

**MR DOSZPOT:** Minister, why does the animal welfare and management strategy not deal with the problem of dangerous dogs?

**MS FITZHARRIS:** It does, and it will. In the conversation about responsible pet ownership—as we debated for nearly two hours in this place yesterday—of course we will deal with it.

**Mrs Dunne:** It was put out as a smokescreen.

**MR PARTON:** Minister, in seeking public comment on the strategy, why is the government not specifically seeking public comment on the management of dangerous dogs?

**MS FITZHARRIS:** Certainly as we debated in the Assembly yesterday and as I have spoken of on a number of occasions—and I will comment on Mrs Dunne's incorrect assertion that she just made in the chamber—of course it is implicit in the fact that the Animal Welfare Advisory Committee, the RSPCA ACT, and the ACT Veterinary Surgeons Board actually contributed to this draft strategy and have endorsed this draft strategy.

**Mrs Dunne:** That's not what the Animal Welfare Advisory Committee does. That's not its remit.

**MS FITZHARRIS:** They have a certain statutory role, but I reached out to them and asked them to contribute to the development of the strategy, which they welcomed. They contributed to it over a number of months. They then wrote to me and endorsed the strategy. It was released yesterday for public comment on the back of a motion in the Assembly where we agreed to provide further information back to the Assembly by September on legislation on regulatory arrangements and potential increases in penalties. That was passed in the Assembly just yesterday.

### **Government—public holiday policy**

**MS ORR:** My question is to the Minister for Workplace Safety and Industrial Relations. Minister, what changes to Canberra's public holidays have taken place in the past year?

**MS STEPHEN-SMITH:** I thank Ms Orr for her question and for her interest in this matter. I think we all have an interest in public holidays. On 22 August 2015 the ACT government declared that Easter Sunday would be a public holiday in its own right, commencing in 2016.

*Members interjecting—*

**MADAM SPEAKER:** Minister, could you resume your seat, please?

**MS STEPHEN-SMITH:** This year will be the second year—

**MADAM SPEAKER:** Minister, could you resume your seat? Fifteen seconds into the answer, and the minister could not hear my call to resume her seat because of the noise from the opposition.

*Mr Doszpot interjecting—*

**MADAM SPEAKER:** Mr Doszpot, one more and you will be warned.

**MS STEPHEN-SMITH:** This year will be the second year that we have marked Easter Sunday as an official public holiday in the ACT, alongside public holidays on Good Friday and Easter Monday. The decision to declare Easter Sunday as a public holiday was in response to increased community concern that Easter is a significant and protracted holiday period akin to Christmas and New Year's Day. As such, it is important that public holiday entitlements be afforded to workers during this period, to compensate them for time spent away from their family and friends.

On this side of the chamber, we understand that a clear work-life balance is crucial to protecting the valuable time we have with family and friends. The ACT government's decision to make Easter Sunday a public holiday also recognises the costs of having to work outside the traditional Monday to Friday working week and the valuable contribution of the members of our community who work on weekends.

By legislating to make Easter Sunday a public holiday, the government has ensured that the territory's industrial relations system stays in step with contemporary work practices and in line with the community's expectations on the designation of public holidays.

**MS ORR:** Minister, what other changes to public holidays is this government considering?

**MS STEPHEN-SMITH:** I thank Ms Orr for her supplementary question.

**Mrs Dunne:** On a point of order, Madam Speaker.

**MADAM SPEAKER:** Mrs Dunne.

**Mrs Dunne:** Could I seek your guidance in relation to the framing of questions—that they should not be seeking announcements of executive policy—under standing order 117(c)(ii)?

**MADAM SPEAKER:** Just for a point of clarity, Ms Orr, would you repeat your supplementary?

**MS ORR:** What other changes to public holidays is this government considering?

**MADAM SPEAKER:** I think it is just about what changes have been put in place. Minister, can you continue with your answer?

**Mr Barr:** On the point of order, Madam Speaker.

**MADAM SPEAKER:** Chief Minister.

**Mr Barr:** The question asks the minister what the government is considering, not announcing, not seeking an announcement of government policy, but what options the government is considering. Given that those opposite regularly ask questions to that effect, if you were to rule that that was an announcement of government policy then it would rule out most questions the opposition ask in this place.

**MADAM SPEAKER:** Thank you, Chief Minister.

**Mrs Dunne:** On the point of order, I was actually seeking your guidance. I take the Chief Minister's point that the question was about what they are considering rather than what they are going to do. However, the question was prospective and was not about the status quo. I would actually agree with the Chief Minister's point on the point of order.

**MADAM SPEAKER:** Thank you, Mrs Dunne. Minister, if you would continue talking about what you have done and what you are considering.

**MS STEPHEN-SMITH:** Thank you, Madam Speaker. Of course, the government has been consulting with the ACT community for some time on the establishment of a new Reconciliation Day public holiday. On 11 August last year, the Assembly passed a resolution calling on the government to establish a new Reconciliation Day public holiday to commence in 2018. That work is progressing.

**MR STEEL:** Minister, what action has the ACT government taken to stand up for Canberrans whose public holiday penalty rates are about to be cut?

**MS STEPHEN-SMITH:** I thank Mr Steel for his supplementary question. On 23 February the Fair Work Commission handed down its decision to reduce certain Sunday, public holiday, evening or after midnight penalty rates in some awards for the hospitality, restaurant, fast food and retail industries. The ACT government's submission to the commission's review opposed any reduction in penalty rates because:

Penalty rates are a representation of our social contract and have been part of Australia's social and economic fabric for more than 100 years ... any attempt to reduce penalty rates represents an erosion of this social contact.

Last week the Chief Minister and I signed a further submission to the commission in response to its consideration of transitional arrangements, calling on it to set aside its decision. This letter states the ACT government's position plainly, and that is:

There are no transitional arrangements which could ameliorate these impacts or prevent significant disadvantage to workers affected by this decision.

*Opposition members interjecting—*

**Ms Berry:** On a point of order—

**MADAM SPEAKER:** Can you stop the clock please, Clerk.

**Ms Berry:** The conversation is continuing while I am drawing your attention to it, Madam Speaker.

**MADAM SPEAKER:** We are on question 3 and I think I have called the opposition to order under standing orders. Just in case Mrs Jones wants to ask again, she can go with standing order 31 or 61, which is about people on the floor talking should not be subject to interruption. Minister.

**MS STEPHEN-SMITH:** Thank you Madam Speaker. As I was saying, the Chief Minister's and my letter states the ACT government's position:

There are no transitional arrangements which could ameliorate these impacts or prevent significant disadvantage to workers affected by this decision.

The changes will affect thousands of Canberrans who are employed under the fast food award, the retail award, the hospitality award, the pharmacy award, the clubs award and the restaurant award.

The ACT government has been vocal in reiterating our support for the current penalty rates regime and our strong opposition to the Fair Work Commission's proposed changes that would bring about a significant reduction in pay for thousands of Canberra workers. Labor will stand up for these workers because we believe that workers deserve to be compensated for working unsociable hours, and Sundays remain for most of us a time for socialising, spending time with family or playing sport.

### **Public housing—Weston Creek**

**MS LE COUTEUR:** My question is to the Minister for Housing and Suburban Development. It relates to last night's community meeting regarding the PDA application consultation on the proposed special housing development in

Weston Creek. Given that the meeting had too many people in attendance for it to proceed, how will you ensure that there is effective consultation with the community about the proposed public housing?

**MS BERRY:** I thank Ms Le Couteur for the question. I understand that the meeting was organised by the Weston Creek Community Council and that officials from the ACT government's Housing Renewal Taskforce and Housing ACT were present. We had a conversation this morning and we have drop-in sessions next weekend on 8 April. We will be organising times for people to have individual conversations about the concerns they have raised about some of the practical issues for public housing as part of those developments.

I understand other community councils are organising meetings but at this stage we have organised the drop-in sessions. We can organise further ways for people to be engaged in this conversation as a pre-development application conversation, which has only just started. We are keen to make sure that everybody gets a chance to talk about the issues that they have.

The issues that have been raised with my office go to practical issues, with probably practical solutions, around amenity, size, traffic, driveways and things like that. We can absolutely talk to individuals and the communities in each of the areas about finding solutions to those.

**MS LE COUTEUR:** Minister, will there in fact be another public meeting for people to express their views? And how will feedback from the community be incorporated in whatever is eventually proposed for Weston Creek?

**MS BERRY:** Thanks, Ms Le Couteur, for the question. Yes, we are having a drop-in session next weekend, on the Saturday. After we have had that drop-in session, we will work on further ways that we can engage individuals within the community about the issues that they are raising around the development and all of the individual concerns so that residents in those communities get a chance to have a one-on-one conversation with officials so that they can very clearly have their concerns identified, talk about some practical solutions and, hopefully, have a strong, inclusive community, which I know is what the residents of Holder, Chapman, Wright, Monash and Mawson are telling me in their correspondence. They support public housing; they have concerns about some practical issues which I think together we can resolve.

**MR PARTON:** Will the minister commit to a further public meeting in Weston Creek on these issues?

**MS BERRY:** There is a meeting available on Saturday the 8th.

### **Manuka Oval—naming rights**

**MR MILLIGAN:** My question is to the Minister for the Environment and Heritage. Minister, the heritage registration for Manuka Oval states that Manuka Oval "has a special association with the cultural phase of the earliest development of Canberra as

the nation's capital". What advice did the Heritage Council provide to the government before the government decided to sell the naming rights of Manuka Oval?

**MR BARR:** Manuka Oval in fact is my responsibility under territory venues and events. The government has not sold the naming rights to Manuka Oval. Manuka Oval is still Manuka Oval. Under the hiring agreement with the Giants, they are able, for the purposes of match-day sponsorship, to sell the naming rights. This has happened before. It was called StarTrack oval. The Australia Post parcel delivery agency, StarTrack, sponsored the oval. The naming rights for the oval are sold during the AFL season as part of the Giants' hiring agreement.

**Mr Doszpot:** Why can't the Raiders and the Brumbies do that?

**MR BARR:** I should not respond to the interjection, but the member might be aware that Canberra stadium is sponsored by GIO.

**MR MILLIGAN:** Chief Minister, what advice did you seek from the Heritage Council as to whether changing the name of Manuka Oval would affect its heritage value?

**MR BARR:** Manuka Oval's name has not changed, so no advice was necessary.

**MS LEE:** Chief Minister, what consultation did you take with local residents before deciding to sell the naming rights during those games?

**MR BARR:** This was contained within the agreement for the AFL to play at Manuka Oval. That dates back about seven years now. As I said, this is not the first time. It was called StarTrack oval under the previous match day sponsorship arrangement. For the cricket season there are different arrangements. The venue is hired as a clean stadium for hirers. They are able, under those commercial arrangements, to have match day sponsors, just as the Raiders and the Brumbies have match day sponsors for matches played at GIO Stadium, which is otherwise known as Canberra stadium.

The government has the sponsorship contract in relation to Canberra stadium, but we revenue share with the Brumbies and the Raiders under their performance agreements, for which taxpayers pay millions of dollars each year to underwrite the Raiders and the Brumbies playing at Canberra stadium, a venue that has a much greater commercial return to hirers than Manuka Oval because of the paucity of commercial facilities at Manuka.

### **Arts—Kingston arts precinct**

**MRS DUNNE:** My question is to the minister for the arts. Minister, artsACT has been working with the Land Development Agency on the Kingston arts precinct. Which organisation will artsACT be working with on the Kingston arts precinct after 1 July this year?

**MR RAMSAY:** I thank the member for her question. Certainly there has been a range of conversations in relation to the Kingston arts precinct, and there has been a range

of conversations over a period of time. The conversations with the organisations that have been worked with so far in general have been with the Canberra Contemporary Art Space, Craft ACT, PhotoAccess, ArtSound FM, the Canberra Potters Society, the Canberra Glassworks, Megalo Print Studio + Gallery and M16 Artspace. I will take on notice the particulars about that time frame.

**MRS DUNNE:** Minister, what role have artsACT, the economic development directorate and the LDA played in developing the Kingston arts precinct?

**MR RAMSAY:** It has been an ongoing consultative role to make sure that things are being worked through in relation to the arts organisations and ensuring that the future of the wonderful arts precinct that has been planned for the Kingston arts—

*Mr Hanson interjecting—*

**MADAM SPEAKER:** Do not respond to interjections would be my advice, minister.

**MR RAMSAY:** Thank you, Madam Speaker. It has been an ongoing role under the oversight of the Chief Minister in his role as Minister for Economic Development.

**MS LEE:** Minister, what discussion has occurred between the LDA, artsACT and the Economic Development Directorate regarding putting a hotel and childcare centre in the precinct?

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

### **Public housing—social benefits**

**MR STEEL:** My question is to the Minister for Housing and Suburban Development. Minister, what contribution has public housing made to the development of Canberra as a strong and fair community, and how is the ACT government's public housing renewal program continuing this record?

**MS BERRY:** I thank Mr Steel for the question. Given some of the exchanges this week, I think we should all be reminded that Canberra is a city founded on the idea of coming together as a community. We exist as a reflection of Australians deciding that they would work together so that all of us can enjoy our shared prosperity. And the people who built this city, who physically worked to bring about this goal, lived in public housing.

It is a legacy that has left Canberra with public housing scattered all across our suburbs. Successive ACT Labor governments have proudly maintained the most significant public housing system on a per capita basis in Australia, around double the national average.

People living in public housing contribute to local communities across Canberra every day, even if you do not know it. I recently heard an incredible example of our inclusiveness. As we have worked to relocate some families from tired old housing in Red Hill, we have been working with the Red Hill Primary School to support the

children in changing schools. The fact that many in the school community did not even know that these children live in public housing reminds us that division and exclusion can only happen when we let it.

As I have said many times in this place, housing tenure means nothing to children in a playground or on a sporting field. But public housing does provide a vital opportunity for us to improve equity in our society. It helps to break the cycle of disadvantage and connects people in need with a range of other services that they need to resolve the challenges in their lives.

Everyone needs a place to call home where they can be comfortable, feel a sense of ownership and be part of the community. So this government will not stop investing in modern, high quality public housing.

**MR STEEL:** How important is community leadership in making sure Canberra continues to offer a home for those who face significant challenges in their lives?

**MADAM SPEAKER:** Before I call the minister for housing, can I ask members on the other side to either participate in question time according to the standing orders or, if you want a conversation, take yourselves outside.

**MS BERRY:** I thank Mr Steel for his supplementary. It is an important question because the debate in this chamber and the comments coming from those opposite have been pretty disappointing. Instead of being a part of leading our community in this vital area of service provision, they have been trying to create fear and division. In contrast, the government is proud to work—

**Ms Fitzharris:** On a point of order, Madam Speaker.

**MADAM SPEAKER:** Stop the clock, please.

**Ms Fitzharris:** I am finding it difficult, with the continued conversation—which is still continuing when a point of order is underway—to hear what the minister is saying.

**MADAM SPEAKER:** Those on the opposition benches understand the standing orders. We are now on question 7. Every question time the same request comes to you to allow ministers to answer questions. If you want a conversation, take yourself into the lobby.

**MS BERRY:** Thank you, Madam Speaker. In contrast, the government is proud to work with great community leaders who want to see us continue to improve in this area, groups like ACTCOSS, Shelter ACT, 35 service providers like the YWCA, St Vincent de Paul, Woden Community Service and the Domestic Violence Crisis Service, to name a few.

These leaders are on the ground and directly meeting people's needs. They offer community leadership and they give government advice on the way we support people in our housing system. But it is a far cry from what we have had from the

opposition. Throughout the election we had the Liberals and Mr Hanson as their then leader saying, “Leave no-one behind.” Do you remember that? “Leave no-one behind” and now, this week, they are pitting neighbour against neighbour and trying to stand in the way of renewal that will make sure that people facing challenges have a decent home. Does it give you some sort of pleasure to let disadvantage deepen and marginalise those in need? I know that the Canberra community is much better than that.

*Mr Hanson interjecting—*

**Mr Steel:** On a point of order, Madam Speaker.

**MADAM SPEAKER:** Stop the clock, please.

**Mr Steel:** A member may not interrupt another member except on a point of order.

**MADAM SPEAKER:** I would remind Mr Hanson of that.

**Mrs Dunne:** On the point of order, I would suggest that you might remind members that they should address the chair under standing order 42. Perhaps if they did that, rather than addressing members of the opposition, they might not get so many rises.

**MADAM SPEAKER:** Mrs Dunne, there would not be a need for any of that if those on the opposition benches did not have to be called to order so many times during question time.

**Mr Hanson:** Madam Speaker—

**MADAM SPEAKER:** Is there a point of order, Mr Hanson?

**Mr Hanson:** There is a supplementary, Madam Speaker—

**MADAM SPEAKER:** I do not believe the minister has concluded her question, though the time has finished. A supplementary, Ms Cheyne.

**MS CHEYNE:** Minister, what is the experience of other jurisdictions that have sold off or outsourced public housing?

**MS BERRY:** I thank Ms Cheyne for the question.

**Mr Coe:** If you sell off public housing you have the asset recycling initiative money.

**MS BERRY:** That is exactly what we would have had had the Liberals won the election. They do not renew; they do not repair; they sell. They sold under Kate Carnell, which was the last time they were in government, I believe. It is a story that is repeated around Australia. When Liberals get into government they sell off public housing or they let it decay and it falls into disrepair.

The numbers tell the story in the ACT. The government has been investing in housing and investing in public housing renewal. We have applications that make up 20 per cent of our housing stock. While I would rather see these application numbers for housing be smaller and the wait times shorter, members should note that compared to others we are doing pretty well.

In New South Wales their wait list is 53 per cent of their stock—60,000 people—and the response from them is to continue to outsource and privatise. In Western Australia, tragically, it is 70 per cent of public housing stock. Thank goodness the Labor Party has been elected over there.

Why is this important to us? Around a quarter of the people who seek housing and homelessness support in the ACT come from interstate. That is right. Generous Canberrans offer a hand when Liberal governments turn people away.

Labor is proud to be different on this matter. Because of our housing system we have by far the lowest ratio of rough sleepers in Australia, around 30 people, and we support them every day where they are. We have a proud history under Labor of doing the right thing by the people who need it, and we will continue to do so.

### **ACT Policing—Civic patrol capacity**

**MR WALL:** My question is to the Minister for Police and Emergency Services. It was reported in the *Canberra Times* recently that assaults within the city centre have increased significantly from 281 in 2014 to 430 in 2016. How many police are currently on the city beat team, and how many are rostered on at peak times?

**MR GENTLEMAN:** I thank Mr Wall for his question. It is an important question, and it is important that we resource our police as best we can for these operations. Indeed, that is why we provided extra resources for ACT Policing in the last budget and, of course, I look forward to support from my cabinet colleagues in the next budget cabinet for resources for ACT Policing.

With the numbers in particular for city beat squad, I would have to take that on notice and come back to the chamber.

**MR WALL:** Minister, to what extent has the overall police presence changed in the city centre since 2014?

**MR GENTLEMAN:** Since 2014 things have changed quite a bit. ACT Policing are using the intelligence-led policing process, which means that they look at intelligence for their operations in the city centre. They use the intelligence provided to them by ACT government. That includes our CCTV systems, of course, and any information and intelligence provided by the community, as well as other sources.

So it has changed quite a bit since 2014. Beat squad, of course, has been an historic squad in the ACT and has done a fantastic job. ACT Policing continues to do a fantastic job in our city centre.

**MRS JONES:** Minister, what impact have budget cuts from 2013-14, which affected the city beat, of \$15.3 million, had on the number of assaults we are now seeing in the city centre?

**MR GENTLEMAN:** Briefs and information provided to me from ACT Policing have assured me that front-line policing has remained unchanged in recent years. As I said, they are using a different model, intelligence-led policing. It is my hope that they will continue to improve the results for ACT Policing and that crime statistics go down in the territory.

### **Crime—offences while on bail**

**MS LEE:** My question is to the Attorney-General. On 23 March last week you were asked a question by Ms Cheyne about the DPP power to review bail. You stated in your answer:

It is one of the ways that we are working quickly and effectively to ensure the ongoing improvement of our bail system and the ongoing security of our legal system in this city.

How many times has that power been used and in what types of cases?

**MR RAMSAY:** The precise details of that I will take on notice.

**MS LEE:** Attorney, do you intend to keep records to review the operation of this power?

**MR RAMSAY:** I should note that the bail review power commences on 1 May so to that extent the bail review power itself has not been used as yet. But in terms of the ongoing work, as I have indicated before in this place regarding the integrated case management system that is being implemented—it is one of the sound investments of this government—it will be able to draw on a range of information and research for the use of the justice system.

**MR HANSON:** Why is it, minister, that this government has failed to collect statistics on any bail measures for at least five years and has been saying for the past two or three years that you will have to wait for a particular IT system to come in before we receive any of that information?

**MR RAMSAY:** I thank the member for his supplementary question. The ongoing improvement of the justice system and its record keeping is one of the matters that has been discussed here and has been discussed in the annual reports. I commit again to the fact that the integrated case management system is being invested in. It has been rolled out already across the civil jurisdiction; it is coming in in the criminal jurisdiction as well. It is one of the ways that we are continuing to improve.

### **Bimberi Youth Justice Centre—staffing practices**

**MRS KIKKERT:** My question is to the Minister for Disability, Children and Youth. Minister, how often does senior management fill in for front-line youth workers at Bimberi, and why?

**MS STEPHEN-SMITH:** I thank Mrs Kikkert for her question, and I will take it on notice.

**MRS KIKKERT:** Do senior management officials who work in these roles have the same level of training as front-line youth workers, including in the use of force?

**MS STEPHEN-SMITH:** I will take it on notice.

**MRS DUNNE:** Minister, what specific steps are being taken to make sure that the current staffing level and assignments are not placing either detainees or staff at risk of harm?

**MS STEPHEN-SMITH:** I thank Mrs Dunne for her supplementary question. As I have stated a few times in this place, of course the safety and wellbeing of young people and staff at Bimberi are incredibly important to child and youth protection services and to the ACT government more broadly. There are some staffing challenges in relation to Bimberi. I understand that new staff have recently been brought on, and there is ongoing recruitment and replacement of staff.

### **Transport—active travel**

**MS CHEYNE:** My question is to the Minister for Transport and City Services. Minister, can you update the Assembly on the events undertaken during Canberra ride and walk week, which commenced on 17 March?

**MS FITZHARRIS:** I thank Ms Cheyne for the question and for her interest in active travel, particularly around her electorate of Ginninderra. I am pleased to update the Assembly on Canberra's inaugural walk and ride week, which ran from Friday, 17 March to Friday, 24 March.

Our government leads the country in active travel. Canberra walk and ride week—the first of its type in Australia—continues this national leadership. During the week, Canberrans were encouraged to walk, ride or catch public transport as often as possible for any journey. The week aimed to further promote and celebrate walking and bike riding by coordinating a diverse program of events and activities and to collect data about walking and bike riding using GPS functionality through a new free app called ACTiveLog, which I hope some members can continue to use.

By encouraging people to use this app, we can ultimately improve future active travel infrastructure in the ACT. Four hundred and fifty one Canberrans downloaded the app, with 61 per cent using it to record walks and runs and 39 per cent recording bike rides. A total of 3,212 kilometres of active travel was recorded, with an average of seven kilometres per activity. The full results will be analysed in coming months and a visual heat map will be publicly released identifying the movement patterns of those who used the app.

Events and activities were well attended, though the rain during the week was unfortunate. Those that were well attended by Canberrans included a film screening

coordinated by Stephen Hodge for a documentary re-enactment of the 1928 Tour de France; a guided walk of the Jerrabomberra wetlands; a public forum hosted by urban synergies group; guided mountain bike commutes to work, hosted by the Parks and Conservation Service; a child-friendly cities workshop, again hosted by urban synergies group, which I had the pleasure of opening; and an active travel information stall at the Seniors Expo, where the government's electric bike attracted a lot of interest.

The ACT government and the Heart Foundation also hosted two international active travel experts during the week. We are keen to build on the success of Canberra walk and ride week in 2018.

**MS CHEYNE:** Minister, what is the government doing to encourage more active travel to and from schools?

**MS FITZHARRIS:** The government is doing a lot to encourage more active travel to and from schools. We have one of the best walking and cycling path networks in Australia. However it is under-utilised, while our road network continues to become more congested, particularly around schools.

The number of children riding or walking to school has reduced over the past few years, but it is something we would like to see more of. We want walking and cycling to school to become the norm again. Cycling, walking, scooting or skating are simple ways to incorporate physical activity into everyday lives and journeys. In today's time-poor society, undertaking incidental exercise throughout the day is an ideal way to maintain a healthy weight and lifestyle.

To support this, the ACT government is delivering a number of initiatives to engage the community in active travel, particularly kids. Our ride or walk to school program aims to increase the number of children who walk, ride, scoot or take public transport to school. It provides schools with the resources and support they need to help children feel confident, and importantly to help their parents to have confidence that their kids can safely travel to and from school. We have already delivered the program to more than 60 schools and we will expand the program to 108 schools over the next couple of years.

To support the ride or walk to school program, an active streets for schools pilot was launched at four primary schools in Belconnen in 2016. It included an educational campaign and infrastructure improvements around schools to make the environment safer for kids. We will continue to expand active streets to a further 25 schools over the next two years and, beyond that, to more schools around the territory.

I am very conscious of the safety concerns associated with active travel that many parents have. To help overcome the real or even perceived risk for parents and families, the ACT government last year introduced a schools transport coordinator. We are developing a pilot for the school crossing supervisor program, as well as many activities delivered directly with schools to encourage kids to walk and cycle.

**MR PETTERSSON:** Can the minister update the Assembly on measures being taken to enhance Canberra's active travel facilities?

**MS FITZHARRIS:** I thank Mr Pettersson for the supplementary question. The government has a long and proud record of investment in active travel facilities but we know we need to do more.

The active travel office was established in 2015 to provide a focal point for active travel policy and implementation, and we are continuing to invest in active travel facilities which will make Canberra the active travel capital of Australia. I would like to give a big shout out to the active travel office, particularly for their significant efforts during Canberra's first ride and walk week last week.

To further enhance active travel facilities we are investing \$30 million over four years for additional improvements to our walking and cycling infrastructure. Some of our recent projects to upgrade our city's facilities include upgrades to the Sullivans Creek shared path which means, for those members who might have travelled either by bike or by walking along the path, that there is a fantastic new route along our inner northern suburbs; improvements in and around the Woden town centre, including much improved links from the town centre to the Canberra Hospital; better connections to the Woden bus interchange; improvements to the Northbourne Avenue verge; construction of Butters Bridge to serve new suburbs in Molonglo; the launch of cycle training facilities for children in Tuggeranong, and soon to follow in Belconnen; age friendly improvements in suburban areas including Ainslie, Weston, Kaleen and Monash; ensuring that 95 per cent of our buses are now fitted with bike racks; and installing additional bike racks in the city and town centres, with more to follow.

We will also work hard to make sure our road network is constantly upgraded to include on and off-road cycle paths. It is now common practice to include cycling facilities on our major arterial roads and ensure connections meet the needs of Canberra's cyclists.

We all know the benefits of active travel. In fact, just this week, some researchers from the University of Canberra uncovered a link between neighbourhood walkability and reduced hospital admissions for chronic disease in the ACT. I look forward to exploring with the UC researchers more about this research. (*Time expired.*)

### **Public housing—relocations**

**MR HANSON:** Minister, are there any alternative plans for the recently announced developments in Chapman, Mawson, Wright and Monash? Will you make them available for residents for discussion?

**MS BERRY:** Thank you for the question. There is housing as part of this renewal program that is being developed in new sites, in greenfields developments, on community facilities land within existing suburbs. We are also purchasing housing and dwellings off the market so long as they meet the requirements set by the housing renewal taskforce to ensure that they meet the needs of our tenants and that they are appropriate for the public housing renewal.

For example, in Holder there are no environmental contamination or geotechnical constraints. There is good public transport connectivity. It is close to schools and close to services.

**Mr Hanson:** Madam Speaker, I have a point of order on relevance.

**MADAM SPEAKER:** Minister.

**Mr Hanson:** It is not about the technical detail with regard to the particular sites; it is about whether there is any possibility of alternative plans. Is the government locked into what is happening on those sites or does it have any alternative plans for those sites?

**MADAM SPEAKER:** The minister has time to complete the answer.

**MS BERRY:** I did answer the question at the start to say that there were lots of alternatives to building on community facilities lands within the suburbs, greenfield as well as purchasing off the market.

**MRS JONES:** Minister, within the sites that have been announced, is there any scope for the building works to be undertaken in a different way to what has been announced?

**MS BERRY:** That is exactly why a conversation has started about these developments for public housing renewal on community facilities land within existing suburbs. The best way to start a conversation is to actually start it. So we have done that. We want to hear from people about what the issues are and why they have those issues, and work on some practical solutions about the developments within those suburbs.

What I have been hearing from the emails that I have been getting and from the conversations that I have been having is that the issues are around the size, the parking, traffic issues and the amenity—making sure that it is sympathetic with the existing suburb. All of that is absolutely open for a conversation and I encourage it. There is no development application at the moment so we are at the very start of this conversation about these developments.

What I am hearing from people in the community in the correspondence that I am getting in my office is that they support public housing. That is great. Let us get on to addressing some of the practical issues and come up with the solutions together so that public housing tenants can be welcomed and be part of those strong and inclusive communities.

### **Public housing—Phillip**

**MR PARTON:** My question is to the Minister for Housing and Suburban Development. Minister, in relation to public housing development opportunities, there is an active development application in relation to block 8 section 24 in Phillip, for

280 residential dwellings. Minister, will this development in Phillip have a supportive housing component?

**MS BERRY:** I know the block that Mr Parton is talking about, but I will have to get some advice about what is actually happening on that block. I will get that detail and I will bring it back to the Assembly.

**MR PARTON:** Can the minister please give us a detailed definition of exactly what supportive housing is and how that definition perhaps has changed in regard to planning guidelines? We are a little unclear on it.

**MS BERRY:** The definition has not changed. Community facilities land can be used for a number of things, including aged care, child care and supportive housing. Supportive housing is supported housing where a person lives in housing and is supported by someone, in this case the government.

**MR HANSON:** What percentage of the 280 residential dwellings would be an appropriate number of public housing or supported housing to fit in with the government's salt and pepper strategy?

**MS BERRY:** I am sorry, Mr Hanson; I missed the start of that.

**MR HANSON:** Of the 280 dwellings that are being built, what number of those could be public or supported housing to fit in with the government's salt and pepper strategy?

**MS BERRY:** All of the housing that is being developed meets with the government's salt and pepper strategy.

**Mr Hanson:** So all 280 could be public housing?

**MS BERRY:** 280 across the city?

*Members interjecting—*

**MS BERRY:** Phillip?

*Members interjecting—*

**MS BERRY:** I am sorry, I did not realise you were referring to Phillip.

**Mr Hanson:** The question was about a specific development in Phillip.

**MS BERRY:** The interruptions do not really help. If you can just shush for a moment so that I can respond to the question now I have had it clarified.

**Mr Hanson:** You asked me about six times for clarification.

**MS BERRY:** Thanks for that; that is charming. I said that I would get some detail back about the particular development that Mr Parton referred to.

**Mr Hanson:** On a point of order, Madam Speaker, on relevance—

**MS BERRY:** There is no point of order.

**Mr Hanson:** If a development has 280 dwellings, and that is what the development application says—the minister is going to get back with an answer—I am asking: of that number of 280, how many of those could be public housing if it is still going to be in accordance with the salt and pepper strategy? Could all 280 be an appropriate number?

**MS BERRY:** No.

**MADAM SPEAKER:** Mr Hanson, I think the minister indicated that she will come back to you with an answer on that so I do not think—

**MS BERRY:** I will, Madam Speaker; thank you. I am sorry to cut you off, but I did want to say that in relation to some of the high density housing that we are replacing—up to 400 in the city and 140 along Northbourne Avenue—those are the high density numbers of disadvantaged people in public housing that we want to avoid, whether it is public housing across the city sitting in single dwellings, multi-units, townhouses or multi-storey complexes. It depends very much on the type of housing and whether it meets the needs of tenants. It is about ensuring that it meets their needs and it is not that high density housing that we have in the city that creates issues around the disadvantaged all being stuck in one place. We want to make sure that they have the same chances as everyone else in the community. *(Time expired.)*

### **Public housing—Holder**

**MRS JONES:** My question is to the Chief Minister. Chief Minister, the Post and Ante Natal Depression Support and Information Group, PANDSI, will be moving from their Holder block, known as Stapylton House, or the old Holder preschool site, to make way for public housing. This move could double their rent. The president of PANDSI, Christine Spicer, said that the group was looking at fundraising to afford it. In May 2016 you advised me in writing that the government had no intention to redevelop Stapylton House. Those were your words: “no intention to redevelop Stapylton House”. In September you replied again, giving the same response. Given that representatives of Housing ACT in October 2015 presented at the Woden community council, speaking about plans to redevelop the site, why did you mislead me about the plans to redevelop the PANDSI site?

**MR BARR:** I did not, and the government is of course able to change its position and reach new determinations in relation to public housing development sites over time.

**Mr Steel:** A point of order, Madam Speaker. Mrs Jones used the word “mislead”. It is an unparliamentary word, and I would ask you to rule on that.

**Mrs Dunne:** On the point of order, it is unparliamentary to accuse a member of misleading the Assembly. Mrs Jones was referring to correspondence. She said, “Did you mislead me about those plans?” It is not unparliamentary.

**MADAM SPEAKER:** The word “mislead” and the need to withdraw relates to misleading this Assembly. But I would caution members in the use of language. Mrs Jones, ask your supplementary.

**MRS JONES:** Minister, when was the decision taken to use the site on Staphylton Street for public housing? Was the surveying being done in association with that decision?

**MR BARR:** I do not have the exact date in front of me. I will get that information and provide it to the Assembly in due course.

**MR HANSON:** Chief Minister, what support will you now be providing to PANDSI as a result of this relocation, and what consultation have you conducted with PANDSI?

**MR BARR:** The government supports a range of community sector organisations through subsidised accommodation, and in this instance that same support will be extended.

### **Government—screen arts funding**

**MR PETTERSSON:** My question is to the minister for the arts. Minister, how does the ACT government support the screen industry in the territory?

**MR RAMSAY:** I thank Mr Pettersson for his question. The ACT government supports the screen industry in the ACT in three key ways: funding individual projects; co-funding screen productions that put Canberra on the map; and funding screenACT, which is our film, television and digital media office, hosted by the ACT Screen Industry Association.

ScreenACT serves as a one-stop shop for all screen support in the ACT, helping to develop screen and digital artists, invest in local feature film productions and attract film productions to the ACT. It delivers the ACT screen arts fund, which is available for screen artists across film, television, documentary, short film, games, apps and digital media.

Through the innovative Canberra screen production fund, the ACT government also co-funds high quality feature films, television series and other commercial screen projects that have significant benefits for the ACT. Commercially successful productions that have been funded include *Secret City*, *Joe Cinque’s Consolation* and series 1 and 2 of *The Code*. These productions showcase Canberra to local and international audiences and provide jobs and experience for Canberra’s screen industry professionals.

**MR PETTERSSON:** Can the minister please outline what are the benefits to the ACT in supporting screen artists and productions?

**MR RAMSAY:** I thank Mr Pettersson for the supplementary. High profile, commercially acclaimed TV productions like *The Code* and *Secret City* showcase Canberra's unique architecture and landscapes, an important role for the national capital. Eligible projects for screen production funding are expected to trigger not less than \$4 of spending in the ACT for every dollar that has been invested by the government. The project must also have finance partners and market commitment, including things like broadcasting licence or distribution guarantee, which means that the government is backing viable productions that will be seen widely.

In 2015-16 \$400,000 was available in the screen production fund. We supported the production of series 2 of the *Code*, the feature films *Joe Cinque's Consolation* and *Riptide*, and the documentary *Oyster*.

**Ms Berry:** On a point of order, Madam Speaker, the conversation is still happening on the opposition benches. The Leader of the Opposition might need to move chairs because he keeps being distracted by members behind him.

**MADAM SPEAKER:** Thank you, Ms Berry. Can I remind members that standing orders do require the chamber to allow the minister to answer the question without interruption. Minister.

**MR RAMSAY:** Thank you, Madam Speaker. Another feature film entitled *Contained* is also under consideration.

Additionally the screen arts fund assists local screen and digital artists to develop projects or improve their own practice across a whole range of media. Leaders and others in their practice contribute not only to the diversity of the Canberra arts landscape but also to the ACT cultural economy. Modelling for the 2015 government report *Economic overview of the arts in the ACT* showed that broadcasting and the electronic media accounted for nearly half of the total economic contribution of arts and culture to the ACT economy. So investing in screen artists and productions makes great sense for Canberra, both culturally and economically.

**MS CODY:** Can the minister outline what types of projects are being funded in the 2017 screen arts funding round and which have been the big successes of previous rounds?

**MR RAMSAY:** I thank Ms Cody for the supplementary question. In 2017 screen arts funding is supporting eight projects, including the development of a TV series, a mobile app game, a feature film script and a documentary, as well as script writing and cinematography mentorships.

In the past couple of years there have been some high profile success stories that have benefited from the ACT screen arts funding, In addition to receiving funding under the screen production fund, the director of *Joe Cinque's Consolation*,

Sotiris Dounoukos, was supported by the screen arts fund for a mentorship during production.’

Another successful local film supported by the screen arts fund was *Me and My Mates vs. the Zombie Apocalypse*, produced by Christian Doran and Daniel Sanguinetti, which received funding in 2015. It has been popular on video on demand platforms in Australia and the US and was released on DVD in the UK.

Funded in 2014, the short film *Highway*, directed by Vanessa Gazy, was screened at the prestigious BFI London Film Festival. It was also nominated for a best short film award at the Warsaw International Film Festival and the Flickerfest international film festival.

These great Canberra film and media success stories show why investment in funding a variety of art forms is, indeed, good for the ACT both economically and culturally.

### **Environment—healthy waterways project**

**MS CODY:** My question is to the Minister for Environment and Heritage. Minister, can you inform the Assembly about the Isabella weir upgrade, recently announced as part of the healthy waterways project, and outline how it will improve the water quality in Lake Tuggeranong?

**MR GENTLEMAN:** I thank Ms Cody for her interest in the area, particularly in the environment of Tuggeranong. Early work has begun on the new project that will restore the natural environment of Isabella Pond, improve water quality in the Tuggeranong area and better prepare for rare flood events.

The Isabella Ponds wetlands project is the first to be constructed as part of the ACT healthy waterways project, a joint initiative of the Australian and ACT governments to invest more than \$80 million in the construction of water quality infrastructure at up to 25 sites across the ACT.

The project will not only deliver recreational benefits to Canberrans; it will also contribute to a healthier Murray-Darling Basin. The area around Isabella Pond and Upper Stranger Pond is being fenced and the water drained so that work can start on the construction of new wetlands. The new wetlands will attract birds and other native wildlife and play an important role in improving water quality downstream in Lake Tuggeranong, the Murrumbidgee River and the wider Murray-Darling Basin.

While Isabella Pond is drained to construct the wetlands, the ACT government will also undertake an upgrade of Isabella weir to bring it into line with national best practice guidelines and the recently introduced ACT dams safety code.

The draining of the ponds also allows for the removal of carp and introduced pest species. Once works have been completed, the ponds will be restocked with native fish. This is a great opportunity for the ACT government to restore a more natural environment into the ponds and to improve water quality by building wetlands, removing the carp and restocking with native fish.

**MS CODY:** Minister, can you provide an update to the Assembly on the other projects being undertaken as part of the healthy waterways project?

**MR GENTLEMAN:** The ACT healthy waterways basin project is a \$93.5 million joint initiative of the commonwealth government and the ACT government to protect and improve long-term water quality in the ACT and the Murrumbidgee River system by reducing the level of sediment and nutrients entering ACT lakes and waterways. The project is now in the implementation phase. I want to take this opportunity to thank the previous minister, Minister Corbell, for the work that he did, and the federal government for their support, too.

From the original list of over 500 potential water quality improvement infrastructure options, 188 projects were tested with the community in July 2015. In prioritising options, criteria such as water quality performance, cost, amenity value, feasibility, environmental and heritage values were taken into account. Finally, 25 priority sites were chosen, with a number of additional reserve sites also identified. Development applications are in the process of being progressed. The applications are being progressively submitted to the planning and land authority for assessment. The first group of 11 applications has been submitted to the planning and land authority for assessment.

Construction of the first projects is expected to begin in the second half of 2017. The order in which projects are implemented will depend on opportunities to generate efficiencies by combining work on various projects and site and seasonal constraints. The government will continue to keep the community informed as the projects receive planning approval and construction commences. The government will also ensure that the community is made aware of when the development applications for the remaining projects are submitted. To date, the community has provided a significant amount of feedback on the healthy waterways project which has been invaluable in progressing to this stage. I again encourage those interested to have their say on the development applications as they are submitted.

**MS ORR:** Minister, can you inform the Assembly about the H2OK information campaign, which is also part of the healthy waterways project, and how it will help to improve water quality in the territory and the surrounding water catchment.

**MR GENTLEMAN:** I thank Ms Orr for her interest in the environment. I was pleased last month to announce the beginning of the H2OK keeping our waterways healthy program as part of the joint federal and ACT government initiative to improve water quality in the ACT and wider Murray-Darling Basin and the ACT healthy waterways project.

The biggest cause of water pollution in our lakes and waterways is contaminated stormwater runoff from our streets, our house blocks, development sites, and retail and industrial areas. Monitoring tells us that many of the creeks and waterways in our urban areas are not that healthy. And with Canberra's increasing population, the pressure on ACT lakes and rivers, and downstream in the Murrumbidgee River system, will grow.

It is important that we think long-term to improve water quality by taking action now. H2OK, the keeping our waterways healthy program, will run in conjunction with the construction of new infrastructure on up to 25 sites around the ACT. The program will run until June 2019.

H2OK, keeping our waterways healthy, aims to reduce pollutants entering our waterways by engaging with the community and teaching people better ways to keep pollutants out of our water. The program highlights key habits that contribute to poor water quality, such as raking or blowing leaves into drains, overfertilising, and washing cars in driveways. A range of education and engagement activities such as community events, demonstration sites and artwork on stormwater drains, as well as a region-wide advertising campaign, will be used to show how simple changes in behaviour can help keep our waterways healthy.

**Mr Barr:** Madam Speaker, I call an end to today's apocalypse and ask that all further questions be placed on the notice paper.

## **Supplementary answers to questions without notice**

### **Planning—waste facility**

**MR GENTLEMAN:** I refer to my answer to Mrs Dunne's question yesterday about the FOY proposal. I said that I was not aware of the specifics of Ms Le Couteur's question. That is correct, and I now have further information for the Assembly.

On Tuesday, I became aware that FOY had submitted further information to the expert inquiry panel and as such asked my office to request further information about this. In addition, on Wednesday morning, Ms Le Couteur's office contacted my office to discuss the extra information. During this conversation, her office said a question on FOY would be forthcoming. My office informed me of this.

When the information requested was received, I asked my office to ask the expert panel to extend their time line so the information could be shared and commented on. This occurred, and a media release was distributed on Wednesday with that advice. As such, I was aware that Ms Le Couteur may ask a question but, I repeat, was not aware of the specifics of the question she would ask. In fact, I was not able to fully answer Ms Le Couteur's question on Wednesday, but I can now.

Officials from EPSC have sent emails to all people who attended the public hearing. Details have been provided to these people about the new information submitted by FOY as well as the extension of the time frame to make any further submissions to the panel. Details of the extended time frame to provide submissions have also been placed on the EPSC website. I want to thank my staff, in particular Bethel Sendaba, my planning adviser, for the hard work during this sitting period.

### **Animals—dangerous dogs**

### **Health—colonoscopy waiting times**

**MS FITZHARRIS:** I refer to Mr Doszpot's earlier question about the animal welfare and management strategy. As I mentioned yesterday, and have mentioned on a

number of occasions, this strategy is a comprehensive and long-term approach to addressing animal welfare and management, including the issue of dangerous dogs.

I note again that this Assembly yesterday passed a motion seeking the government's response to the Assembly by September on the issue of improving legislation and regulation as they relate to dangerous dogs. But having had the opportunity to again read the animal welfare and management strategy, I would like to draw to Mr Doszpot's attention a number of references to animal attacks in the strategy. For example, the overview of objective No 3 states:

In order to maintain community safety and urban environmental amenity, the ACT Government requires resources to deliver proactive management activities, as well as to respond efficiently and effectively to instances of animal nuisance and attacks and to respond appropriately to welfare concerns.

This strategy proposes actions that improve community safety and urban environmental amenity. Actions include developing policies to manage domestic animals in urban areas and introducing measures which support targeted investment in community infrastructure to facilitate responsible animal management.

On page 13 the strategy states:

TCCS is responsible for administering the Domestic Animals Act, the Animal Welfare Act and some licensing (e.g. use of circus animals) under the Animal Welfare Act. TCCS provides domestic animal management services to the ACT community, including; registration, nuisance and attack investigations, collection of stray and roaming dogs, cat containment, community engagement and education, and management of the domestic animals shelter.

Action item 3.1.1 on page 19 states:

Undertake community engagement activities to improve ACT government knowledge of community expectations, including expected service levels, related to animal welfare and management activities.

I look forward to reporting back to the Assembly, as the Assembly agreed yesterday, on further work that the government will do to look at strengthening and improving animal welfare actions, including in respect of dangerous dogs.

Also, yesterday Mr Milligan asked me a range of questions around colonoscopy waiting times in ACT public hospitals and I would like to provide an answer to Mr Milligan's questions. He asked about colonoscopy waiting times in ACT public hospitals, referring to question on notice 71.

He asked questions in respect of the 2016-17 financial year period to date. It is a very long question. I will not read it out again. The answer is that the majority of patients referred by their GPs to the specialist gastroenterologist in the public outpatient clinic require an endoscopic procedure such as a colonoscopy.

While the gastroenterology and hepatology unit has increased their occasions of service by 17 per cent in the last financial year, as I indicated yesterday the unit has experienced increased demand and has been unable to keep up with that increased demand, resulting in some patients having to wait longer than clinically recommended.

But significant work has been undertaken to increase procedural activity in the unit and address demand, including increasing utilisation of available endoscopy sessions; increasing the number of locum lists and weekend endoscopy lists; transferring suitable patients to Queanbeyan health service for their procedure; and tendering to outsource endoscopy to private practices in the ACT. The unit also intends to duplicate successful processes which recently resulted in significant improvement in access to elective surgery and reduced waiting times.

Mrs Dunne then followed up with a subsequent question around clinical indications. The answer is that there is no evidence to indicate that there has been any detrimental impact on the community as a result of any patient waiting longer than their recommended wait time for a procedure.

Clinical categorisation of elective endoscopy, including colonoscopy and gastroscopy, is prioritised by clinical urgency, which is assigned by the referring specialist gastroenterologist based on clinical discretion following physical examination. Patients who are waiting for a procedure, regardless of category or wait time, remain under the care of their GP. If a patient's condition changes while they are waiting, GPs can request a review of their patient by the unit, which may result in reprioritising the patient on the waiting list.

### **Land Development Agency—processes Public housing—relocations**

**MS BERRY:** I respond to questions on Tuesday about staff at the Land Development Agency. All Land Development Agency staff have been assured that they will continue to have a position following the structural changes announced by the government. No senior executives have been made redundant due to the structural changes. The CEO of the LDA has indicated that he will not be applying for a position with the newly announced entity.

Madam Speaker, in response to a question yesterday on public housing renewal, development on community facility zoned land is one way the government is renewing public housing. Any proposals on future sites will be subject to consideration by the public housing renewal task force and then advised to government.

In relation to purchases from the market, Housing ACT provides input through the public housing renewal task force on the suitability of existing developments being considered for purchase. The number of properties purchased off the market or under contract outside north Canberra is currently around 280.

To provide further clarification, “supportive housing” means housing for people in need of support. That provides a range of support services, such as counselling, domestic assistance and personal care for residents. The majority of public housing in the ACT meets this definition of supportive housing.

## **Administrative arrangements**

### **Statement by Speaker**

**MADAM SPEAKER:** Before I call the Chief Minister, yesterday during question time Mrs Jones asked me to provide to the Assembly a clarification as to whether members are meant to follow the administrative arrangements or the decisions of the Chief Minister in the chamber each question time. The administrative arrangements are, indeed, made by the Chief Minister from time to time. They provide an indication of the policy areas and the acts which the ministers administer on behalf of the territory, and are regularly used to determine where questions without notice and on notice should be directed.

As indicated by the Chief Minister yesterday, who read extensively from the *House of Representatives Practice*—and I will refer you to *Hansard* rather than repeat that—it is understood, as evidenced in the *House of Representatives Practice*, and it is common practice here in the Assembly, that when a minister receives a question which is more properly the responsibility of another minister, the minister refers the question to that responsible minister. Indeed, back in August 2013 the then Speaker, Mrs Dunne, understood that it would be the convention for ministers to refer questions to a more appropriately qualified minister, and that is an arrangement for the ministers themselves. I hope that provides clarity to members.

## **Papers**

**Mr Barr** presented the following papers:

Auditor-General Act, pursuant to subsection 21(1)—Auditor-General’s Report No 9/2016—Commissioner for International Engagement—position creation and appointment process—Government response.

Remuneration Tribunal Act, pursuant to subsection 12(2)—Determinations, together with statements for:

ACT Civil and Administrative Tribunal—Amended Determination 11 of 2016, dated March 2017.

ACT Supreme Court Judicial Positions—Determination 1 of 2017, dated March 2017.

Full-time Statutory Office Holders—Determination 4 of 2017, dated March 2017.

Head of Service, Directors-General and Executives—Determination 3 of 2017, dated March 2017.

Members of the ACT Legislative Assembly—Determination 2 of 2017, dated March 2017.

Part-time Public Office Holders—Amended Determination 12 of 2016, dated March 2017.

Part-time Public Office Holder—Medicinal Cannabis Medical Advisory Panel—Determination 5 of 2017, dated March 2017.

Revenue Legislation Amendment Bill 2017—Revised explanatory statement.

## **Schools for all—quarterly and annual reports Papers and statement by minister**

**MS BERRY** (Ginninderra—Deputy Chief Minister, Minister for Education and Early Childhood Development, Minister for Housing and Suburban Development, Minister for the Prevention of Domestic and Family Violence, Minister for Women and Minister for Sport and Recreation) (3.49): For the information of members, I present the following papers:

Schools for All—

Implementation of the recommendations of the Expert Panel on Students with Complex Needs and Challenging Behaviour—4th quarterly report, dated March 2017.

Program: Responding to the needs of Children and Young People in Canberra Schools—2016 Report.

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

Leave granted.

**MS BERRY:** The reports I am tabling today update members on progress of the schools for all program following the recommendations of the expert panel that reported in late 2015. The fourth quarter report notes progress made between October and December 2016, and the 2016 report reflects on the implementation of the first year of the program and provides some real stories of the impact in Canberra schools.

The government is committed to supporting an inclusive education system where every child and young person has access to quality education, where we are focused on understanding the individual needs of each child and support their learning. Each child should be set up for a bright future, regardless of their characteristics, circumstances or background, and our community needs to work together to prepare children to learn and then provide education in a way that recognises individual people.

The report shows clear achievements over the first year of the \$21.4 million schools for all program across both government and non-government schools. We have invested in infrastructure to provide new learning spaces and supportive school environments. New programs are targeting the mental health needs of students and providing social and emotional learning. Support for students and families is improving, with multi-disciplinary teams equipped to support students and to respond to complex needs and challenging behaviours. Schools are more engaged with the community, including service providers and families.

This work is only the beginning and over the coming year, as we have a community-led discussion towards a future of education strategy, I am sure that more opportunities to improve will arise. I want to hear firsthand from people, particularly from parents and students, and will be taking time to check that I have understood their views and test the ideas as they develop. Just to reassure those opposite again, there will be opportunities for education stakeholders, including non-government schools, to put their opinion into the mix.

## Papers

**Ms Berry** presented the following paper:

Annual Reports (Government Agencies) Act, pursuant to section 13—Annual Report 2015-2016—Land Development Agency—Corrigendum.

**Mr Gentleman** presented the following paper:

Planning, Building and Environment Legislation Amendment Bill 2017—revised explanatory statement.

## **Aboriginal and Torres Strait Islander Elected Body—reports on estimates hearings 2014 and 2015—government response Paper and statement by minister**

**MS STEPHEN-SMITH** (Kurrajong—Minister for Community Services and Social Inclusion, Minister for Disability, Children and Youth, Minister for Aboriginal and Torres Strait Islander Affairs, Minister for Multicultural Affairs and Minister for Workplace Safety and Industrial Relations) (3.52): For the information of members, I present the following paper:

ACT Aboriginal and Torres Strait Islander Elected Body—2014 and 2015 Hearings Reports—Government response.

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

Leave granted.

**MS STEPHEN-SMITH:** Thank you for the opportunity to present the government response to the 2014 and 2015 Aboriginal and Torres Strait Islander Elected Body hearings to the Assembly today. The government response relates to reports of the hearings within the third term of the elected body. Both reports were formally provided to the former Minister for Aboriginal and Torres Strait Islander Affairs, Dr Chris Bourke MLA, on 19 August 2016, prior to the commencement of the caretaker period.

Under the Aboriginal and Torres Strait Islander Elected Body Act 2008, directors-general of all ACT government directorates are called to hearings to present evidence on their respective directorates' spending and decision-making. The act provides a mechanism for the elected body to monitor and report on the services

provided, programs administered, and the outcomes delivered by the ACT government for Aboriginal and Torres Strait Islander people living in the ACT.

All relevant directorates provided input to the government response. The report on the outcomes of the Aboriginal and Torres Strait Islander Elected Body hearings 2014 fifth report to the ACT government contains 18 recommendations, and the report on the outcomes of the Aboriginal and Torres Strait Islander Elected Body hearings 2015 sixth report to the ACT government contains 15 recommendations, a total of 33 recommendations. The ACT government has agreed to 14 of the recommendations and has agreed in principle to a further seven recommendations. The remaining 12 recommendations have been noted by the government.

The implementation of the agreed recommendations is monitored by the Aboriginal and Torres Strait Islander Affairs subcommittee of the ACT public service strategic board. The government response represents only a small part of the ACT government's ongoing commitment to Aboriginal and Torres Strait Islander people.

The government is investing \$2.3 million over four years specifically to support Aboriginal and Torres Strait Islander people in Canberra. The last budget included initiatives that support Aboriginal and Torres Strait Islander Canberrans and address Indigenous disadvantage through strong connections to culture, supporting people through the justice system, expanding outreach and other health programs, and improving career opportunities.

Since the inception of the ACT Aboriginal and Torres Strait Islander agreement 2015-2018: employment targets have been incorporated into the personal KPIs of senior executive service staff members; all directorates have or are developing reconciliation action plans; an Indigenous development program is scheduled to start in May 2017; the 2016-17 Aboriginal and Torres Strait Islander omnibus budget initiative saw the approval of a number of programs specifically targeting seven key focus areas of the agreement; an older persons' accommodation project has delivered five culturally designed villas for older Aboriginal and Torres Strait Islander housing clients, and Labor committed to a second project during the election; and a new Ngunnawal bush healing farm has been built to provide culturally appropriate health services to Aboriginal and Torres Strait Islander clients.

Madam Assistant Speaker, the release of the government response provides an opportunity to promote the productive relationship between the government, the elected body and the local Aboriginal and Torres Strait Islander community, as well as a unique and progressive approach to Aboriginal and Torres Strait Islander affairs in the ACT.

### **Affordable housing**

#### **Discussion of matter of public importance**

**MADAM ASSISTANT SPEAKER** (Ms Cody): Madam Speaker has received letters from Ms Cheyne, Ms Cody, Mr Coe, Mrs Dunne, Mrs Kikkert, Ms Le Couteur, Ms Lee, Mr Milligan, Ms Orr, Mr Parton, Mr Pettersson, Mr Steel and Mr Wall

proposing that matters of public importance be submitted to the Assembly. In accordance with standing order 79, the Speaker has determined that the matter proposed by Ms Le Couteur be submitted to the Assembly, namely:

The importance of affordable housing in the ACT.

**MS LE COUTEUR** (Murrumbidgee) (3.56): Obviously I will be talking about the importance of affordable housing in the ACT today. While our city is, on the whole, quite affluent and our citizens well off, there is an undercurrent, a hidden poverty, which makes finding appropriate, affordable housing a challenge. Rising house prices, sluggish wage growth, rising costs of living have left many of our city's most vulnerable out of luck and unlikely ever to find themselves in secure, long-term housing that does not ruin them financially or socially.

For too long, our government, and all Australian governments, have accepted that housing is just another commodity to be bought and sold to make a profit for the rich. Housing is now too expensive not for just the poorest of our residents, not for just the lowest socio-economic quintile, but for nearly a third of our residents who feel housing stress. There seems to be an ever-widening gap between the rich, the middle class and the poor in this city and we have an obligation to ensure that all of our residents can have a roof over their head.

As jobs get scarcer, wages do not rise and housing gets harder to pay for, we see the quality of life go down for many people. We know that if you do not have stable housing you almost certainly will not be able to maintain stable employment and you will not be able to participate in the normal life of all Australians.

Our property market struggles to offer housing that is suitable to the needs of people with disabilities, older people, younger people and families and single people on low incomes. These are households with less than \$90,000 a year income. In 2016 about 20,000 households in the ACT faced housing stress, and single parents were amongst the hardest hit. Housing stress is defined as households which spend more than 30 per cent of their income on housing costs. And it affects two in every five single-parent households in the ACT.

Research undertaken by ACTCOSS and ACT Shelter found a significant intersection between gender inequality and housing inequality. This is because the majority of single-parent households in Canberra are headed by women. Women also generally earn less than men, work part time more often and dominate the health and welfare, child care, aged and disability care, hospitality and tourism industries which generally have lower wages and where penalty rates are now under threat.

Many of these single-parent households pay a significant proportion of their income on housing, leaving little for the other necessities of life. They find themselves compromising on groceries, health and other medical appointments. They cannot always provide their children with extracurricular activities like sport, music et cetera, and this can have a significant impact on development, educational attainment, wellbeing and inclusion.

There clearly needs to be an increase of supply of accessible, affordable housing to rent and to buy for households in the bottom 40 per cent income quintiles. This could include establishing a land release pipeline to improve certainty of supply, targeting supply side affordability measures to low and moderate income groups, and including access to affordable rental as well as home ownership in all policy initiatives addressing housing affordability.

When a Greens member was the Minister for Housing in 2014 the ACT government committed to grow public housing stock for the first time in a decade. This was a welcome advancement and I am pleased that it is continuing today with the ACT housing urban renewal project. In doing this we have to be careful not to place our public housing residents in locations with poor access to public transport, schools and other amenities. As we have noted today and yesterday, we need to meaningfully consult the broader community about the placement of public housing to ensure that it meets the needs of future tenants but also, of course, to ensure that the community is given the chance to have meaningful input into the proposed development, be it about size, orientation, traffic issues, open space, bushfire protection design etcetera. And I cannot emphasise enough that there needs to be meaningful consultation.

Last night's closure of a meeting at Weston Creek because too many people came is testament to the fact that people do want to have a say, they are concerned, they do want to be heard. For this Assembly to govern well it is vital that such a consultation not only occurs but that the feedback that is provided is considered and actually incorporated into planning. We should also be working towards the goal of having a 10 per cent affordable housing component of urban infill developments owned by government that are released from 2018. Obviously we need to set income criteria for applications to ensure that properties go to people in genuine need. And we then, of course, need to address the issue of windfall profits when affordable houses are sold on.

The ACT currently has an affordable housing action plan but we need a genuine whole-of-government approach to affordable housing to achieve this. We are pleased that there is a commitment to a development of an affordable housing strategy in the Greens-Labor parliamentary agreement. We also need, as well as talking about affordable housing in urban infill, to look at the income and asset tests for affordable housing in the 20 per cent greenfield housing commitments to ensure that the plan is actually meeting its target.

The affordable housing strategy needs to consider the creation and maintenance of a permanent affordable housing action plan steering committee made up of community, government and industry stakeholders to oversee its effective implementation. This steering committee would hopefully have close links with the soon to be existing City Renewal Authority and Suburban Land Agency.

Equally important is that these new agencies need to have representation from the social and community housing sector on their boards. This was also, of course, part of the parliamentary agreement. They will help guide decision-making and ensure that there are constant considerations of the needs of those who require social housing. We

need to work towards the more even spread of social and affordable housing across Canberra by developing a clear and transparent salt and pepper policy to guide future developments.

I was very pleased that the Greens were able to secure a commitment in the parliamentary agreement to create an innovation fund to support new approaches to affordable housing. These approaches include things like the HomeGround Real Estate Agency. This will be modelled on the one in Melbourne. It is a not-for-profit real estate agency which allows landlords to rent their houses at full market rent, reduced market rent or on a philanthropic basis. Management fees are redirected into affordable housing initiatives ensuring both a financial and a social return on investments.

Another approach particularly dear to my heart is home share for older Canberrans in particular. This is a way to support people who have particular needs to live in their own home and get support from co-tenants. This is often the case for older people who are living in a house which suited a family but there may now only be one person and the co-tenant could well provide financial as well as practical support.

Another approach which is in the parliamentary agreement is the Nightingale model. This is an architect and owner-led model which aims to deliver high quality, well-designed multi-unit developments in existing suburbs. These have been designed to be below the existing market price by reducing the profit margin of developers and reducing property speculation, by delivering housing that people need, by providing options for downsizers and for families to stay in their preferred suburbs and by reducing some of the things that are not needed by everyone, for instance shared laundry facilities and reduced car parking.

This model has been particularly attractive to first homeowners who want to live close to the city but have been priced out. This model, of course, can operate, and has operated in Melbourne, without government financial support. But we are hoping that in the ACT there could be assistance in terms of identifying appropriate sites and project facilitation rather than any particular financial support.

For older people who may have particular needs, an option should be available that suits their needs and circumstances including ageing in place and particular needs of people with disabilities. That was why one of our plans during the election campaign was to ensure that new homes and apartments achieve the livable housing design silver level by 2010. This is a disability access plan.

In summary—I know I have got a little time left—one of the other things we need to look at is the taxation system which, in many cases, encourages owners to leave houses vacant. Most of that is in the commonwealth regime. I spoke about vacancy and land tax in this place last week. In conclusion, though, we all need housing and we need it to be affordable. (*Time expired.*)

**MR PARTON** (Brindabella) (4.06): I rise to speak to this matter of public importance, the importance of affordable housing. As individuals we are defined by many things. We are defined by our family, by our upbringing, by our culture, by our race. We are

defined by our education. As we get older many of us feel as though we are defined by our occupations and what we really are. But one of the things that define us very clearly is where we live. For so many Canberrans, their home represents who they are.

When my mother brought me home from the York Hospital in the spring of 1966 she brought me home to a modest, bonded asbestos public house. 58 Grey Street in York was as basic a house as you could find in my home town but it was all that my parents could afford. We lived there for the first four years of my life. It became the launching pad for my parents as they grew their business to the point that they could eventually afford to purchase their own home. I think it is one of the many classic roles that affordable housing is supposed to play.

I thank Greens member Caroline Le Couteur for raising this and I am certainly more than happy for us to be devoting as much time as is humanly possible to talk about this in the chamber. I know we do ferociously debate things often in this chamber but I feel that on this particular issue there is a lot more that we have in common than we disagree on.

We are certainly serving our community so much better by talking about affordable housing than by wasting the hours that the other side have insisted on wasting talking about all manner of federal issues. I am dismayed at what those opposite try to do every single day. Every day they trot out these tired old lines suggesting that somehow we have got some ownership of decisions made by the federal government, our friends up on the hill, our colleagues over the lake, that everything they do up on the hill is seemingly our fault and we are to blame. I am just wondering if we may soon be blamed for decisions made by Donald Trump—maybe that is our fault as well—and Vladimir Putin. Who knows!

It is time that those on the other side grew up, stopped masquerading as the federal opposition and started to take responsibility for what former Chief Minister Jon Stanhope has declared is the biggest single regret of his time in office in this place. I have got a lot of time for Mr Stanhope as a representative of the people and as a man who genuinely tried to do the right thing by everyone. He has conceded with hand on heart that his biggest regret is not delivering affordable housing to more Canberrans than is the case now. Jon Stanhope said:

The affordable housing action plan, which I initiated in 2006, was not fully implemented at the time I left office in 2011 and has clearly still not been realised. This is despite all the levers for implementing the plan being in the hands of the ACT government. It is not only in the position of a monopoly owner of all the land for sale it also controls and operates the land planning and regulatory regime applying to its use and disposal.

The great Jon Stanhope suggests that those on the other side have the power to genuinely provide affordable housing for many more Canberrans than is the case now but they have failed. It is a great shame. What a great shame that so many young families have to carry the burden of years of inaction and what a shame that, as I mentioned yesterday in this place, many thousands of Canberra households on moderate incomes cannot get on the home ownership merry-go-round because it just keeps on going faster and faster and faster.

We mentioned yesterday that we are creating a city which is too expensive for a major chunk of its residents to live in. I know that we will hear the official housing affordability figures rolled out. I know that Minister Berry and others will tell us that everything is fine because the figures suggest that housing is affordable in our town. We know that the figures do not reflect reality. To illustrate that, I can think of nobody better to quote than my old friend Jon Stanhope. This is what the former Chief Minister wrote in *CityNews* in June 2015 about the housing affordability indicators:

The use of aggregate indicators to prove that Canberra housing is affordable ignores the unique double-peaked nature of the income distribution in the ACT.

This is Jon Stanhope pointing to the same two-class city that I spoke of yesterday. Mr Stanhope went on to say:

This illustrates the high proportion of households on moderate or high incomes and the relatively low number on average income. The reporting of housing affordability in the ACT is seriously distorted as a result.

As we all know there are virtually no houses in Canberra for sale for under \$400,000 and very few available for under \$500,000. A family on a gross income of under \$100,000 would be under financial stress servicing a mortgage on a house valued at more than \$400,000 assuming that they could raise a deposit in the first place.

It is insulting in the extreme to suggest to all those families that housing in Canberra is affordable.

Whenever those on the other side trot out housing affordability figures in here, in the *Canberra Times*, in Garema Place, at the bar or anywhere else, whenever they insist that housing is affordable in Canberra, I think they should be reminded of Mr Stanhope's words:

It is insulting in the extreme to suggest to all those families that housing in Canberra is affordable.

I would like to refer, if I could, to the Anglicare rental affordability snapshot 2015. This annual report describes the numbers of houses affordable to people on low incomes. They use data from realestate.com.au, from allhomes and from Gumtree, of all places. Let me run through some of these figures for you.

What does the Anglicare rental affordability report tell us about the number of affordable houses in the private market in my electorate of Brindabella for a couple on Newstart with two children under 10? How many private market dwellings are affordable? Not a single one. Not one. Indeed, there were not any right across the capital.

How many houses were affordable for a single person over the age of 21 on a disability support pension? Not a single one. How many houses do you think were affordable for a single person on a minimum wage, plus family tax benefits A and

B, with two children under 10? Not a single resident. They are locked out of the market completely.

How about a couple on an age pension? How many affordable properties for them? Not one in Yerrabi, one in Ginninderra, one in Kurrajong, two in Murrumbidgee and one in Brindabella. There were only five properties across the entire ACT that were deemed affordable to a couple on the age pension.

I know that those on the other side have said that this is a national issue and the problem is the same everywhere. I understand that prices are rising elsewhere but let us have a look at the same Anglicare rental survey which showed that there were only five properties across the entire ACT that were affordable to a pair of pensioners. There were 50 properties deemed affordable in little old Queanbeyan in the same survey; 50 as opposed to five here.

Allhomes reported on their blog site back in May:

... an ACT postcode can double the price of land.

They compared land prices in Googong and Tralee with similar land in greenfield developments in the ACT, and the average land price is, indeed, around twice as high here in the ACT, bearing in mind that this government has control of the levers.

I am the first to admit that in the public housing space I am on a steep learning curve. I do not put myself forward as an expert in the space. When we are talking about housing affordability, we are talking essentially about two portfolios: planning and housing. It has been very clear to me that the solutions to our problems in this area are to be found in the area of planning. I do not pretend that they are easy solutions, because they are not.

Planning levers can address the problems. Housing levers can only stem the bleeding. And I say that with all respect to those in public housing and, as a former public housing resident, I am just talking about assessing the problem. When we assess the size of the housing waiting lists, when we consider how long many are on those lists, I think it is very clear that there is a lot of bleeding.

I think that the biggest reason for the problem here is that private market housing has become unaffordable for a massive section of our city; that Jon Stanhope was right when he said that we failed. I note that we are speaking on this matter today, the day on which the Chief Minister spoke to the Assembly this morning regarding the dismantling of the Land Development Agency as we know it. We look forward to the new City Renewal Authority and the Suburban Land Agency. I optimistically hope that these agencies can better serve all Canberrans.

I also note with similar optimism that Ms Le Couteur as chair of the planning and urban renewal committee spoke in this place this morning regarding the committee inquiry into many aspects of housing in the ACT. I genuinely look forward to watching this process and to reading and hearing the conclusions. I think as we

progress in this space we should all remember that it is a right of every person to access affordable, safe and secure housing that is appropriate to their needs.

**MS ORR** (Yerrabi) (4.16): Housing affordability is an issue of significance to all Canberrans. The United Nations Universal Declaration of Rights outlines that everyone has the right to a standard of living adequate for the health and wellbeing of themselves and their family, including housing and necessary social services.

Canberrans rightfully expect to have access to affordable housing; however, we know that a significant number of people are unable to enter the current housing market. The government understands that households among the bottom 40 per cent of income earners still face housing challenges in Canberra, sometimes paying more than 30 per cent of their income for housing. They need support and viable options that lead to having a home of their own.

The ACT government has continued to take action through the implementation of affordable housing action plans and policies that seek to create a more equitable social housing framework for the ACT. The government's affordable housing action plan is built on the Canberra community's longstanding commitment to providing quality housing for all, especially the vulnerable. The action plans have included a total of 97 individual measures aimed at improving housing and land supply to the market, increasing diversity of housing products, reducing barriers to home ownership, addressing homelessness, improving rental affordability, supporting ageing in place, and improving the efficiency of property taxes through the abolition of conveyance duty.

Of the 97 measures contained in phases 1 to 3 of the affordable housing action plan, 63 have been completed, 31 are implemented and ongoing, while four were withdrawn due to market circumstances. The action plan was designed to address housing affordability across all incomes and tenure types. It contained objectives aimed to address needs across the housing spectrum, including the public and private housing supply, community rental housing and tax reform. Inclusionary zoning and planning reform were also examined, as well as the more specific needs of the ageing population and the homeless.

The ACT government has prioritised accessible and sustainable design as part of the plan, and ensured diverse sizes, prices and locations of blocks in Land Development Agency estates, including compact blocks and affordable house and land packages. Sustainable development outcomes were explored through built form in Bonner, which included 12 contemporary display homes. All homes achieved a six-star energy rating and showcased the latest in modern living and sustainability. Demonstration villages were also built in Franklin and Dunlop showcasing innovation in affordable housing design, most of which were sold at or below the government's affordable price threshold.

Housing requirements for households earning in the lower 40 per cent of incomes differ greatly from those in public and community housing and those renting in the private market, so we need to keep addressing the issue and identifying new ways to meet the challenges we face.

The ACT's experience over the past nine years supports the government re-evaluating its efforts in order to address housing market gaps for households earning under \$95,000 a year. Our understanding of what Canberrans need has, until this point, stayed relatively constant, but the Canberra community has changed. Through community consultation, we need to keep evaluating what our community needs from us and what we can provide.

We know the ACT is changing. The typical household and family are much more diverse and our communities are evolving. We are partnering later, having fewer children, working in more jobs over the course of our working lives, and experiencing less secure employment conditions than previous generations. To start addressing housing affordability, we need a better understanding of the housing needs and wants of all our community, and a diversification in the options available to obtain them.

The ACT government's housing policies are delivering better outcomes for Canberrans who need our support. Our collaboration with commonwealth and national level initiatives, including contributing to the delivery of thousands of new affordable rental dwellings under the national rental affordability scheme, makes us the most successful jurisdiction, per capita, in Australia. This includes over 2,000 affordable new dwellings for the ACT's university students, which will also benefit the broader rental market.

The government is tailoring its assistance for households in these circumstances, with current and developing programs in place for: introducing a home share program through Communities@Work to provide accommodation for low income singles or students and support older people to remain in their homes; accommodation services for the elderly or frail homeless or older people at risk of homelessness; developing a program to increase tenancy and clinical support for tenants with a mental illness; introducing a youth foyer mode, linking youth housing with employment and training opportunities; shared equity schemes for tenants in public housing to enable affordable and progressive home purchase; deferring conveyance duty and land payment for first home buyers; and providing a loan facility to Community Housing Canberra to deliver affordable properties for rental and purchase, which has so far seen the construction of 401 affordable rental homes for singles and families earning between \$30,200 and \$53,000.

Combined with these achievements, our changes to homebuyer assistance schemes and duty concessions will continue to deliver positive housing affordability outcomes for Canberra into our second century. The work of the ACT government in addressing these issues has been crucial in pursuing equity for all Canberrans. It is vital that we continue to create more affordable housing options for Canberrans, particularly those most vulnerable in our community.

**MS BERRY** (Ginninderra—Deputy Chief Minister, Minister for Education and Early Childhood Development, Minister for Housing and Suburban Development, Minister for the Prevention of Domestic and Family Violence, Minister for Women and Minister for Sport and Recreation) (4.22): When you measure average incomes, the ACT continues to rank first in home loan and rental affordability across all

jurisdictions. I heard what Mr Parton said, and when we compare it to the wages that are being paid in the ACT to low income earners, of course it is not affordable. We all need to keep working hard to make sure that we can provide opportunities for everybody to get into a home of their own.

But it is not just a local responsibility. I will come to that in a moment. The things that we need to be aware of include the ability to hold down a job, provide for the needs of kids and feel part of the city. These are all critical parts of feeling secure and comfortable in your own community. For some, keeping up with rent or mortgage payments is a daily challenge. This is true for people right here in Canberra, particularly casual workers, including hospitality and retail workers.

Like Mr Parton, I grew up in public housing. Most of my friends were in public housing, although none of us knew that we were in public housing. We were all just the same. As I have said in this place, we did not judge each other by the housing that we lived in. After that, I spent 15 years working to help people who worked in the retail and hospitality sectors to get better wages and conditions and ease some of the pressure that they face when renting in an affluent city like our own.

We have talked about wages and penalty rates here in this Assembly. Whilst we all understand that it is not the jurisdiction of this government, it is absolutely appropriate to discuss those matters in this place, because wages policy is just one area where the position of the commonwealth flows directly to the lives of people in our own community, these low income earners who are our neighbours, our friends or our family. Their children may go to the same school as our children. They go to the same shops, use the same community facilities and transport, and are largely indistinguishable from members in this Assembly. Many are providing the services in retail, hospitality, health care, cleaning, security and emergency response that we all depend on.

Improving affordable housing options will particularly help low income households. They include single-parent households, people who are often disadvantaged and experiencing housing stress in the private rental market. I am one of those single parents, but before I came here my wage was much less than it is now. I was spending more than I earned, with two children under 10. I have not forgotten what that was like, and my job in this place is to make the lives of people in the same situation as mine easier than it was for me. That is where we need to be going when we are doing the work in this place and addressing issues like housing and housing affordability. They include women who are systemically disadvantaged, particularly women escaping domestic and family violence, women caring for their children as a single parent, older women and women with a disability. And they include older women who struggle to afford the costs associated with supportive, secure and long-term accommodation that will allow them to age in place.

ACTCOSS, Shelter and the Youth Coalition have contributed to important local research on this issue. Their findings have confirmed that many lower income households in the ACT remain in housing stress, particularly in the private rental market, with people paying more than 30 per cent of their income on rent. What we

can see from this is that the property market and its current settings are not adequately catering for the needs of these people.

The government's decision is about how to intervene in the most effective way to support greater affordability for them. Supply is part of the answer, and getting the best result out of the affordable supply pipeline is one of the key questions the government is looking at. Our record in this area is strong. Since we commenced targeted work on affordable housing, the government's affordable housing action plans have introduced measures that have been broadly successful. This includes accelerated land supply and a 20 per cent greenfield affordable housing target.

From the initiatives that we have introduced in the past, we have learnt that giving people choice and access to different types of housing and tenure is absolutely essential to empowering them and minimising housing stress. That is why I hosted a community sector workshop with key community sector representatives as well as industry representatives last year. The combined knowledge and experience at the workshop provided some key goals and focus areas for further reforms.

Some of our key partners in addressing housing affordability attended this workshop: ACT Shelter, Havelock Housing Association and Council on the Ageing, as well as the Real Estate Institute of the ACT. These diverse voices helped set a broad-based agenda which could generate ideas on how best to deliver more affordable housing as well as more effective and supportive homelessness services in the ACT.

The workshop discussed the importance of considering the unique needs of different groups and agreed what further detailed analysis was possible for initiatives and options that would need to be undertaken. Opportunities for action were explored in the areas of planning, regulatory and policy reform; housing supply and diversity; the targeting of housing support; choice and flexibility; and measures for strong and sustainable public housing. To build on last year's efforts, today I have sent letters to industry and community stakeholders inviting them to participate in a further conversation about housing affordability.

In aiming to deliver increased affordable housing for low income households, we need a diverse group that represents the multiple ways in which the same problem can be looked at by different people. The group will work with the government to help develop a way forward that engages as many people in this conversation as possible and scrutinises the goals and initiatives that we consider for the future.

As I said at the outset, this is a complex issue and there is still more work to do. The government has made a commitment to develop a new housing strategy that will specifically address affordability in the ACT. It is great to have the support of the Greens and the Liberal Party for that. To find new solutions that make sense and work for our communities requires working closely with everyone in our community.

The challenge of affordable housing is a challenge not isolated to our community; it is faced by all jurisdictions across Australia. The need for a coordinated national response, with government policies pulling in the same direction, is clear. At a national level, as I mentioned earlier this week, the ACT government welcomes the

federal Treasurer's recent enthusiasm for addressing the challenge of affordable housing.

State and territory housing and homelessness ministers have been calling for funding for some time. The ACT government has engaged in conversations with other jurisdictions, particularly through a working group, on how we can work together. The national response, though, needs to clearly articulate the common challenges facing all jurisdictions, including the ACT. We need to identify the programs and strategies that are already working in different jurisdictions and, importantly, understand those factors that distinguish jurisdictions and may require the development of ideas such as those the federal Treasurer has been speaking about recently.

As you may recall, the ACT government made submissions to the commonwealth Affordable Housing Working Group last year. The government undertook to develop this submission in response to a resolution of the Assembly of 17 February 2016. Our submission highlighted the ACT government's extensive program of work to improve the supply of affordable housing and the emphasis on the importance and effectiveness of our social housing system in comparison to other jurisdictions. The submission also stressed the need for a clear and consistent commonwealth response, particularly for its policies on affordability and funding intentions for housing and homelessness services, rather than announcing national changes through the media.

On the commonwealth government's role in this place, considerable funding is provided in partnership with states and territories. If that funding is cut, that will leave a huge hole in our ability to provide affordable housing and housing services for people in our community. In advocating for a national response, we know that the prospects of achieving effective reform are better through coordinated, collaborative action rather than a national change through the media. I again welcome the prominence of this issue and the national conversation that is occurring at present.

**MR PETTERSSON (Yerrabi) (4.30):** We are facing a housing affordability crisis in this country. The current housing trends mean that the Australian dream of owning your own home has become a fantasy rather than a reality for many Australians. Australian housing is some of the most expensive in the world, with Sydney house prices second only to Hong Kong. Young people, single parents, low income earners and now middle income earners are in danger of being locked out of the housing market in capital cities. This is further widening the gap between the rich and the poor in Australia, which is currently at a 75-year high. The crisis in affordability is an incredibly important issue for government at all levels, territory, state and federal. In the ACT my Labor colleagues and I are committed to addressing this issue.

Our government has addressed the crisis head-on and significant progress has been made, particularly over the past six years. So what is the extent of this problem? The 2017 annual demographic international housing affordability survey found Australian housing to be severely unaffordable. Over the past 20 years the average house price in Sydney has increased five-fold, from roughly \$230,000 in 1997 to almost \$1.2 million today. In Melbourne, over the same time period, housing costs have increased six

times, going from roughly \$140,000 to \$940,000. Despite being more affordable than the other capital cities, in Canberra the average house price is now almost \$720,000.

While house prices have increased rapidly, wages and earnings have not increased at a similar pace. A study by the National Centre for Social and Economic Modelling and the Smith Family found 13 per cent of Australian households live in poverty, with poverty being defined as earning half the average income of all Australians. However, when the cost of housing is taken into account, that figure rises to 18 per cent of Australians living in poverty. This is unacceptable.

Access to adequate housing is a human right, and housing affordability is essential to ensuring a high quality of life for all Australians. It is important for people's personal security and self-worth. Communities flourish when people feel connected, and that is something that home ownership ensures. The federal parliament's committee inquiring into housing affordability found that home ownership has positive connections to physical and mental health, along with childhood education and development. Owning a home is important to a person's long-term financial future and stability.

Ignoring the housing affordability crisis constitutes a failure of governments to act in the best interests of millions of Australians. The federal Liberal government, for example, has completely failed to act in the face of this crisis. In 2015, when asked how many first homebuyers could enter the market, the then Treasurer, Joe Hockey, responded that they should "get a good job that pays good money". When asked how young people are expected to save up a deposit for a house, Malcolm Turnbull said parents should pay for their children. This perfectly sums up the Liberals' attitude to house prices. They are completely out of touch with reality.

*Mrs Jones interjecting—*

**MR PETTERSSON:** Their failure to show any kind of leadership or policy to address this issue shows what a lame duck the federal government is. In 2015 half of all new home loans went to investors rather than people looking to buy a house for themselves. This drives up prices. Despite this, the Liberal government have refused to overhaul negative gearing or capital gains tax—

*Opposition members interjecting—*

**MR PETTERSSON:** policies that their own inquiry found led to increases in house prices.

**Ms Orr:** A point of order.

**Mr Gentleman:** A point of order, Madam Deputy Speaker.

**MADAM DEPUTY SPEAKER:** Hang on a second; Ms Orr had a point of order before you.

**Ms Orr:** Yes, I was raising a point of order. I am actually having trouble hearing, which is quite funny, considering I am right next to Mr Pettersson.

*Mr Dospot interjecting—*

**MADAM DEPUTY SPEAKER:** Order! Some of us do not have as loud a voice as others. Mr Pettersson's voice is not transmitting across the room but Mrs Jones's is. So I would ask you to keep it down. On the matter of public importance, Mr Pettersson.

**MR PETTERSSON:** Thank you, Madam Deputy Speaker. I was under the impression that they could hear me; I am not sure why they are interjecting if they cannot.

What is often forgotten in the debate about housing affordability is that there are two components. One is the cost of housing, which is commonly addressed, but the other is the ability to meet that cost through wages and earnings. If wage growth keeps up with the cost of housing or even exceeds it, housing naturally becomes more affordable. The current Liberal government fundamentally misunderstands the issue. We see this through their support of cuts to penalty rates. We saw today Michaelia Cash, one of your mates, calling for a "cautious" approach to raising the minimum wage. I think we all know what "cautious" means.

**MADAM DEPUTY SPEAKER:** Order! Mr Pettersson, could you resume your seat for a moment. It is the convention in this and other parliaments to refer to members, including members of other parliaments, by their name and title and not by their Christian name or any other name. You can refer to Senator Cash or the Minister for Employment. Could I ask you to do so.

**MR PETTERSSON:** Thank you, Madam Deputy Speaker. I withdraw that.

**MADAM DEPUTY SPEAKER:** No, you do not need to withdraw; you just need to keep it in mind.

**MR PETTERSSON:** Thank you. This Liberal government continually adopts policies that suppress wage growth, and this is what worsens our housing affordability crisis. Unlike the Liberals on Capital Hill, this ACT Labor government is committed to addressing housing affordability. This is because we are committed to ensuring that Canberra remains an inclusive, affordable and livable city.

Here in the ACT we have the highest proportion of social housing in Australia. We have 30 social housing homes for every 1,000 people, almost double the national average. This partnership between government and the community sector ensures that low income Canberrans have access to housing they can afford. This government has committed over \$350 million to homelessness-related services in the 2016-17 budget. Over the next four years we are renewing over 1,200 public housing properties, replacing around 11 per cent of our public housing portfolio. The oldest and most

rundown properties will be replaced with modern homes that suit the needs of our tenants.

As well as public housing, the government will continue to keep housing affordable by ensuring a supply of new homes. We have released more than 37,000 residential sites over the past 10 years and have committed to releasing another 17,000 dwelling sites over the next four years. Of these new blocks, 20 per cent will be reserved for affordable housing.

In conjunction with these infrastructure projects, this government has led the nation on tax reform to make buying a house more affordable. We are cutting stamp duty, one of the taxes that hits hardest when people are trying to enter the housing market. We are targeting the most affordable homes first, cutting tax on cheaper properties faster than on the expensive ones. These initiatives will help Canberrans enter the property market and dampen the impact of speculative investment that drives up prices and makes our economy more prone to economic downturns.

These changes are merely the latest in a long line of housing initiatives implemented by this government, dating all the way back to the release of our first affordable housing action plan in 2007. Our government is committed to addressing the challenge of housing affordability in the ACT and we are committed to ensuring that Canberra remains an inclusive place to live.

**MR COE** (Yerrabi—Leader of the Opposition) (4.38): It is a good opportunity to chat about what is, I think, a core responsibility of the ACT government, that is, the provision of affordable housing. Of course, the ACT government are in a unique position whereby they are not only the custodians of the land but also the only policy setters in this space. To that end, absolutely everything in this space when it comes to land, when it comes to planning regulations, when it comes to the built form and, in effect, the cost of housing, is pretty much within the ACT government's control. That is why it is quite odd and disconcerting to hear those opposite continue to blame the federal Liberal government when in actual fact it is they who have their hands on the levers. They are simply choosing not to pull them.

The register of interested parties for the Taylor auction I think tells a pretty sorry story. The fact that there were 2,396 prospective buyers registering their interest in just 126 blocks shows just how serious the shortfall in supply is in the territory. Out of 2,396 people registered, only 126 are going to win. So you have 2,250 people—presumably 2,250 households in Canberra—who are going to be bitterly disappointed that they were unable to secure a block.

These are people who probably can afford it. So even the people who can afford to buy land cannot do so in Canberra. That is before you factor in the tens of thousands of households in Canberra that cannot afford it. So exactly who is this government satisfying when it comes to its land supply policy? The only people it is satisfying is in fact the Queanbeyan City Council, because it is making a motza on the back of this government. The Queanbeyan City Council is actually responding to demand. It is actually keeping up with demand. It is bringing to market land that people want.

Of course, it is not just on the east of the ACT; it is also to the west. There are estates like Fairley in Murrumbateman that are very well subscribed, despite the fact that it could well be an hour-long drive in the morning, and despite the fact that it is a 30 or 35-kilometre commute. People are still choosing to live there because they simply cannot get land in the ACT.

When you drive on our arterial roads or when you leave Canberra Airport, you see enormous parcels of land that are available for development. In actual fact, the government have earmarked so many of these parcels of land for development, yet they are simply gouging Canberrans by driving up the price in order to meet their desired investment return from the Land Development Agency.

Madam Speaker, it has been put to us by the government that the Land Development Agency is efficient. Actually, it is not. It is not efficient when it comes to the delivery of land, be it the efficiency in bringing land to market or in bringing land to market at a reasonable price. If you look at where the affordable land has been released in Canberra over the past 10 or 15 years, it has primarily been through private developments, most notably west Macgregor, which was done by the Village Building Company. It has not been done by the Land Development Agency.

You would think that the Land Development Agency might buck the trend in terms of the market and try to deliver more affordable housing. In actual fact, it has been the other way. It has been the private sector which has developed the more affordable housing in Canberra, and it has been the Land Development Agency which has, in effect, gone for the cream of the market, gone for the most expensive. I think that is a travesty. It is a travesty for any government, but certainly for a Labor government, which claims to be about inclusivity and equality.

This point has been raised most notably by the former Chief Minister, Jon Stanhope. He has said that housing affordability is his single biggest regret. He said:

It's virtually impossible to turn back. The best you can do is seek to stabilise and we haven't even been able to achieve that. Not only has no progress been made in relation to affordability, but I believe we're probably going backwards.

The former Chief Minister is, of course, an authority in this space, given his extraordinary experience in this space and, indeed, in this place, with regard to the supply of housing. So when you have someone like that rebuke the government, surely that would be an opportunity for them to take stock.

What we have seen today is that each of the speakers has been complicit in this government's poor strategy to gouge Canberrans, because none of them has taken some responsibility and said, "I'm part of a government that has contributed to the problem, but I want to be part of a government that's going to fix it." Instead they all just gave themselves a pat on the back and blamed the feds, because that is what they do. That is in effect the trick that they just keep on wheeling out at every opportunity: simply blame the feds. I do not buy it, and I do not think many Canberrans buy it, and

I am sure the 2,250 prospective buyers who are going to be let down in Taylor are also not going to buy this government's message.

This government has a privileged position, to be not only in a position of power but also to be in a position of power with all the levers when it comes to supply. To that end we call on the government to steadily increase the supply of new dwellings to market so that we can have some certainty and so that people who grow up in this city or who choose to live in this city can afford to buy a property and therefore secure their family's future.

*Discussion concluded.*

## **Adjournment**

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

That the Assembly do now adjourn.

## **Sejong self-governing city**

**MS LEE** (Kurrajong) (4.46): A few weeks ago, our Assembly received a visit from Mayor Lee Choon Hee of Sejong City, South Korea. Sejong, in the heart of South Korea, is a vibrant, dynamic new city that was established in 2012 to become the new administrative centre for South Korea. Starting with bringing together several government ministries and agencies and a workforce of over 16,000 public servants, today it is a self-described "happy city" with a population of approximately 250,000, which is estimated to exceed 400,000 by 2020. Clearly, Koreans do not do things slowly.

Located 140 kilometres from Seoul, or 50 minutes on the super-fast KTX train, Sejong is a self-governing city, governed by Mayor Lee. I had the great pleasure of meeting Mayor Lee on his visit to Canberra a few weeks ago at which time I was appointed an ambassador for the city. It is a great privilege to be appointed in this role. The reason I accepted such a great privilege is because of the many common qualities and values that this city shares with Canberra.

Like Canberra, Sejong City is a purpose-created city specifically intended to be the heart of the government for that country. Like Canberra, Sejong City has self-governing powers and responsibilities. Like Canberra, Sejong City prides itself on its green city initiatives and is working rapidly up the ladder to become one of the most liveable cities in the world. There is little doubt as to why Sejong is keenly interested in pursuing a sister city relationship, or something similar, with our great city.

Madam Deputy Speaker, as you and the Chief Minister will no doubt agree, having met Mayor Lee and observing in person the great passion he has to achieve great things for his city, Sejong is on the cusp of an exciting time in its goal to be the future city for Korea. Despite my jokes to Mayor Lee that we, at over 100 years old, are the

“big brother” in this relationship, there is a lot that we can learn from forging a great connection with Sejong.

Sejong City is named after King Sejong the Great from the Joseon Dynasty in Korean History. He is fondly remembered by the Korean people as the father of the modern Korean alphabet. I certainly remember learning as a child about King Sejong and the rich history of my first tongue. It is fitting then that this new city for which I am now ambassador is named after such an important figure in Korean history.

Madam Deputy Speaker, it is a great privilege to be appointed ambassador for Sejong. It is an opportunity that would not have been extended to me if I were not an elected member of this Assembly. As I reflect on my first 150 days as an elected member for Kurrajong, I am once again reminded of the great ongoing responsibility that I have in discharging my duties to the people of Canberra.

### **Blood donation**

**MR STEEL** (Murrumbidgee) (4.49): The Australian Red Cross Blood Service currently relies on just three per cent of the population to maintain our nation’s blood supplies, yet Australia unnecessarily excludes thousands of healthy people in monogamous relationships from donating blood.

The current regulatory framework, as overseen by the federal independent regulator, the Therapeutic Goods Administration, requires gay men to remain abstinent for a full year if they want to donate blood. Many good organisations encourage their employees to donate blood through blood donation challenges, and giving blood is an inherently good thing to do. But it also provokes discussion and the question: why are all men who have sex with men banned from donating blood?

As background, the ban was established in Australia during the height of the AIDS epidemic. Gay and bisexual men were more at risk as a population group of HIV/AIDS infection; so bans were put on them from donating blood. A decade ago, as scientific knowledge about HIV/AIDS became more concrete, the ban was transitioned to a preventative deferral period which sought to account for the so-called window periods, which is the incubation interval between intercourse and the time that HIV/AIDS becomes detectable.

Now all blood donations are automatically tested and modern detection techniques are more advanced, with a mere five to six day window period being the norm. Rapid testing also means that gay men are much more aware of their HIV status than they have been in the past. Importantly, HIV is now a largely preventable disease. There are good drugs that can dramatically reduce the viral load in blood, reducing the risk of transmission. The advent of PrEP as a HIV prevention has also reduced the risk for people with exposure to HIV.

I believe that the guidelines should be based on the latest evidence, and in light of medical advances, it is time the deferral period was reviewed, as it has been in other countries. France now allows gay men who have had only one partner in the past four months to contribute plasma-only donations. Their donation is then quarantined for

2½ months to ensure that it is harmless. France plans to review these policies later this year with the intention of eventually removing all bans and deferral periods.

Likewise, Canada's government is currently delivering on an election commitment to invest \$3 million on blood donation research with the intention of eventually eliminating its current 12-month deferral period. In Spain and Italy, and in Chile, Mexico and other South American countries, all donors, regardless of sexuality, can donate blood. They are simply all required to fill out a questionnaire called an individual risk assessment, based on assessing the risk of their recent sexual behaviour, which is then used to exclude the most at-risk donors.

In 2014, Red Cross Australia self-recommended a reduced deferral period of six months, and this would have been a step in the right direction. Unfortunately, the TGA rejected this recommendation. An individual risk-based approach would reduce the deferral period. I think it is something that we should consider. It would maintain the integrity of the blood supply, yet allow gay and bisexual men to donate blood. Gay men in long-term monogamous relationships are at lower risk of HIV transmission, so consideration should be given to treating them differently from people who are engaging in risky behaviour.

The most obvious effect of an individual risk-based approach is enabling a numerically significant cohort of potential donors to help save more lives while maintaining the integrity and safety of the blood supply. I hope that the TGA and the Red Cross bring forward a review of donation guidelines on the basis of ongoing technological medical developments in this area.

### **Burgmann Anglican School fair**

**MR MILLIGAN** (Yerrabi) (4.53): It gives me great pleasure to rise today to commend the friends, parents, students and staff of Burgmann Anglican School for volunteering so much of their time and making such an effort in organising a wonderful, fun, successful community fair last Friday afternoon. Widely dubbed as one of the most popular events of the Gungahlin community calendar, the fair delivers an enjoyable afternoon of family entertainment and showcases the wonderful community spirit of the electorate of Yerrabi.

The annual community fair is Burgmann's single biggest fundraiser and is organised solely by volunteers. It boasts an estimated 3,000 attendees annually and sells over 6,000 raffle tickets before the day of the fair alone.

Over the years, the Burgmann parents and friends association have raised funds to enhance and strengthen the education experience for students and teachers alike. Funds raised during previous events have directly contributed to the purchase of books for Valley and Forde libraries, leadership training for students, science and maths resources, guest speakers for students and teachers, a long-term lease on a 22-seat school bus, school solar panels, shade sails, a new sound system for the Forde campus hall, outdoor seating, musical instruments, renovations to the school cafe, iPads, and other enrichment resources.

Let me take a minute to set the scene for you, Madam Deputy Speaker. There were jumping castles, pony rides, a petting zoo, reptile shows, an invasion of daleks, a nerf battle arena and food stalls: pretty much all you could ask for, and more, wouldn't you agree? Over the course of the day, many small competitions are held for students, including arts and crafts, photography, cake decoration, scarecrow designing, and Lego building.

I was honoured to be asked to judge the Lego competition, but I have to admit that, to date, it was one of the hardest decisions I have had to make in my professional career. It was truly heart-warming to walk among countless imaginative Lego designs that gave particular insight into the dreams and aspirations of our youngest contributors to society. And yes, Madam Deputy Speaker, I count Batman, Superman and R2-D2 as genuine aspirations. Designs ranged from samurai dragon wars, replicas of the fair, spacecraft and—as claimed by Chris—“fully sick” race cars, all the way to a happy aerial view of a bride walking down the aisle and tea parties with friends, and everything in between.

Burgmann also uses the fair as an opportunity to raise funds for the Leukaemia Foundation through the World's Greatest Shave. This year, over 15 students from middle school and senior school participated in shaving off their locks to raise money for the foundation, and successfully raised in excess of \$5,000 between them.

I would like to quickly mention some of the volunteers who helped bring this incredible day together: Michelle Murphy, Wendy Preston, Deb Shannon, Karen Spedding, Beverly Clench, Tracey Jacob, Lyndall Muller, Lisa Weissel, Salena Kulkarni, Ana Hoogewerff, Averil Haidar, Rebecca Sporic, Trish Brodie, Kelly Robbins, Stephen Anthoney, Joel Anderson, Melanie Spencer and Leanne McKenzie. I apologise if I have left anyone out.

I would also like to take this opportunity to pay tribute to the principal of Burgmann Anglican School, Steven Bowers, who remains a champion for the community. Well done, Burgmann, and thank you once again to the many volunteers of our community for putting in such effort and sacrificing so much of your time in order to bring this together. It was a wonderful event; I look forward to attending next year's fair.

### **Multiculturalism—cultural acceptance**

**MRS KIKKERT** (Ginninderra) (4.57): Today I wish to speak in support of multiculturalism. This is not merely an academic discussion for me; being a migrant from the Pacific Islands, multiculturalism in Australia is my personal, everyday, lived experience, and I am thankful to be a part of this great nation.

The white Australia policy, one described by Labor Prime Minister Billy Hughes as “the greatest thing we have achieved”, was introduced in part to force people who look like me out of Australia. I am proud to belong to a political party that completely dismantled this policy, making space for me and others like me in our vibrant multicultural society. I am likewise proud to sit on the only side of this chamber that

actually reflects Australia's current multicultural society, with three migrants, one a post-war refugee, serving as Canberra Liberal MLAs.

I know intimately what it is to be insulted and harassed because of my race, my language, and the colour of my skin. To share this experience, when I was pregnant with my first child, a fellow passenger on the bus told me to go back to my country and then launched into a stream of racial slurs. I got off the bus afraid for my safety and worried that this person would follow me and physically hurt me.

Did I feel offended and insulted? You know what? I felt more than that. To be offended means to feel upset, annoyed, or resentful. That sugar-coats how I actually felt. What I felt was harassed. To be harassed means to feel tormented, disturbed persistently or persecuted. "Tormented", "disturbed", "persecuted": three powerful words that describe exactly how I felt in being discriminated against because of my race.

I also know what it is like to be politically discriminated against. I have been spat upon and sworn at for my political beliefs. Was I offended and insulted? Yes. Have I felt tormented and persecuted because of it? A profound yes. It is still tormenting me. But, you know what? Having been persecuted for having different political views and having been threatened because of the colour of my skin feel exactly the same to me.

As one who has been insulted, offended and harassed, I reject the idea that people should take offence simply because others have opposing views. Treating offence as a weapon that can be used to silence another person's thoughts or expressions trivialises the experience of those of us who have genuinely experienced racial harassment. I strongly suspect that people who talk about or use offence in this way have never actually been in the situations that I and my fellow migrants have been in.

Migration is one of the great strengths of modern Australia. Those who come here as refugees have often faced the most harrowing of circumstances, but they push on with determination and incredible resilience. I honour their contributions. Those who choose to come here to seek a better life for themselves and their families demonstrate great courage as they walk away from what is familiar and comfortable and face the unknown. I honour their contributions as well.

We migrants often feel like foreigners in this new land but, despite the loneliness and hardships, we do not despair. Often, out of great hardship and feeling cut off from family and old friends, we take courage and put our faith in a bright future. When we are treated as second-class citizens, we rise above the hatred, choosing to fulfil our dreams instead of taking offence.

As a young migrant schoolgirl, I quickly learned how to recognise and respond to bullying. In many cases, cheerfully ignoring the provocation can be the best course of action, thereby denying the one doing the provoking the satisfaction of the sought-after reaction.

Dignified silence, however, can sometimes be misinterpreted as weakness, so occasionally one needs to speak up for the sake of clarity. I do so now in the hope that

I may not be misinterpreted. Whether the issue is my absolute commitment to multiculturalism and racial harmony or any other matter, I have no intention either now or in the future of allowing myself to be intimidated by bullies, including a minister who just came into my office a few minutes ago and closed the door without me asking her to close the door and gave me some bullying, which I do not appreciate. I do not like it and I do not appreciate it, and I condemn her for it.

Question resolved in the affirmative.

**The Assembly adjourned at 5.02 pm until Tuesday, 9 May, at 10 am.**

## Schedule of amendments

### Schedule 1

#### Family and Personal Violence Legislation Amendment Bill 2017

##### Amendments moved by Mrs Kikkert

###### 1

###### Clause 39

###### Proposed new section 83 (5) and note

###### Page 25, line 5—

*omit proposed new section 83 (5), substitute*

- (5) If the parties consent to the application to amend the protection order, the Magistrates Court—
- (a) may amend the order regardless of whether or not—
    - (i) the grounds mentioned in subsection (1) (b), (c) and (d) have been made out; or
    - (ii) the court has considered those grounds; but
  - (b) must not amend the order if it can be reasonably foreseen that the amended order will place the protected person or a child of the protected person at risk of harm from the respondent to the order.

###### 2

###### Clause 96

###### Proposed new section 77 (5) and note

###### Page 51, line 19—

*omit proposed new section 77 (5), substitute*

- (5) If the parties consent to the application to amend the protection order, the Magistrates Court—
- (a) may amend the order regardless of whether or not—
    - (i) the grounds mentioned in subsection (1) (b), (c) and (d) have been made out; or
    - (ii) the court has considered those grounds; but
  - (b) must not amend the order if it can be reasonably foreseen that the amended order will place the protected person or a child of the protected person at risk of harm from the respondent to the order.
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## Answers to questions

### Capital works—program (Question No 80)

**Mr Coe:** asked the Treasurer, upon notice, on 17 February 2017:

- (1) When was the last progress report on the Capital Works Program finalised.
- (2) When is the next progress report on the Capital Works Program scheduled to be finalised.
- (3) What is the frequency of Capital Works progress reports.
- (4) Will Capital Works Program progress reports continue to be available online on the Treasury website; if so, when will the next Capital Works Program progress report be published online.
- (5) What was the online publication date of the 2015-16 Capital Works Program June Quarter progress report.

**Mr Barr:** The answer to the member's question is as follows:

1. The last progress report on the Capital Works Program was tabled in the Legislative Assembly on 16 February 2017.
2. The next legislated Capital Works Report is for the period ending 30 June 2017, which will be provided to the Legislative Assembly by 29 August 2017.
3. The legislated frequency of capital works reporting to Legislative Assembly is prescribed in Amendment R52 of the Financial Management Act 1996, under Division 3.3 Capital Works Reports, Section 30F. This amendment took effect from 1 July 2016.

Division 3.3, Section 30F (1) and (3) states:

- (1) *The Treasurer must, at least once every 6 months, prepare a report about capital works for the Territory (a capital works report); and*
- (3) *The Treasurer must—*
  - (a) *present a copy of each capital works report to the Legislative Assembly on the first sitting day after the report is prepared; and*
  - (b) *if the first sitting day is more than 60 days after the end of the period for which the report is prepared—give a copy of the report to each member of the Legislative Assembly within 60 days after the end of the period for which the report is prepared.*

4. The Government will continue to publish the Capital Works Report on the Treasury website after it has been presented to the Members of the Legislative Assembly.

5. The online publication date for the 2015-16 Capital Works Program June Quarter Report was 31 August 2016. The report was provided out of session to the Members of the Legislative Assembly on 24 August 2016.

**Transport—public transport fares  
(Question No 92)**

**Mr Coe** asked the Minister for Transport and City Services, upon notice, on 17 February 2017:

- (1) What was the process leading to the decision to increase public transport fares in the ACT as from 14 January 2017.
- (2) Have public transport fares in the ACT increased above the inflation rate; if so, why.
- (3) Who approved the increase in public transport fares.
- (4) Why was the announcement about the increase in public transport fares made on 22 December 2016.
- (5) How much additional revenue is expected to be generated by the increase in public transport fares.
- (6) When will the public transport fares in the ACT next be reviewed.
- (7) What is the expected cost of the 12 month trial of free off peak MyWay travel for senior and concession car holders.
- (8) How many cash transactions were made on public transport in the ACT in the financial years of (a) 2014-15, (b) 2015-16 and (c) 2016-17 to date.
- (9) Is any consideration being given to phasing out cash transactions on public transport in the ACT.

**Ms Fitzharris:** The answer to the member's question is as follows:

- (1) The decision to increase public transport fares in the ACT involved TCCS having regard to numerous factors, including:
  - The desirability of regular, modest adjustments to fares to reflect rising costs of service provision, rather than larger, adhoc step changes to fares;
  - The timing of the previous fare change;
  - Consumer Price Index and Wage Price Index increases; and
  - The cost of providing ACTION services.
- (2) Public transport fares increased in 2017 by an average of 2.7%. This increase is above the estimated CPI and WPI rate for 2016-17, in part due to the requirement to increase cash tickets within 10 cent denominations and increased investment in the bus network.

- (3) Public Transport fares are increased by the Minister for Transport and City Services through a change in the Road Transport (Public Passenger Services) Regular Route Service Maximum Fares Determination 2016.
  - (4) The increase in public transport fares was announced on 22 December 2016 following agreement from the Minister to allow for at least a two week notification period to the public.
  - (5) The increase is expected to result in an estimated increase of \$0.443 million for the full year 2017.
  - (6) Transport Canberra is continually monitoring and reviewing transport fares within the ACT to ensure that they offer the best value for customers and the community.
  - (7) The expected cost of the 12 month trial of free off peak MyWay travel for senior and concession card holders is \$0.65 million for the full year 2017.
  - (8) The number of cash transactions made on public transport in the ACT in the financial years of (a) 2014-15 was 2,629,684, (b) 2015-16 was 2,415,546 and (c) 2016-17 to date has been 1,541,542.
  - (9) There is no consideration being given to phasing out cash transactions on public transport in the ACT.
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### **Land Development Agency—purchases (Question No 117)**

**Ms Le Couteur** asked the Minister for Housing and Suburban Development, upon notice, on 17 February 2017:

- (1) How many rural leases of over two hectares have been purchased by the Land Development Agency (LDA) from the 2014-15 financial year to date.
- (2) For each property listed in part (1), (a) what was the date of purchase, (b) what is its location, name and size, (c) what was the purchase price, (d) what was the method of purchase, eg auction or compulsory acquisition, (e) were formal valuations sought; if so, how many valuations and what were the valuation amounts; if not, was informal valuation advice sought, (f) was a formal business case developed prior to the purchase; if so, who was it approved by and on what date, (g) on what date, if any, did the LDA Board approve the purchase and (h) for what purpose did the LDA purchase the land.

**Ms Berry:** The answer to the member's question is as follows:

- (1) 8.
- (2) See table below:

*(A copy of the attachment is available at the Chamber Support Office).*

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### **Housing—alternative housing (Question No 120)**

**Ms Le Couteur** asked the Minister for Housing and Suburban Development, upon notice, on 17 February 2017:

- (1) Is the New Experimental Architectural Typologies (NEAT) competition that was run by the Australian Institute of Architects ACT Chapter in collaboration with the Land Development Agency and the Environment and Planning Directorate in 2014 to encourage delivery of alternative housing options for Canberra proceeding; if so, where and when; if not, how, if at all, has the ACT Government implemented the results of the NEAT competition.
- (2) Did the ACT Government commit to considering the 2014 winning designs for implementation as an infill demonstration precinct.

**Ms Berry:** The answer to the member's question is as follows:

- (1) The NEAT competition was completed in 2014. The former Minister for the Environment, Mr Simon Corbell MLA, announced the winners on 23 November 2014.

The Steering Committee established to oversee the NEAT competition is no longer operating, however, the ACT Government, through the Public Housing Renewal Taskforce and the Environment, Planning and Sustainable Development Directorate, is continuing to work on identifying a suitable infill site for which a select concept/s from the competition may be constructed. This is consistent with the terms of the competition. In selecting a site there are a range of factors to be considered including other community needs and priorities.

- (2) No. The terms of the competition stated: "Independent of the Competition, but following on from it, the Steering Committee (see below) may, at its absolute discretion, shortlist a number of concepts submitted to the Competition for possible design refinement, documentation and construction by the ACT Community Services Directorate (CSD) and / or Defence Housing Australia (DHA) on a specific infill site within Canberra".

### **ACTION bus service—disability access (Question No 135)**

**Ms Lee** asked the Minister for Transport and City Services, upon notice, on 24 March 2017:

- (1) How many of the ACTION bus fleet are equipped for accessible transport.
- (2) What factors influence whether an accessible bus is assigned to a particular route when determining rosters for daily bus routes.

**Ms Fitzarris:** The answer to the member's question is as follows:

- (1) A total of 326 regular route buses of 428 are currently DDA compliant (76.1% of the total route service fleet). Transport Canberra also operates a fleet of 18 mini buses for

Special Needs Transport and Flexible Bus Service operations that are equipped for accessible transport.

- (2) When a timetable is produced priority for accessible buses is given to routes that service hospitals and aged care facilities. Customers are able to request wheelchair accessible buses on select services, which are then assessed on a case by case basis.

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### **Hume Industrial Estate—recycling (Question No 138)**

**Ms Lawder** asked the Minister for Planning and Land Management, upon notice, on 24 March 2017:

- (1) In relation to Block 63, Section 22, Hume, would the Minister outline why a business of rubbish collection and recycling plant is located in the Hume Industrial Estate and not the Hume Resource Recovery Estate, where it would be more in keeping with other businesses.
- (2) Are there height restrictions in relation to levels of recyclable material to be stockpiled in the Hume Industrial precinct.
- (3) Does zoning IZ1 allow for a recycling facility and recyclable materials collection; if so, is a rubbish dump permitted in this zone.

**Mr Gentleman:** The answer to the member's question is as follows:

Block 63 section 22 Hume is DCI Design and Construction Engineers. The answers below relate to block 66 section 22 Hume which is being used as a waste transfer centre and recycling facility.

- (1) A waste transfer station and recycling facility is consistent with the zoning of this site giving the proponent the right to lodge a development application for this use on this site.
- (2) An environmental authorisation has been issued for this site which states the height of any stock pile must not at any time exceed three meters above natural ground level. This authorisation will be introduced over the next six months provided the operator can demonstrate action is being taken to reduce materials stored.
- (3) The lease for this site permits a recycling facility and waste transfer station and the territory plan outlines these as assessable uses in this zone. A land fill site is a prohibited use in this zone. Landfill is defined in the territory plan as *the use of land for the permanent depositing of waste within the ground.*

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### **Questions without notice taken on notice**

#### **Tradesmen's union clubs—police investigation**

**Mr Gentleman** (*in reply to a supplementary question by Mr Parton on Wednesday, 22 March 2017*):

Yes.

**Crime—offences while on bail**

**Mr Ramsay** (*in reply to a question by Ms Lee on Thursday, 30 March 2017*):

As I stated in my answer to the supplementary question, the prosecution right to review bail decisions has not yet commenced. It will commence on 1 May 2017.